

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 28 OF 2025 / EZ**

Haripriya Patel

..... Petitioner / Applicant

Vs.

State of Odisha & Ors.

.....Respondent / Defendant

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SPCB Odisha, Respondent.No.3

Through

Papiya Banerjee Bihani

Kolkata

Date:

Smt. Papiya Banerjee Bihani
Advocates for the Respondent No.3
(State Pollution Control Board, Odisha)
E-mail: pbanerjeebihani@gmail.com
Phone No.: -9831493390



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.28 OF 2025 / EZ**

11 JUL 2025

Haripriya Patel ...Applicant

VERSUS

State of Odisha & Others ...Respondents

**AFFIDAVIT ON BEHALF OF STATE
POLLUTION CONTROL BOARD,
ODISHA, R.NO.3.**

I, Smt. Uma Nanduri, IFS, wife of Sri Prem Kumar Jha, IFS aged around 58 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist – Khurda, Odisha-751012, do hereby solemnly affirm and state as under:

1. That I am the Member Secretary of the Respondent No.3 Board and, as such, am well-acquainted with the facts and circumstances with the case and competent to swear this affidavit.
2. That the Hon'ble Tribunal on the basis of a letter petition filed by the Applicant bringing to the notice of the



Hon'ble Tribunal a newspaper article published in the odia daily, The Sambad on 19.12.2024, titled "Burning Baliapanda Waste Hill: Everyone suffers from Respiratory Problems, Biomining Process Begins Yet Fire Persists" vide their order dtd.24.03.2025 has been pleased to adjudicate the matter and impleaded this Board as R-3 and directed to file counter affidavit.

3. That the R-3 Board through its counsel submitted before the Hon'ble Tribunal during hearing of this case on 08.05.2025 that inspection has been carried out and the inspection report will be submitted before the Hon'ble Tribunal.
4. That Er. Soumendra Nath Mohanty, Deputy Environmental Engineer of Regional Office, Bhubaneswar of the R-3 Board has visited the site on dtd.24.04.2025 to verify the allegation raised by the Applicant and submitted a report along with conclusion, which are given below:
 - (a) The bio-mining of the legacy dump site should be completed at the earliest.



- (b) The boundary wall along the legacy dump site should be completed along with the drainage system.
- (c) The legacy waste should be excavated, loosened it and make windrows so the leachate can be dried through solar exposure and all the entrapped methane is removed. By this way the fire could be stopped.
- (d) In the effort to intensify vigil on anti-social elements and to miscreants who often lit the fire at heaps the Puri Municipality and District Administration should install artificial intelligence (AI)-based CCTV system at all the directions of the dump site.
- (e) More number of security personnel should be engaged at dump site by creating watch towers at all around the dump site for protection from miscreants.
- (f) Fire Hydrant line should be installed all around the dump site areas for dousing of fire during any incidents.



- (g) Risk assessment and onsite emergency plan should be prepared for the Baliapanda dump site.
- (h) Channels must be created to lead the oozing leachate rivulets to a lined pond for treatment of the leachate.
- (i) There should be no dumping of the fresh Municipal solid waste along with crematorium waste.
- (j) Tahasildar, Puri may be asked to carry out the eviction drive for the removal of encroachers along the dump site.
- (k) The agency involved for the bio mining is required to follow the guidelines as stipulated by CPCB under the title " Guidelines for Disposal of Legacy waste" released on December 2019.

5. That during the course of inspection, the Inspecting Officer has also collected information from Puri Fire Station regarding reported fire incidents and also



collected a copy of affidavit filed by the Chief Secretary, Govt. of Odisha in connection with M.A.No.29/2023/EZ arising out of OA No.51/2023/EZ – Chinmaya Das v. State of Odisha & Others from the District Administration, Puri in order to deal with the allegation of municipal solid wastes dumping and encroachments around the peripheral area of the dumped site, copy of which have also been annexed with the inspection report. A copy of the Inspection Report along with its annexures is annexed to this affidavit and marked as **ANNEXURE – R3/1 Colly.**

6. That it is further humbly submitted that as evident from the copy of inspection report at Annexure-R3/1 Colly that the issue raised in the OA relating to municipal solid wastes dumping and encroachment is partly before the Hon'ble Tribunal in M.A.No.29/2023/EZ arising out of OA No.51/2023/EZ – Chinmaya Das v. State of Odisha & Others which was disposed of on dtd.19.02.2025 with certain directions. A copy of the order dtd.19.02.2025 referred above is annexed to this affidavit and marked as **ANNEXURE – R3/2.**



MANJULA KUMAR PRADHAN
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2009
PH - 9437627119 (M)

- 7. That the R.No.3 Board craves leave of this Hon'ble Tribunal to file further affidavit, if required, for proper adjudication of this case.
- 8. That the annexures annexed to the present affidavit are true and correct copies of their originals.
- 9. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.


DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar

VERIFICATION:

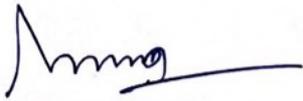
I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, as derived from official records, and that nothing material has been concealed therefrom.

Verified at Bhubaneswar on this the 11th day of July,

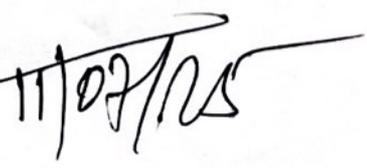
2025.



SWORN BEFORE ME


DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar

MANJULA KUMAR PRADHAN
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2009
PH - 9437627119 (M)



INSPECTION REPORT IN RESPECT OF BALIAPANDA MUNICIPAL SOLID WASTE DUMP SITE, PURI WITH RESPECT TO OA NO. 28 OF 2025 IN THE MATTER OF HARIPRIYA PATEL VS. STATE OF ODISHA & ORS.

BACKGROUND:

Smt. Haripriya Patel, the applicant in the present case filed a letter petition to Hon'ble NGT bringing to the notice regarding newspaper article published in Odia Daily 'Sambad' on dtd.19.12.2024 titled "Burning Baliapanda Waste Hill: Everyone Suffers from Respiratory Problems, Biomining Process Begins Yet Fire Persists". The Hon'ble NGT, EZB, Kolkata vide their order dtd.24.03.2025 after taking into the cognizance of the allegations raised in the said letter petition filed by the applicant as well as the article published in the above said newspaper has impleaded the Odisha State Pollution Control Board as Respondent No. 03 by initiating OA No. 28/2025/EZ and also directed all the respondents to file their counter affidavits.

The allegations is over the management practices adopted at Baliapanda municipal solid waste dump site located at Puri Town operated and maintained by Puri Municipality.

COMPLAINT DETAILS:

1. Uncontrolled municipal waste dumping since many years without processing such waste as per Solid Waste Management Rules causing resentment among the residents staying adjacent to dump yard.
2. Bio mining process has been initiated at the dump yard located at Baliapanda for processing of the legacy waste but fire at the dump site continues releasing harmful smoke and endangering the health of the residents staying nearby the dump. It further stated that the fire at dump undermines the benefit of Bio-mining and had called for immediate action to stop fire and ensure proper waste management and safeguard of public health.
3. The waste heap at Baliapanda is burning intensely and the smoke along with fiery embers has created a stifling environment to the residents. Repeated fire has left local residents distressed, as the toxic fumes and foul odor have led to respiratory issues.
4. It has been also alleged that total area of nearly 5 Acre in Baliapanda waste dump site was designated for waste dumping, but over the time it has been expanded to about 10 acres.
5. It has been alleged that there are around 2000 families residing in the peripheral areas of the dump site. Despite this, the municipality continues to dump waste there including garbage from the city and waste from crematoriums.
6. It has been also alleged that during the rainy season, the rainwater mixes with waste, creating a foul smell and breeding insects.

OBSERVATIONS:

1. The alleged site of the Baliapanda dump site of Puri Municipality was inspected on dtd.24.04.2025 to verify the allegations raised by the applicant. During the time of inspection the undersigned was accompanied by the staff from Puri Municipality and Revenue Supervisor from the office of the Tahasildar, Puri.
2. During the time of inspection it was found that bio-mining of the legacy waste was carried out by an agency namely "M/s Rohini Fire Safety Pvt Ltd" as per the agreement which was executed between Puri Municipality on dtd 17.10.2023.

As verified during the time of inspection the said agency has engaged the following machineries for the processing of the legacy waste:-

- (a) 1 No. of Tromel and 3 No.(s) of Vibratory Screen
- (b) 7 Nos Excavators
- (c) 8 Nos of dumpers

The operation of Bio mining has been carried out in three shifts.

As per the records total 3, 40,607 MT of Municipal Solid Wastes has been processed till date of reporting since the inception of the Bio-mining process. Total 51,198 MT of legacy waste is left for processing.

In relation to the bio-mining of the legacy municipal solid waste, the matter had been dealt by in MA No. 29/2023/EZ arising out of OA No. 51/2023/EZ- Chinmaya Das Vs. State of Odisha & Ors. The Hon'ble Tribunal in its order dtd 19.02.2025 had stated to complete the Bio- mining of the legacy waste at Baliapanda dump site and complete the boundary wall of the Baliapanda dump site area by 31.05.2025. In this regard the Hon'ble Tribunal had directed Puri Municipality to file affidavit before 15.07.2025, but during inspection, the boundary wall construction activity was under progress and the bio-mining of the legacy waste has not been completed.

3. The Puri Municipality has 10 Nos of MCC (Micro Composting Centre) of 5 TPD Each and 6 Nos of MRF (Material Recovery Facility) of 10 TPD each located at different areas within the Municipality jurisdiction. The municipal solid waste is being collected from door-to-door in segregated manner and being transported to the stated facilities through vehicles having separate compartments for dry and wet waste. The excess waste generated if any is being transported to the Baliapanda dump site.
4. During inspection also it was found that smoke coming out of the heap of municipal solid waste at many areas. The reason behind this is due to formation of methane gas. When organic matter in MSW decomposes in the absence of oxygen (anaerobic conditions), it produces landfill gas, which is primarily composed of methane (CH₄) and carbon dioxide (CO₂).

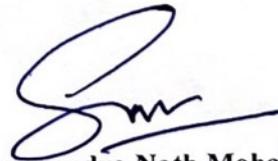
5. There has been no presence of fire hydrant lines at all around the municipality dump site. Whenever there have been fire incidents the Odisha Fire & Emergency Services has been called for dousing of fire. In relation to the matter, a letter was communicated by Regional Officer, SPC Board, Bhubaneswar to Puri Fire Station for providing information regarding the number of the fire incidents reported from the year 2018 to 2025(till date) vide Letter No.1860 dtd 02.07.2025. In response to the letter dtd.02.07.2025 of Regional Officer, SPC Board, Bhubaneswar information received from Assistant Fire Officer, Puri Fire Station vide their Letter No.2801 dtd 05.07.2025 that a total 101 No. of fire incidents have been reported and attended at the said dumping yard from 28.09.2018 to till date. A copy of Letter No.2801 dtd 05.07.2025 of AFO, Puri Fire Station is attached here with and marked as Annexure-1 for reference.

At the site, there are Fire extinguishers and fire sand buckets which is temporary measure.

6. During the field visit of the alleged site the under signed has asked the Tahasildar, Puri to provide the land details used for Baliapanda Dumping yard under Puri Municipality and accordingly the Tahasildar, Puri vide his office letter No.4713 dtd 05.05.2025 provided the required information to the Regional Officer, SPC Board that in total Ac.8.309 Dec. of area has been used as dumping yard over the Plot No(s). 55,54,53,463,465. A copy of Letter No.4713, dtd.05.05.2025 along with its enclosures received from the Tahasildar, Puri is attached herewith and marked as Annexure-2.for reference.
7. So far as encroachments at the peripheral area of the dump site is concerned, it revealed from the Annexure-E of the affidavit dtd.14.02.2025 filed by Chief Secretary, Odisha before the Hon'ble NGT EZB, Kolkata in M.A No. 29 of 2023/EZ arising out of OA No.51/2023/EZ in the matter of Chinmaya Das Vs State of Odisha& Ors. that the joint identification of the encroachments was carried out by Revenue and Municipality officials on dtd 12.02.2025 around the peripheral areas of the legacy dump site at Baliapanda. During identification, 78 No. (s) of encroachments were identified and enumerated all of which are being booked under provisions of Orissa Prevention of Land Encroachment Act 1972. A copy of Affidavit dtd.14.02.2025 filed by the Chief Secretary, Odisha is attached herewith and marked as Annexure-3 for reference.
8. There has been no proper leachate management system at the Baliapanda dump site. Channels must be created to lead the oozing leachate rivulets to a lined pond for treatment of the leachate.
9. The surface runoff drain should be constructed all around the dump site with treatment system before discharge to municipal drains.

CONCLUSION:

1. The bio-mining of the legacy dump site should be completed at the earliest.
2. The boundary wall along the legacy dump site should be completed along with the drainage system.
3. The legacy waste should be excavated, loosened it and make windrows so the leachate can be dried through solar exposure and all the entrapped methane is removed. By this way the fire could be stopped.
4. In the effort to intensify vigil on anti-social elements and to miscreants who often lit the fire at heaps the Puri Municipality and District administration should install artificial intelligence (AI)-based CCTV system at all the directions of the dump site.
5. More number of security personnel should be engaged at dump site by creating watch towers at all around the dump site for protection from miscreants.
6. Fire Hydrant line should be installed all around the dump site areas for dousing of fire during any incidents.
7. Risk assessment and onsite emergency plan should be prepared for the Baliapanda dump site.
8. Channels must be created to lead the oozing leachate rivulets to a lined pond for treatment of the leachate.
9. There should be no dumping of the fresh Municipal solid waste along with crematorium waste.
10. Tahasildar, Puri may be asked to carry out the eviction drive for the removal of encroachers along the dump site.
11. The agency involved for the bio mining is required to follow the guidelines as stipulated by CPCB under the title " Guidelines for disposal of Legacy waste" released on December 2019.



Soumendra Nath Mohanty
Deputy Environmental Engineer
Regional Office, SPC Board, Bhubaneswar

Annexure-1



Puri Fire Station, Puri
afopuri-ofs@od.gov.in, +91 76550-72950

Letter No:- 2801

Date:- 05.07.2025

To,

The Regional Officer,
State Pollution Control Board, Odisha
Chandaka Industrial Estate, Patia, Bhubaneswar – 751024

Sub: Submission of Details Regarding Fire Incidents at Baliapanda Dumping Yard from 2018 to 2025

Ref: Your letter No. 1860/RO/MISC/443 dated 02.07.2025

Sir,

With reference to the subject cited above, the details of the reported fire incidents at the open dumping site of Puri Municipality located at Baliapanda from the year 2018 to 2025 (up to date) are hereby submitted for your kind perusal and necessary action.

A total of 101(one hundred one) fire incidents have been reported and attended at the said dumping yard by the Odisha Fire and Emergency Services, Puri from 28.09.2018 to till date. The detailed year-wise data including date of occurrence and Fire Call Report Numbers are enclosed herewith for reference.

This is submitted for your kind information and necessary action.

Encl: As above

Yours faithfully

AFO,
Puri Fire Station, Puri
Dt:- 05/07/2025

Memo No: 2802

Copy submitted for kind information please to:

- 1.The Collector& DM, Puri
- 2.The Fire Officer, Central Range, Cuttack
- 3.The EO, Puri Municipality, Puri

AFO,
Puri Fire Station, Puri

Fire Call at Dumping Yard Baliapanda, Puri from 2018 to 2025 up to date

SL. No	Year	Date of incident	Fire Call Report No.
1.	2018	28.09.2018	154/2018
2.	2019	01.04.2019	63/2019
3.	-do-	08.05.2019	80/2019
4.	-do-	17.05.2019	94/2019
5.	-do-	21.05.2019	103/2019
6.	-do-	22.05.2019	106/2019
7.	-do-	27.05.2019	117/2019
8.	-do-	02.12.2019	174/2019
9.	-do-	21.12.2019	187/2019
10.	-do-	24.12.2019	191/2019
11.	2020	12.01.2020	05/2020
12.	-do-	16.01.2020	22/2020
13.	-do-	16.03.2020	39/2020
14.	-do-	25.03.2020	47/2020
15.	-do-	26.03.2020	48/2020
16.	-do-	27.03.2020	50/2020
17.	-do-	29.03.2020	52/2020
18.	-do-	30.03.2020	53/2020
19.	-do-	09.04.2020	60/2020
20.	-do-	18.04.2020	65/2020
21.	-do-	19.11.2020	116/2020
22.	-do-	11.12.2020	127/2020
23.	-do-	13.12.2020	129/2020
24.	2021	21.02.2021	30/2021
25.	-do-	17.12.2021	159/2021
26.	-do-	21.12.2021	160/2021
27.	-do-	23.12.2021	161/2021
28.	2022	06.01.2022	03/2022
29.	-do-	28.01.2022	13/2022

30.	-do-	30.01.2022	15/2022
31.	-do-	31.01.2022	16/2022
32.	-do-	01.02.2022	17/2022
33.	-do-	12.02.2022	23/2022
34.	-do-	05.03.2022	31/2022
35.	-do-	30.03.2022	48/2022
36.	-do-	17.11.2022	145/2022
37.	-do-	27.11.2022	155/2022
38.	2023	05.02.2023	19/2023
39.	-do-	20.02.2023	33/2023
40.	-do-	09.03.2023	44/2023
41.	-do-	06.04.2023	70/2023
42.	-do-	21.04.2023	85/2023
43.	-do-	21.04.2023	86/2023
44.	-do-	22.04.2023	87/2023
45.	-do-	27.04.2023	92/2023
46.	-do-	29.05.2023	119/2023
47.	-do-	10.06.2023	137/2023
48.	-do-	16.11.2023	209/2023
49.	-do-	18.11.2023	211/2023
50.	2024	06.02.2024	13/2024
51.	-do-	08.02.2024	15/2024
52.	-do-	08.02.2024	16/2024
53.	-do-	09.02.2024	17/2024
54.	-do-	10.02.2024	20/2024
55.	-do-	13.02.2024	25/2024
56.	-do-	16.02.2024	26/2024
57.	-do-	16.02.2024	28/2024
58.	-do-	20.02.2024	32/2024
59.	-do-	22.02.2024	34/2024
60.	-do-	23.02.2024	36/2024

61.	-do-	25.02.2024	37/2024
62.	-do-	28.02.2024	40/2024
63.	-do-	02.03.2024	42/2024
64.	-do-	10.03.2024	45/2024
65.	-do-	11.03.2024	48/2024
66.	-do-	12.03.2024	49/2024
67.	-do-	27.03.2024	58/2024
68.	-do-	08.04.2024	65/2024
69.	-do-	09.04.2024	68/2024
70.	-do-	10.04.2024	69/2024
71.	-do-	11.04.2024	71/2024
72.	-do-	12.04.2024	74/2024
73.	-do-	13.04.2024	78/2024
74.	-do-	20.04.2024	92/2024
75.	-do-	22.04.2024	95/2024
76.	-do-	24.04.2024	102/2024
77.	-do-	28.04.2024	109/2024
78.	-do-	30.04.2024	115/2024
79.	-do-	03.05.2024	124/2024
80.	-do-	04.05.2024	126/2024
81.	-do-	04.05.2024	127/2024
82.	-do-	09.05.2024	131/2024
83.	-do-	18.05.2024	137/2024
84.	-do-	29.05.2024	140/2024
85.	-do-	23.05.2024	143/2024
86.	-do-	12.06.2024	157/2024
87.	-do-	17.06.2024	164/2024
88.	-do-	17.06.2024	165/2024
89.	-do-	20.06.2024	167/2024
90.	-do-	18.10.2024	221/2024
91.	-do-	19.11.2024	242/2024

92.	-do-	20.11.2024	245/2024
93.	-do-	23.11.2024	247/2024
94.	-do-	24.11.2024	250/2024
95.	-do-	01.12.2024	259/2024
96.	-do-	13.12.2024	261/2024
97.	2025	07.03.2025	35/2025
98.	-do-	08.03.2025	36/2025
99.	-do-	29.03.2025	48/2025
100.	-do-	02.04.2025	52/2025
101.	-do-	14.04.2025	65/2025

[Handwritten Signature]
AFO

Puri Fire Station, Puri



Annexure-2

OFFICE OF THE TAHASILDAR, PURI

Letter No. 4713 dt. 5/5/2025

To,

The Regional Officer State Pollution Control Board, BBSR

Sub:- O.A No. 28 of 2025 / EZ filed by Harapriya Patel -Vrs- State of Odisha & Others before the learned National Green Tribunal, Eastern Zone Bench, Kolkatta.

Ref:- Your Office Letter No. 1020/dt. 17.04.2025.

Sir,

In inviting a reference to the subject cited above, I am to say that as per order of the National Green Tribunal, a joint demarcation was made in co-ordination with the technical person of Puri Municipality. As per demarcation report Ac. 8.309 has been used as dumping yard.

Plot No.	Area
55	Ac. 6.109
54	Ac. 0.105
53	Ac. 0.140
463	Ac. 0.250
465	Ac. 1.705
Total Ac. 8.309	

Copy of joint demarcation report is enclosed herewith for taking necessary action.

Yours faithfully,


Tahasildar, Puri

Memo No. 4714/Dt. 5/5/2025

Copy submitted to the Collector & District Magistrate, Puri /
Additional District Magistrate (General) Puri for favour of kind
information.


Tahasildar, Puri

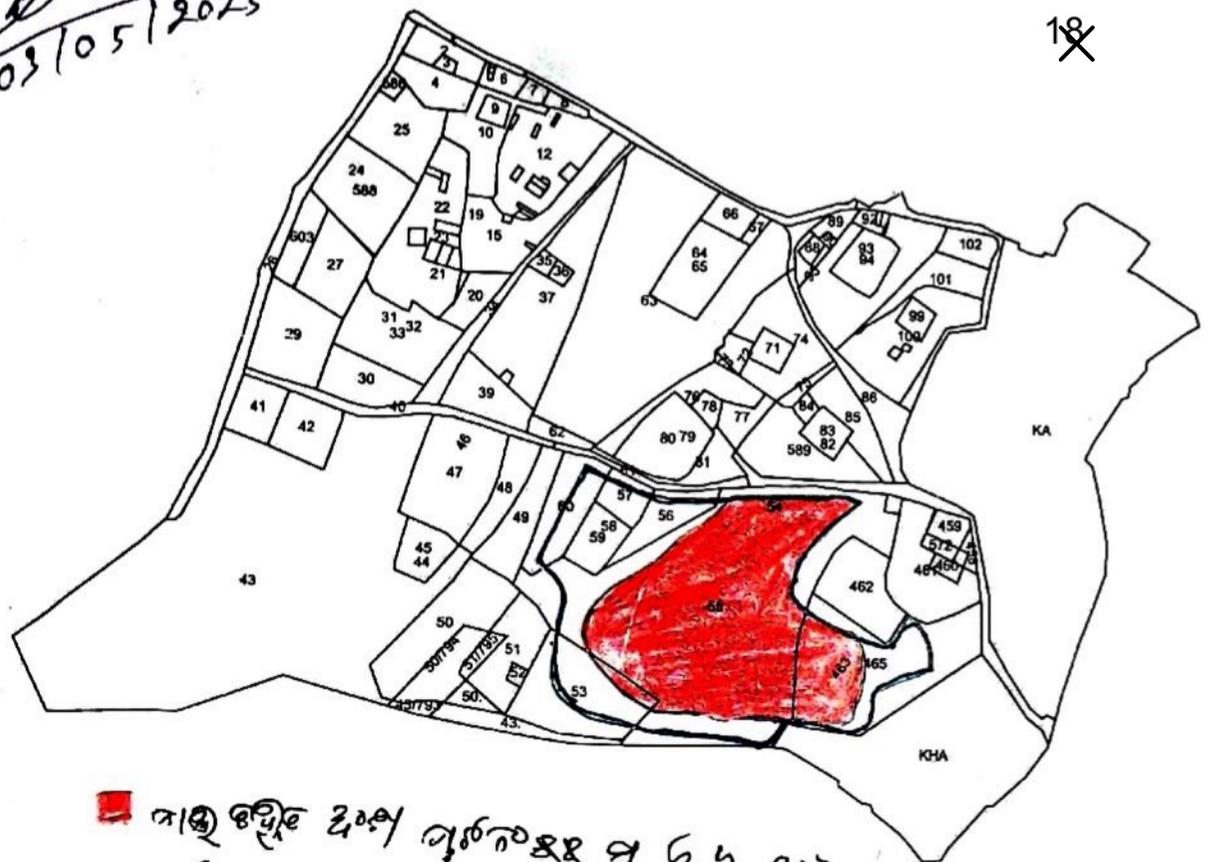
03/05/2025

18

District: 11
20 Villages, Village
No. 6, Sheet



NOT TO Scale



■ ନାହିଁ ହସ୍ତିକ ଦ୍ୱାରା ମୂଳନାମ ସ୍ୱ 6 ଓ ୨.୧୦୧, ମୂଳନା. ୧୪ ସ୍ୱ 6 0.୧୦୧,
 ମୂଳନା. ୧୩ ସ୍ୱ 6 0.୧୪୦, ମୂଳନା. ୪୨୩, 6 0.୭୧୦, ମୂଳନା ୪୨୩ ସ୍ୱ 6 ୧.୩୦୧
 ଘୋଷଣା 6 ୮.୩୦୧ ଉପରେ ଦର୍ଶାଯାଇଥିବା ସମସ୍ତ ସ୍ୱତ୍ତ୍ୱ ସମ୍ପତ୍ତିକୁ
 - ସମ୍ପୂର୍ଣ୍ଣ ମାତ୍ର ପ୍ରସ୍ତାବିତ ପ୍ରାଣୀମାନଙ୍କୁ ବାଦ୍ ଦେଖାଯାଉଛି ।

@
 Amm, Puro Tehsil
 Amm, Puro Municipality

03/05/25
 (R.I. Balakrishna)

03/05/25
 R.I.

~~X~~(A)

English Translated Version

- Red marked areas Ac. 6.109 out of Plot No. 55, Ac. 0.105 out of Plot No. 54, Ac. 0.140 out of Plot No. 53, Ac. 0.0250 out of Plot No. 493, Ac. 1.305 out of Plot No. 465.

Total Area is Ac. 8.309 in which the legacy wastes have been deposited.

- Green lines are indicates the proposed periphery wall.

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

**M.A. NO.29 OF 2023/EZ
(Arising out of O.A. No.51 of 2023/EZ)**

CHINMAYA DAS ... APPLICANT

-VERSUS-

STATE OF ODISHA

& OTHERS ... RESPONDENTS.

I N D E X

SL NO	DESCRIPTION OF DOCUMENTS	PAGES
1.	COMPLIANCE AFFIDAVIT FILED BY THE CHIEF SECRETARY, GOVERNMENT OF ODISHA PURSUANT TO DIRECTION DATED 27.09.2024.	01-08
2.	Copy of letter No. 500/Judl. dated 12.02.2025 is annexed herewith as <u>ANNEXURE-A.</u>	9-13
3.	Copy of letter No.1217 Dated 10.02.2025 is annexed herewith as <u>ANNEXURE-B.</u>	14-15

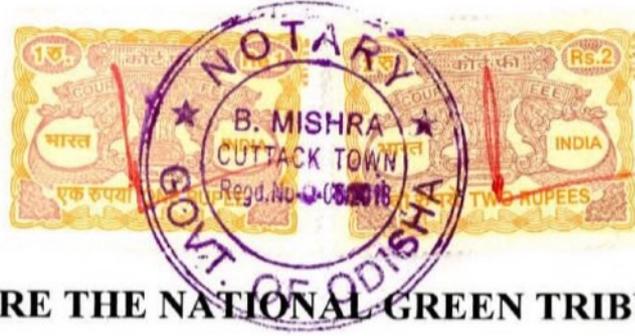
Chinmaya

4.	Photograph showing construction of boundary wall legacy waste site at Baliapanda are filed herewith as <u>ANNEXURE-C</u>	16-22
5.	The copies of photographs of fire fighting arrangements are annexed herewith as <u>Annexure-D.</u>	23-24
6.	Copy of letter No.1633 Dated 14.02.2025 is annexed herewith as <u>ANNEXURE-E</u>	25-33
7.	Copy of letter No.1303. Dated 06.02.2025 is annexed herewith as <u>ANNEXURE-F.</u>	34-35
8.	Copy of proceeding of the meeting held on 07.08.2024 is annexed herewith as <u>ANNEXURE-G</u>	36-
9.	Copy of letter No. 773 dated 27.01.2025 is annexed herewith as <u>ANNEXURE-H.</u>	37
10.	Copy of letter No. 7333/dt.04.09.2024 is annexed herewith as <u>ANNEXURE-I.</u>	38

Cuttack

Date:14.02.2025


PARTHA SARATHI NAYAK
ADDL. GOVT. ADVOCATE
MOB-9437277043
E.Mail-advparthaohc@gmail.com



BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH: KOLKATA

M.A. NO.29 OF 2023/EZ

(Arising out of O.A. No.51 of 2023/EZ)

CHINMAYA DAS ... APPLICANT

-VERSUS-

STATE OF ODISHA

& OTHERS ... RESPONDENTS.

AFFIDAVIT FILED BY THE CHIEF SECRETARY,

GOVERNMENT OF ODISHA PURSUANT TO

DIRECTION DATED 27.09.2024.

I, Sri Manoj Ahuja, aged about 60 years, Son of Ramesh Chander Ahuja, presently working as Chief Secretary, Government of Odisha, Lok Seva Bhawan, Lok Seva Marg, Unit-II, Bhubaneswar, Dist: Khurda do hereby solemnly affirm and state as follows:-

1. That I am swearing this affidavit pursuant to direction dated 27.09.2024 passed by this Hon'ble Tribunal.
2. That I have gone through the above-mentioned original application and have understood the contents thereof. In my

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Manoj Ahuja

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NOTARY, CUTTACK
ODISHA

official capacity I am well acquainted with the facts of the case and thus competent to swear this affidavit.

3. That the aforesaid Miscellaneous Application arising out of the O.A. No.51 of 2023 has been filed by the applicant before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata seeking for a direction to the State Authorities to prevent burning of wastes and for taking steps for proper disposal/recycling of plastic and polythene wastes.
4. That this Hon'ble Tribunal vide order dated 27.09.2024 observed that the elections have come to end on 04.06.2024 and, therefore, there should be no further impediments in the construction of the boundary wall around the legacy waste site at Baliapanda. The Hon'ble Tribunal has been further pleased to direct the Chief Secretary, Government of Odisha to seriously look into the matter before any accident/disaster occurs at the site and people lose their lives, and to provide for rehabilitation of the persons living in the vicinity of the legacy waste site in question. The Tribunal further directed that the Chief Secretary, Government of Odisha, shall file a fresh affidavit within four weeks showing what action has been taken in this regard.
5. That it is humbly submitted that the Collector & District Magistrate Puri vide letter No. 500/Judl. dated 12.02.2025 has

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intimated that in obedience to the order dated 27.09.2024 passed by this Hon'ble Tribunal and as per instruction of the deponent, the Collector & District Magistrate, Puri had directed the Executive Officer, Puri Municipality and the Tahasildar, Puri to furnish the required report in compliance to the orders of Hon'ble Green Tribunal.

Copy of letter No. 500/Judl. dated 12.02.2025
is annexed herewith as ANNEXURE-A.

6. That it is humbly submitted that, the Executive Officer, Puri Municipality, Puri has submitted his report vide Letter No 1217 dated.10.02.2025. The report reveals that:

(i) The construction of boundary wall around the legacy waste site at Baliapanda has been started since dt.04.11.2024. The total height of the boundary wall is 1.8 meters. The total perimeter is 800 meters out of which 200 meters of boundary wall has been completed till now and the construction work is under progress. The construction work will be completed within next three months.

(ii) The Puri Municipality has started bio-mining of legacy waste through an agency namely Rohini Fire Pvt. Ltd. vide his office agreement signed on dt.17.10.2023. In the mean time , the said agency has already bio-mined a quantity of 186637 MT till date and remaining quantity of 40000 MT

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will be removed by 31.05.2025. At present major part of the legacy waste site has been cleared.

Copy of letter No.1217 Dated 10.02.2025 is annexed herewith as **Annexure-B.**

The copies of photographs of present status of boundary wall and legacy waste site are annexed herewith as **Annexure-C.**

(iii) The Puri Municipality has installed CCTV Cameras and Security Guards through the Agency responsible for Bio – Mining at the site for surveillance.

(iv) The encroachment line from the legacy waste site is about 50' Ft. in left side separated by concrete drain and road. Similarly, the right side encroachment is also about 50' Ft. separated by road and the back side encroachment is more than 300' Ft. In case there is an incident of fire in the legacy waste site, it will be confined to the legacy waste site only and will not spread to the habitation area due to road, drain and the distance factor. However, to meet untoward incident, if any, fire fighting arrangements have been made. Further, Fire Service is also available on call to attend the exigencies.

The copies of photographs of fire fighting arrangements are annexed herewith as **Annexure-D.**

Signature

Legacy waste site

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encroachment in the area by adopting NOC mandatory from utility agency like TPCODL, WATCO, RWS & S etc. while applying for utilities like new connection of electricity and water by general Public. The concerned agencies like TPCODL, WATCO & RWS&S have been instructed not to allow any temporary or permanent connection on Government Land, Deity Land or Land of Lord Jagannath. Further Encroachment cases are being booked under the OPLE Act to prevent encroachment.

Copy of letter No.1303 Dated 06.02.2025 is annexed herewith as **ANNEXURE-F.**

Copy of proceeding of the meeting held on 07.08.2024 is annexed herewith at **ANNEXURE-G.**

9. The Puri Municipality has constructed 10 Micro Composting Plants of 5 TPD capacities each and 6 Material Recovery Facility of 10 TPD capacities each for processing of regular waste generated from the city. House to house wastes are also going to MCCs and MRFs for processing on regular basis.
10. Further the Executive Officer, Puri Municipality has requested to the Tahasildar, Puri for allotment of one more land for construction of compressed Bio Gas plant in

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coordination with Oil India Limited. In this regard Oil India Limited vide Letter No. 773 dated 27.01.2025 of Puri Municipality has been requested to submit DPR for the said purpose.

Copy of letter No. 773 dated 27.01.2025 is annexed herewith as **Annexure-H.**

11. A patch of Govt. land measuring 10.00 Ac in Khata No-271, Plot No.175, Kisan- Gochar, Mouza- Rahangiria has been identified in the vicinity of Puri Municipality area for use as alternative waste processing site. The required requisition in prescribed form has already been filed by Executive Officer, Puri Municipality vide his letter No.7333/dt.04.09.2024 before Tahasildar, Puri for alienation of Govt. land in favour of H & UD, Department for the purpose of alternative waste processing site for Puri Municipality.

Copy of letter No. 7333/dt.04.09.2024 is annexed herewith as **Annexure-I.**

12. Accordingly, An alienation case bearing No. 28/ 2025 has been initiated by Tahasildar, Puri for solid waste management at Mouza- Rahangiria.

13. That this deponent craves leave to submit further affidavit/affidavits, if necessary, in future.

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[Signature]

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14. That the facts stated above are true to the best of my knowledge and belief based on official records.

Identified by:-

Advocate

Manoj Ahuja
Deponent.

Chief Secretary,
Odisha

CERTIFICATE

Certified that due to non-availability of cartridge papers white thick 75 GSM papers used.

Cuttack

Date: 15.02.2025

Partha Sarathi Nayak

PARTHA SARATHI NAYAK
ADDL. GOVT. ADVOCATE

Solemnly Sworn before me by.....

Manoj Ahuja

being identified by..... Advocate

Selt

at Cuttack dated.....

15/02/2025

B. MISHRA
NOTARY, CUTTACK
ODISHA

B. Mishra
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OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, PURI.

Tel: 06752- 222033 (R) 222034 (O) Fax No. : 223939
Website: www.puri.nic.in, E-Mail: dm-puri@nic.in
Email Id- judicialpuri2023@gmail.com



Letter No. 500 / Judl. dt. 12.02.2025

To

**The Additional Secretary to Government,
Revenue & D.M. Department, Odisha, Bhubaneswar.**

Sub: M.A. No. 29 of 2023 (Arising out of O.A. No. 51 of 2023) filed by Chinmaya Das -Vrs- State of Odisha & Others.

Sir,

Apropos, the captioned subject and letter cited above, I am to say that, the Petitioner Sri Chinmaya Das has filed M.A. No. 29 of 2023 (Arising out of O.A. No. 51 of 2023) before the National Green Tribunal, Eastern Zone, Bench, Kolkata against the State of Odisha & Others.

That, the averments made in para-2 of the affidavit in M.A. No. 29 of 2023, the applicant has made the following prayer;

That, large amount of municipal wastes of Puri Town are dumped on Baliapanda dumping area to be used as compost. However, the wastes are being brunt thereby completely polluting the nearby areas of Bali Sahi, Gourbada Sahi, Swargadwar and Baliapanda.

The Hon'ble N.G.T. while considering the matter has been pleased to direct the Chief Secretary, Government of Odisha to look into the matter before any accident/disaster occurs at the site and people lose their lives, and to provide for rehabilitation of the persons living in the vicinity of the dumping yard in question and to file fresh affidavit showing what action has been taken in this regard.

In this connection, it is pertinent to mention here that, the Executive Officer, Puri Municipality and the Tahasildar, Puri have been requested to furnish the required report containing the following points for compliance of the orders of the Hon'ble Green Tribunal vide this office Letter No. 368/Judl dt. 03.02.2025.

1. Perimeter, dimension (length and breadth), progress of the construction of boundary wall area that is being covered.

Addl. Secretary to Govt.
Revenue & D.M. Deptt.

17/2/25

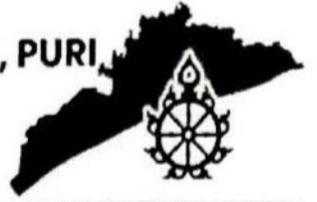




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OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, PURI

Tel: 06752- 222033 (R) 222034 (O) Fax No. : 223939
 Website: www.puri.nic.in, E-Mail: dm-puri@nic.in



2. Proposed height of the boundary wall.
3. Proposal of alienation given for dumping yard and proclamation.
4. Legacy of waste reduction and when it shall be reduced.
5. How many sites of Bio-mining (MRF) are there and how many are proposed to be created.
6. Protection against fire accidents by miscreants what measures are taken for prevention and rescue.
7. Removal of encroachments.
8. Compliance regarding rehabilitation of encroachers.
9. House to house waste goes directly to the Bio-mining center or if they are dumped in the sites, these are transfer quickly or not.
10. Photograph of boundary wall and legacy waste.

The Executive Officer, Puri Municipality, Puri has submitted his report vide Letter No. 1217 dt. 10.02.2025. The report reveals that,

1. The construction of boundary wall around the dumping yard at Baliapanda has been started since dt 04.11.2024. The total perimeter is 800 meters out of which 200 meters of boundary wall has already been completed and the construction work is under progress. The construction work will be completed within next three months.
2. The total height of the boundary wall is 1.8 meters
3. A patch of government land measuring Ac. 15.00 in Khata No. 271, plot No. 175, Kisam – Gochar, Mouza- Rahangiria has been identified in the vicinity of Puri Municipality area for use as alternative dumping site. The required requisition in prescribed form has already been filed by Executive Officer, Puri Municipality, Puri vide his letter No. 7333 dt.04.09.2024 before Tahasildar, Puri for alienation of Govt. land in favour of H & U.D Department for the purpose of dumping yard for Puri Municipality.
4. The Puri Municipality has started bio- mining of legacy waste through an agency namely “Rohini Fire Pvt Ltd”, vide his office agreement signed on

17/02/25
 Addl. Secretary to Govt.
 Revenue & D.M. Deptt.

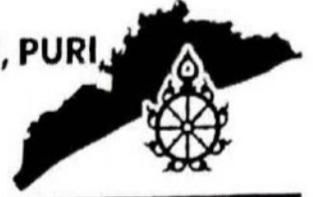




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OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, PURI

Tel: 06752- 222033 (R) 222034 (O) Fax No. : 223939
 Website: www.puri.nic.in, E-Mail: dm-puri@nic.in



dated 17.10.2023. In the meantime the said agency has already bio-mined a quantity of 1, 86,637 MT till date and remaining quantity of 40,000 MT will be removed by 31.05.2025. At present major part of the dumping yard has been cleared.

5. The Puri Municipality has constructed 10 "Micro Composting Plants" of 5 TPD capacities each and 6 "Material Recovery Facility" of 10 TPD capacities each for processing of regular waste generated from the city. Further the Executive Officer, Puri Municipality has requested to the Tahasildar, Puri for allotment of one more land for construction of compressed Bio-Gas plant in coordination with Oil India Limited. In this regard the Oil India Limited has been requested to submit DPR for the said purpose.
6. The Puri Municipality has installed CCTV cameras and engaged Security Guards through the agency responsible for bio-mining at the site. After installation of CCTV and deployment of Security Guards, the entry of mischievous people in the dumping yard, who generally set fire, has been stopped and since then there is no incident of fire reported. The encroachment line from the dumping yard is about 50`ft. in the left side separated by concrete drain and road. Similarly, the right side encroachment is also about 50`ft separated by road and the back side encroachment is more than 300`ft. In case there is an incident of fire in the dumping yard, it will be confined to the dumping yard only and will not spread to the habitation area due to road, drain and the distance factor. However in case of necessity, Fire Service is available on call to attend immediately.
7. The Tahasildar Puri has been requested to take necessary steps for removal of encroachers around the dumping yard.
8. As per the provision of Odisha Land Rights to Slum Dwellers Act 2017, every landless person occupying a land in slum in urban area as on



17/2/2024
 Addl. Secretary to Govt.
 Revenue Deptt.



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OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, PURI

Tel: 06752- 222033 (R) 222034 (O) Fax No. : 223939
 Website: www.puri.nic.in, E-Mail: dm-puri@nic.in



10.08.2017 shall be entitled for settlement of land and issue of Land Right Certificate under Odisha Land Rights to Slum Dwellers Act 2017. These encroachments around the dumping yard have been developed recently much after the date prescribed in the Act.

They are not landless people but unauthorized encroachers and need eviction.

9. House to house wastes are going to MCCs and MRFs for processing on regular basis.
10. Photographs of present status of boundary wall and legacy wastes are enclosed in the report of the Executive Officer, Puri Municipality, Puri which may kindly be referred to.

The Tahasildar, Puri has submitted his report vide Letter No. 1303 dt. 06.02.2025 which reveals that,

1. An alienation case bearing no. 28/ 2025 is initiated for solid waste management at Mouza- Rahangiria.
2. As per the decision taken in a meeting held on date – 07.08.2024 at 12.10 PM under the chairmanship of the Collector & District Magistrate, Puri, steps are being taken by the Tahasildar, Puri to prevent further encroachment in the area by adopting NOC mandatory from utility agency like TPCODL, WATCO, RWS & S etc. while applying for utilities like new connection of electricity and water by general Public. The concerned agencies like TPCODL, WATCO & RWS&S have been instructed not to allow any temporary or permanent connection on Government Land, Deity Land or Land of Lord Jagannath. Further Encroachment cases are being booked under the OPLE Act to prevent encroachment.

Handwritten signature and date: 17/02/2025

*Addl. Secretary to Govt.
Revenue & D.M. Deptt.*

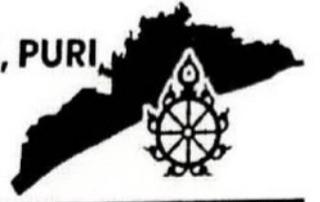




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OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE, PURI

Tel: 06752- 222033 (R) 222034 (O) Fax No. : 223939
Website: www.puri.nic.in, E-Mail: dm-puri@nic.in



The copies of the report of the Executive Officer, Puri Municipality, Puri and the Tahasildar, Puri are enclosed here with as annexure A & B for kind reference.

Yours faithfully,

sl
Collector, Puri

Memo 501 /Judl.dt 12.02.2025

Copy along with enclosure forwarded to the Addl. Secretary to Government, H&UD Department, Odisha, Bhubaneswar for information and necessary action.

sl
Collector, Puri

Memo 502 /Judl.dt 12.02.2025

Copy along with enclosure forwarded to the Advocate General Odisha, Cuttack for information and necessary action.

sl
Collector, Puri

12/02/25
Addl. Secretary to Govt.
Revenue & D.M. Deptt.





~~34~~ ANNEXURE-B
OFFICE OF THE PURI MUNICIPALITY, PURI

Letter No. 1217 / Dated. 10.02.25



Mail ID: purim.hud@nic.in
purim.hud@gmail.com

To

The Deputy Collector (Judicial), Puri

Sub: Compliance to order of Hon'ble NGT in MA No-29/2023 arising out of O.A No-51/2023 filed by Sri Chinmaya Das -Vrs- State of Odisha & others.

Ref: Your letter No-368/Judl, dt.03.02.2025.

Sir,

In inviting reference to the subject cited above, I am furnishing below the compliance to the order of Hon'ble NGT in MA No-29/2023 arising out of OA. No-51/2023 filled by Sri Chinmaya Das – Vrs- State of Odisha & others.

1. The construction of boundary wall around the dumping yard at Baliapanda has been started on dt.04.11.2024. The total perimeter is 800 meters out of which 200 meters of boundary wall has been completed till now and the construction work is going on. The construction work will be completed within next three months.
2. The total height of the boundary wall is 1.8 meters.
3. A patch of Govt. land measuring 15.00 Ac in Khata No-271, Plot No.175 has been identified in the vicinity of Puri Municipality area for use as alternative dumping site. Requisition in prescribed form has been filed by Executive Officer, Puri Municipality vide his letter No.7333/dt.04.09.2024 before Tahasildar, Puri for alienation of Govt. land in favour of H & UD, Department for the purpose of Dumping Yard for Puri Municipality.
4. Puri Municipality has started bio-mining of legacy waste through an agency namely Rohini Fire Pvt. Ltd. vide this office agreement signed on dt.17.10.2023. Further, the Agency has bio-mined a quantity of 1,86,637 MT till date and remaining quantity of 40,000 MT will be removed by 31.05.2025. At present major part of the dumping yard has been cleared.

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Addl. Secretary to Govt.
Revenue & D.M. Deptt.

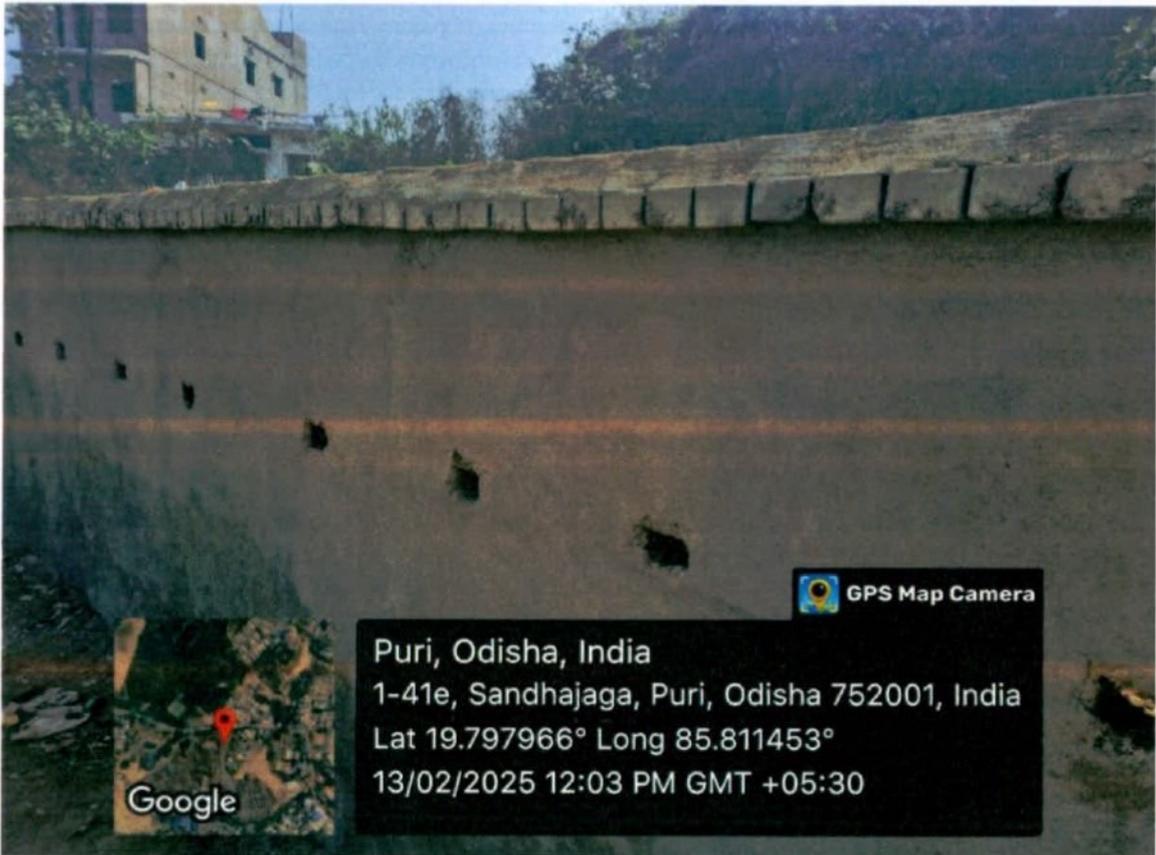
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5. Puri Municipality has constructed 10 Micro Composting Plants of 5 TPD capacities each and 6 Material Recovery Facility of 10 TPD capacities each for processing of regular waste generated from the city. Further Puri Municipality has requested, Tahasildar, Puri for allotment of one more land for construction of compressed Bio Gas plant in coordination with Oil India Limited. In this regard Oil India has been requested to submit DPR for the said purpose.
 6. Puri Municipality has installed CCTV Cameras and Security guards through the agency responsible for Bio -Mining at the site. After installation of CCTV & deployment of Security guards, the entry of mischievous people in the dumping yard, who generally set fire, has been stopped and since then there is no incident of fire reported. The encroachment line from the dumping yard is about 50' Ft. in left side separated by concrete drain and road. Similarly, the right side encroachment is also about 50' Ft. separated by road and ~~road~~ the back side encroachment is more than 300' Ft. In case there is an incident of fire in the dumping yard, it will be confined to the dumping yard only and will not spread to the habitation area due to road, drain and the distance factor. However in case of necessity, Fire Services is available on call to attend immediately.
 7. Tahasildar, Puri has been requested to take necessary steps for removal of the encroachers around the dumping yard.
 8. As per the provision of Odisha Land Rights to Slum Dwellers Act, 2017, every landless person occupying a land in a slum in urban area as on 10.08.2017 shall be entitled for settlement of land and Certificate of Land Right. These encroachers around the dumping yard have been developed recently much after the date prescribed in the Act. They are not landless people but unauthorised encroachers and needs eviction.
 9. House to house wastes are going to MCCs and MRFs for processing.
 10. Photographs of present status of boundary wall and legacy wastes are enclosed.

Yours faithfully

Executive Officer

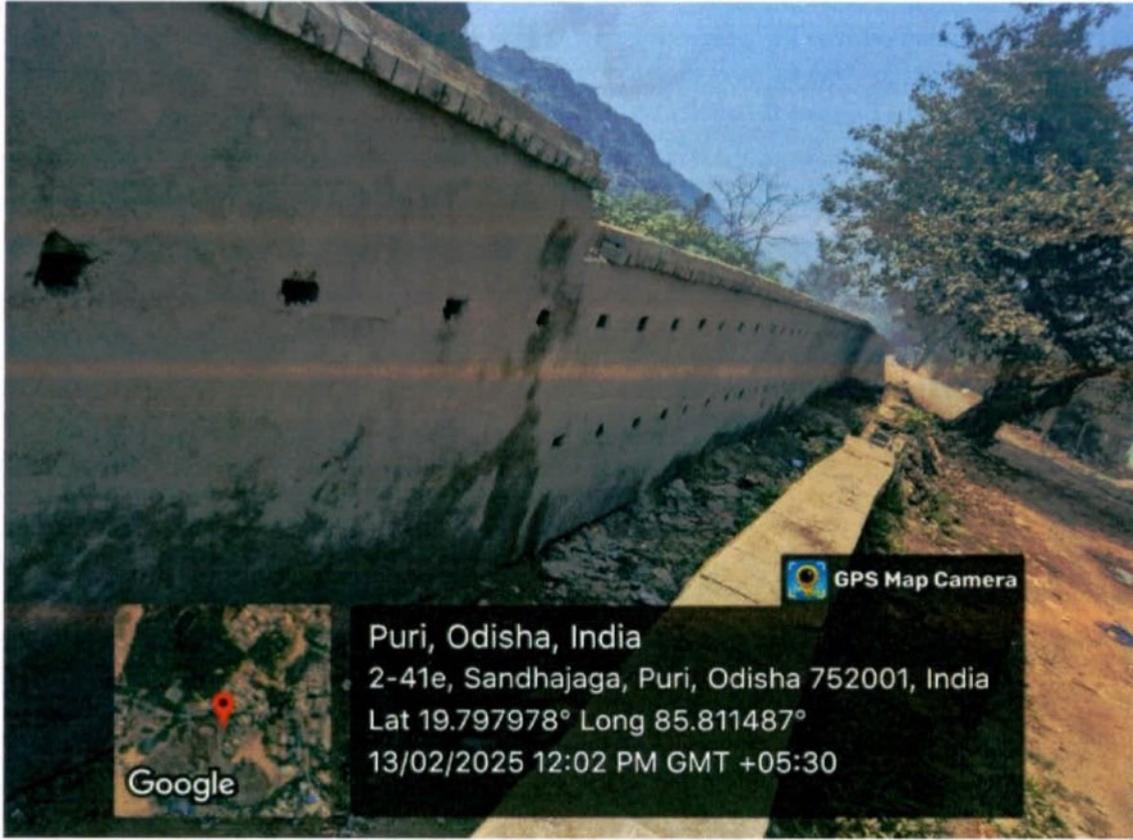
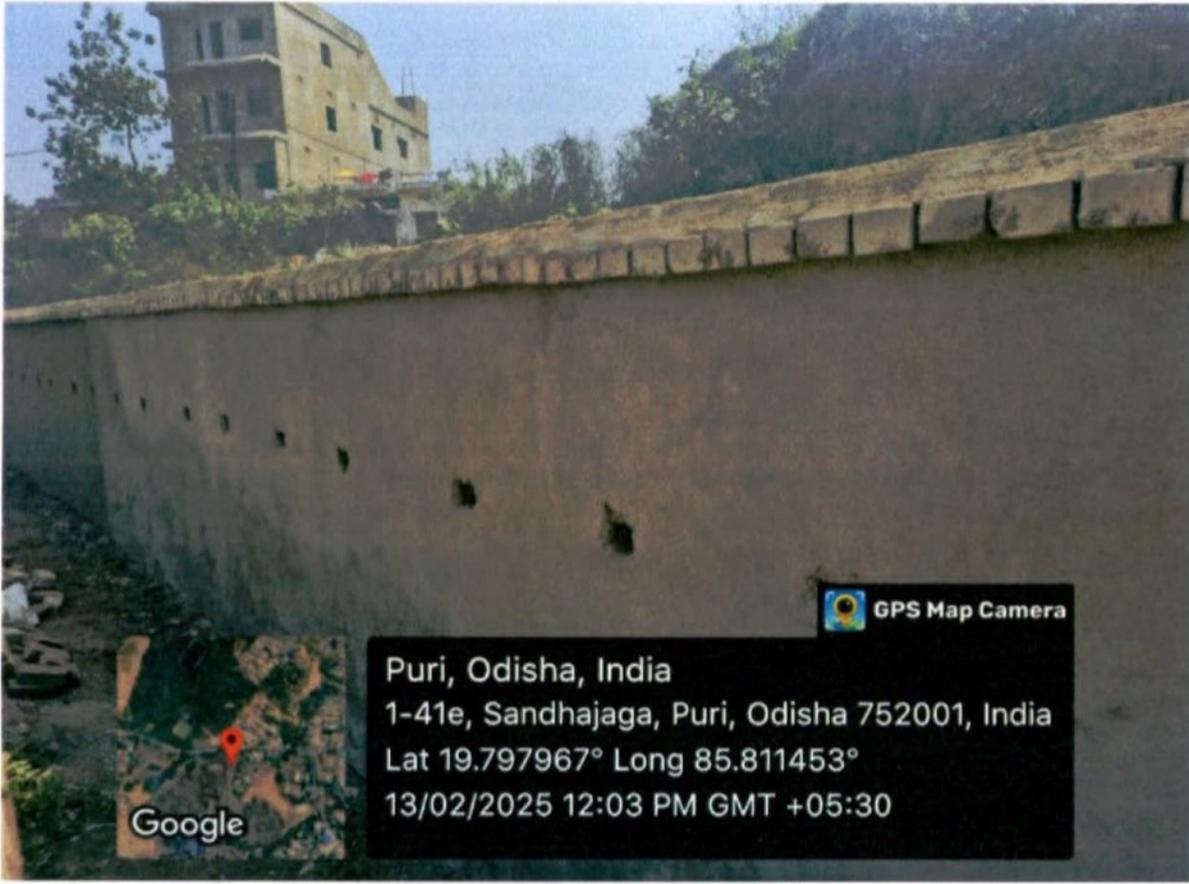
Puri Municipality, Puri

10.2.2025
Addl. Secretary to Govt.
Revenue & D.M. Deptt.



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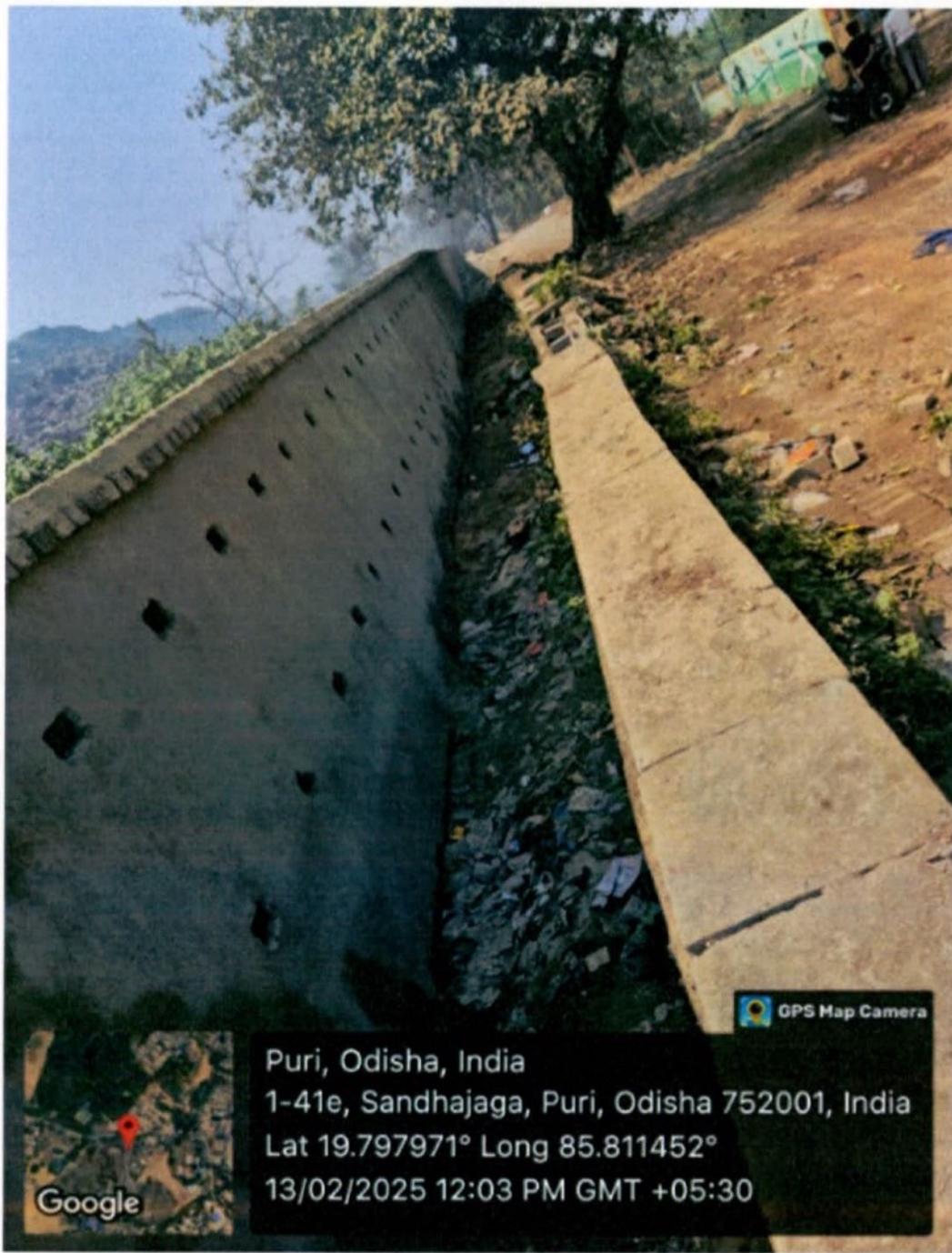
Addl. Secretary,
Revenue & D.M.



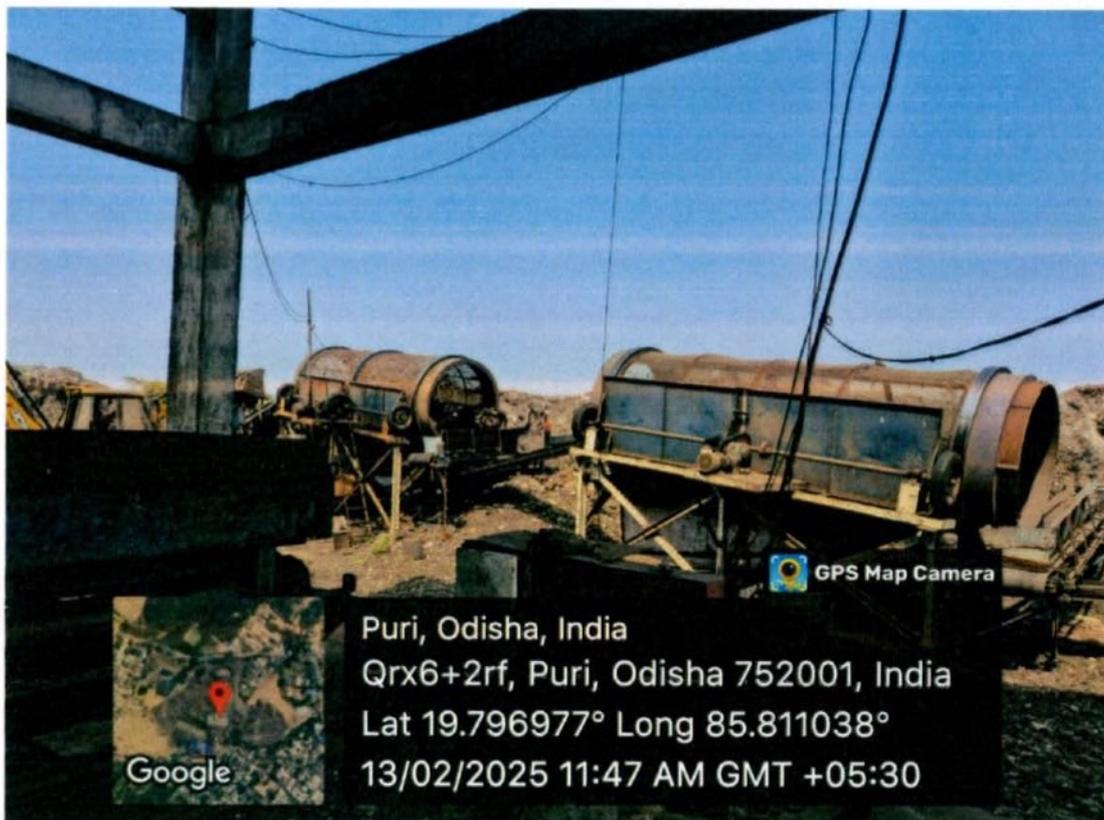
Dr. Laxman
 Addl. Secretary to Govt.
 Revenue & D.M. Deptt.

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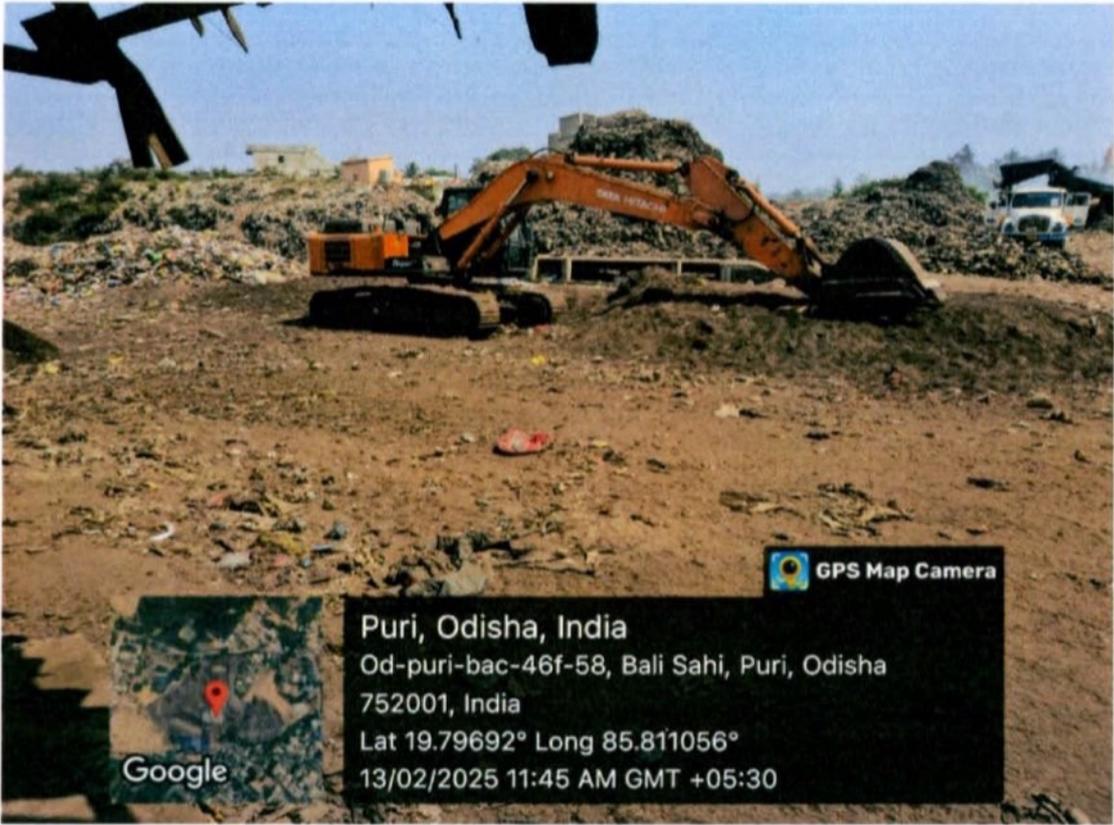
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Addl. Secretary to Govt.
Revenue & D.M. Deptt.



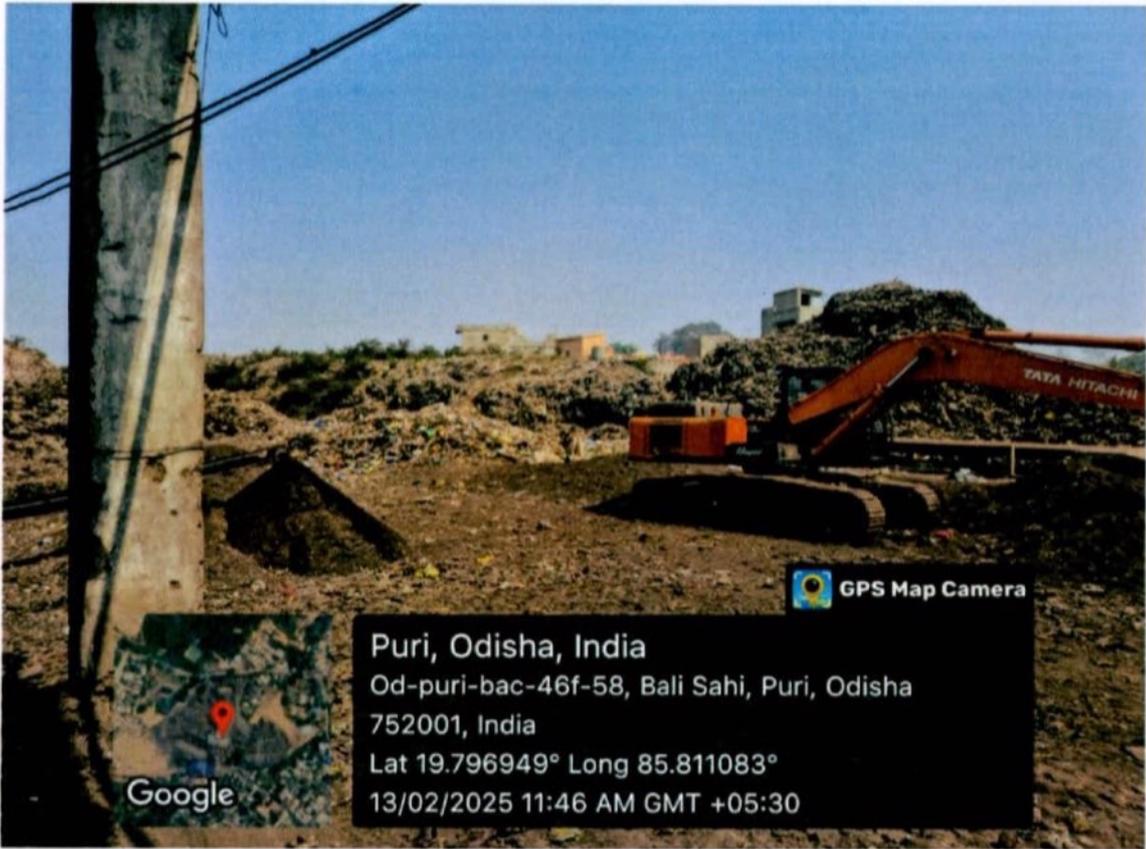
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 Addl. Secretary to
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 17/2/20

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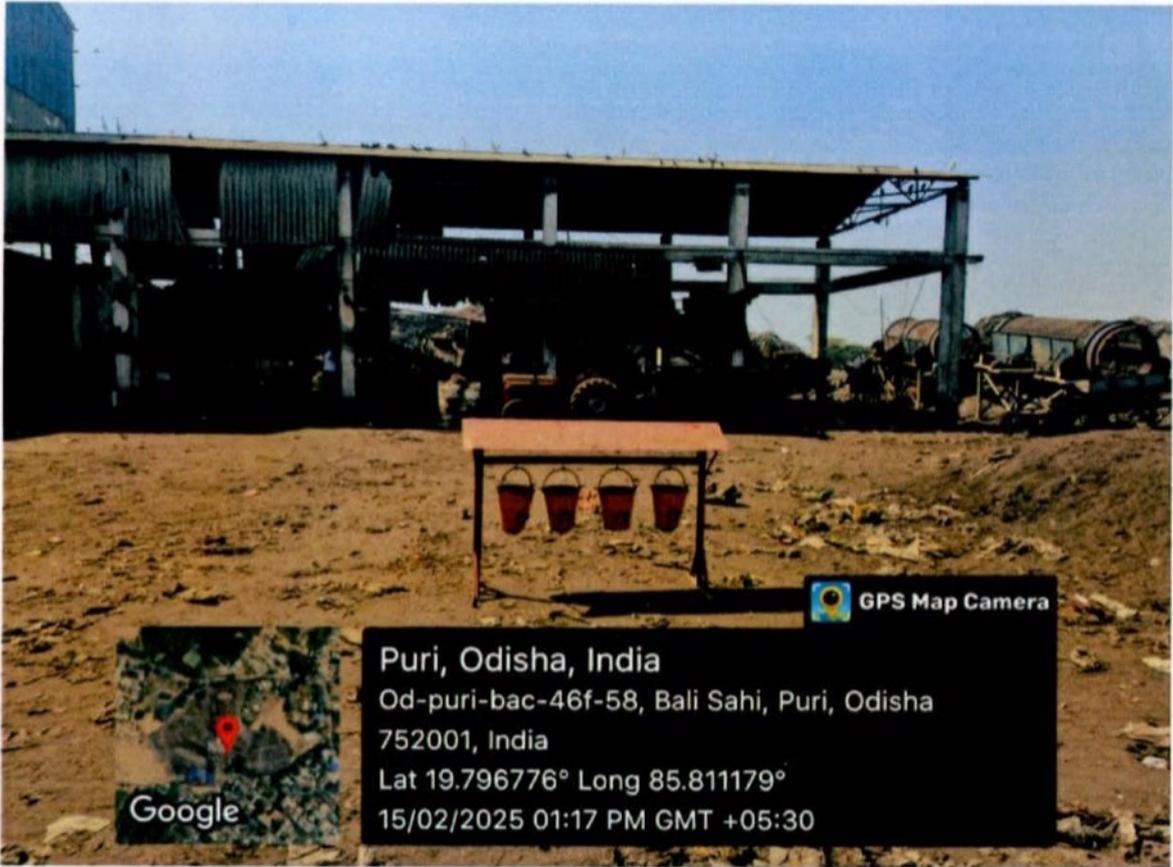
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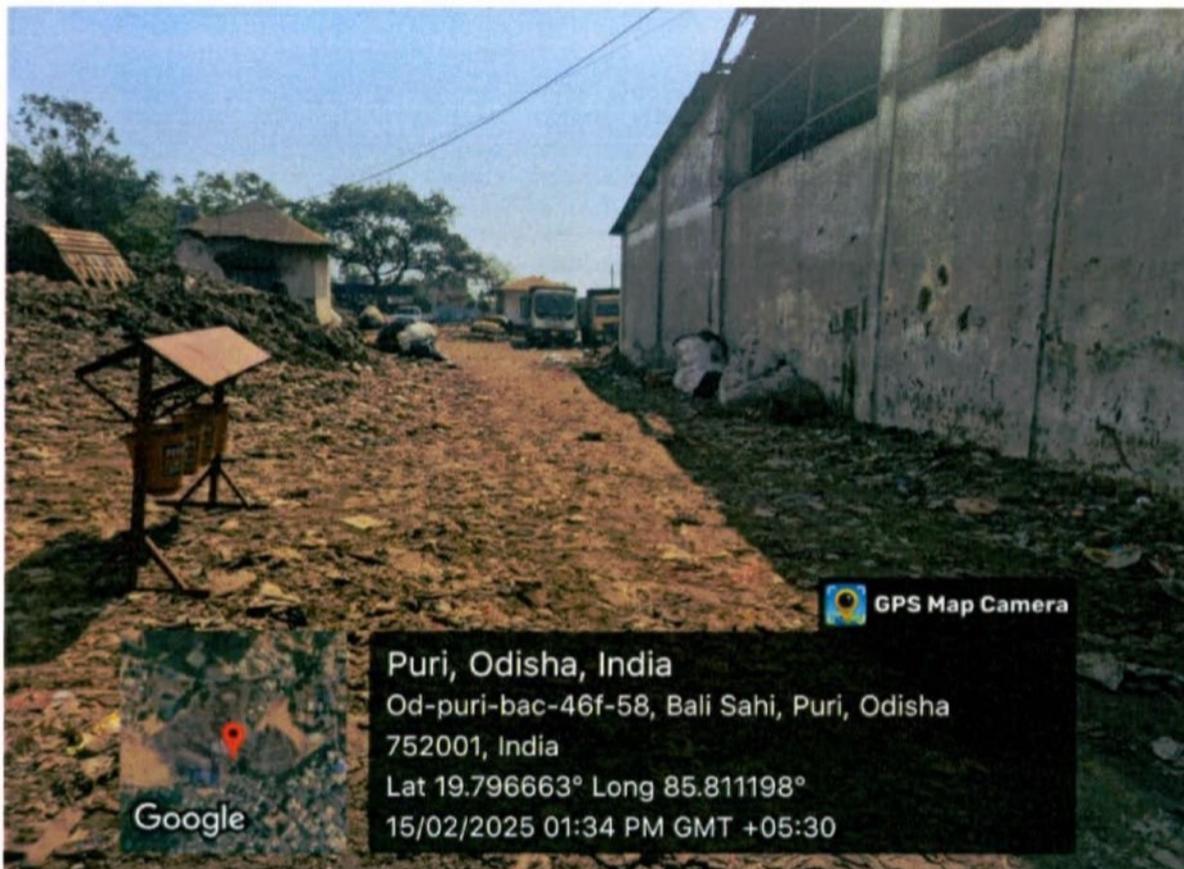
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Addl. Secretary to Govt.
Revenue & D.M. Deptt.



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13/02/2025
Addl. Secretary to Govt.
Revenue & D.M. Deptt.



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Addl. Secretary to
Revenue & D.M. Deptt.



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OFFICE OF THE TAHASILDAR, PURI

Email - tah.puri-od@nic.in

Letter No. - 1633

Date - 19/02/2025

To,
The Deputy Collector, Judicial Section,
Collectorate, Puri

Sub - Reg. identification of encroachments over Government land around the Legacy Dumping Yard at Baliapanda

Ref - Letter No. 368/Judl Dated 30.02.2025 of your good Office

Sir,

In inviting a kind attention to the subject and reference cited above, I am to inform that a joint identification of encroachments (habitations and constructions) was done by Revenue and Municipality officials on 12.02.2025 around the peripheral areas of the Legacy Dumping Yard at Baliapanda.

During the identification exercise, a total of **78 encroachments** were identified and enumerated all of which are being booked under provisions of **Orissa Prevention of Land Encroachment Act, 1972**.

It is to further highlight that the joint identification and enumeration shall be done incrementally around the entire periphery of the Legacy Dumping Yard and necessary actions shall be taken as per provisions of the Orissa Prevention of Land Encroachment Act, 1972.

This is favour of kind information and necessary action.

Yours Sincerely,

Tahasildar, Puri

17/02/25
Addl. Secretary --
Revenue & D.M. Deptt.

~~-26-~~Memo No: 1634Date: 14/02/2025

Copy submitted to the **Additional Secretary, Revenue & Disaster Management Department, Govt. of Odisha** for favour of kind information and necessary action.



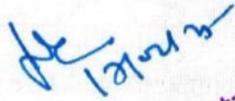
Tahasildar, Puri

Memo No: 1635Date: 14/02/2025

Copy submitted to the **Additional District Magistrate (Revenue), Puri / the Sub Collector, Puri / the Executive Officer, Puri Municipality** for favour of kind information and necessary action.



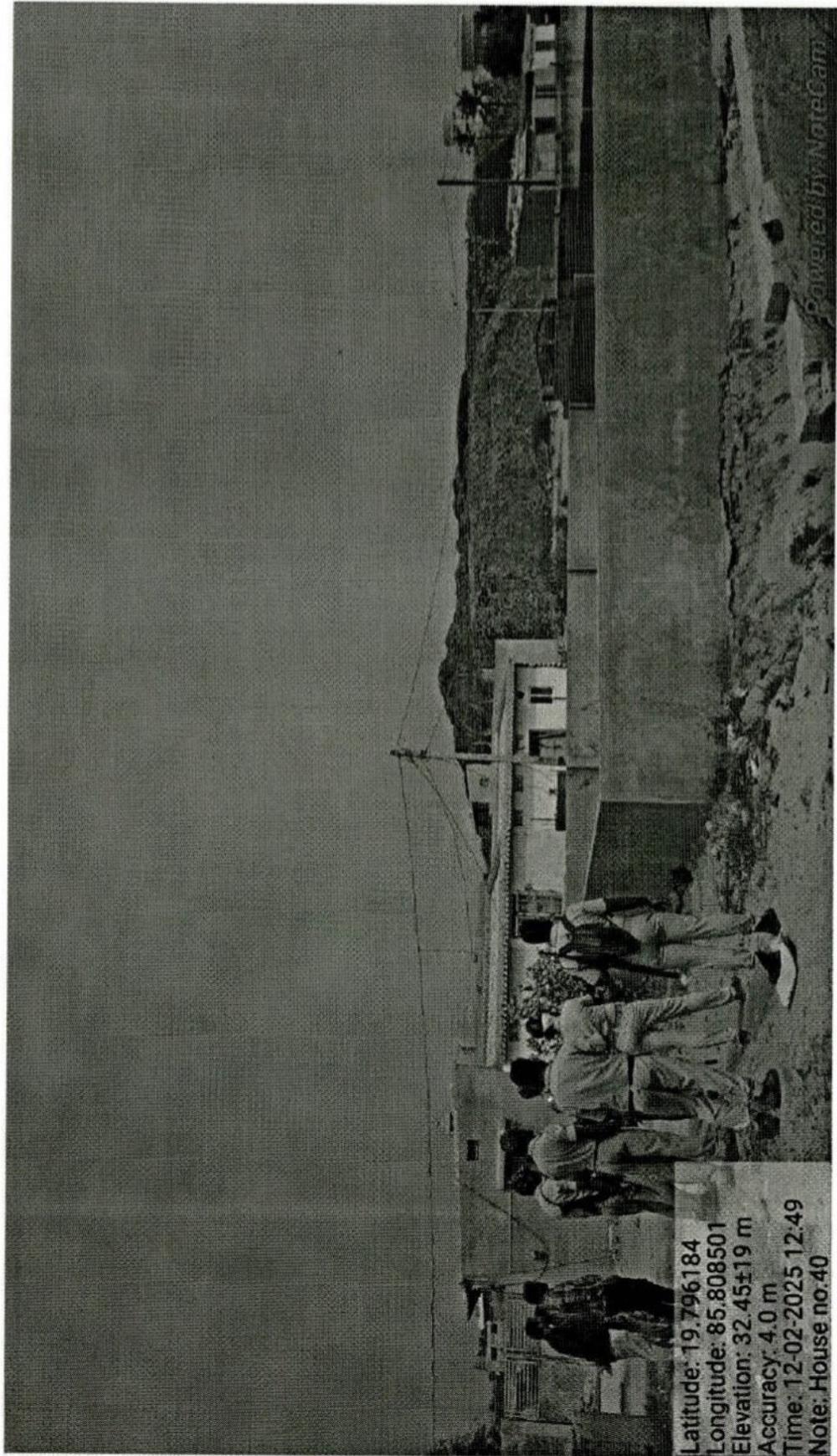
Tahasildar, Puri



**Addl. Secretary to Govt.
Revenue & D.M. Deptt.**

4X

-2X-



Latitude: 19.796184
 Longitude: 85.808501
 Elevation: 32.45±19 m
 Accuracy: 4.0 m
 Time: 12-02-2025 12:49
 Note: House no.40

Powered by NoteCam

Handwritten signature in blue ink

Addl. Secretary to Govt.
Revenue & D.M. Deptt.

~~48~~
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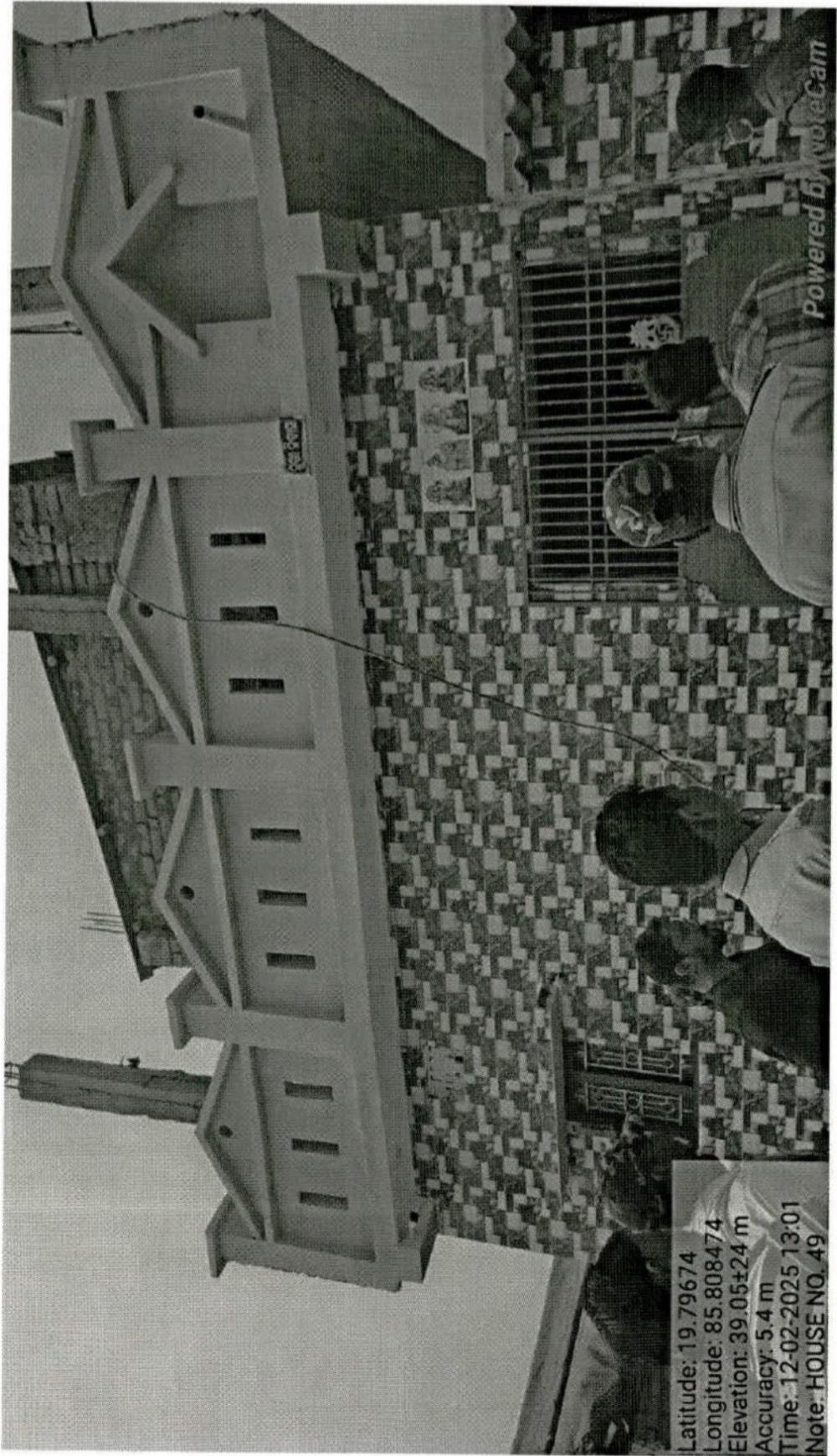


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 Longitude: 85.808262
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 Time: 12-02-2025 12:54
 Note: HOUSE NO. 44

He 12/02/25-

Addl. Secretary to Govt.
 Revenue & D.M. Deptt.

~~48~~
~~17042~~



Latitude: 19.79674
 Longitude: 85.808474
 Elevation: 39.05±24 m
 Accuracy: 5.4 m
 Time: 12-02-2025 13:01
 Note: HOUSE NO. 49

17042

Addl. Secretary to Govt.
 Revenue & D.M. Deptt.

~~88~~

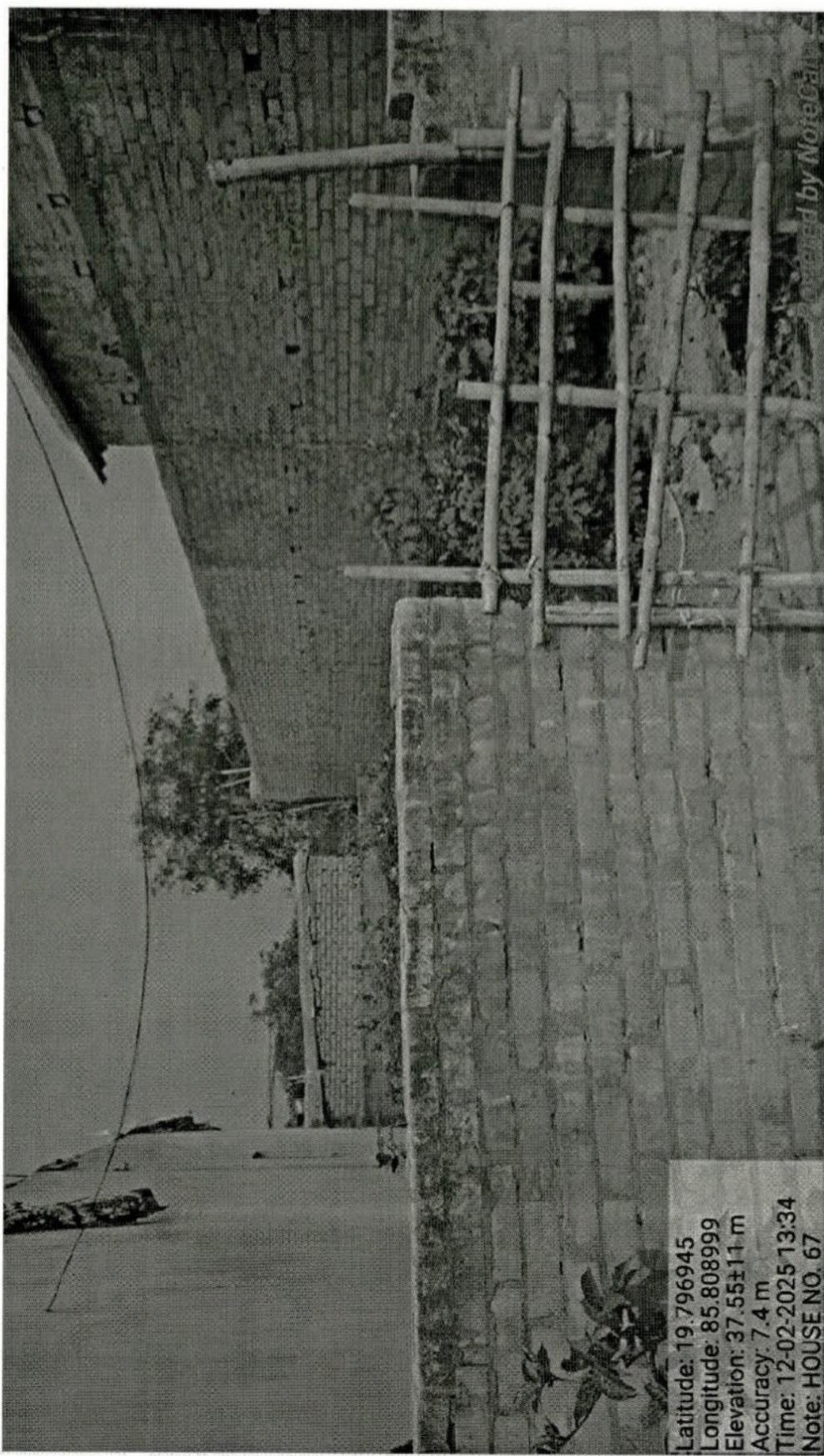


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 Elevation: 39.05±10 m
 Accuracy: 16.0 m
 Time: 12-02-2025 13:11
 Note: HOUSE NO. 52

Handwritten signature

**Addl. Secretary to Govt.
 Revenue & D.M. Deptt.**

5X
XI-



Latitude: 19.796945
 Longitude: 85.808999
 Elevation: 37.55±11 m
 Accuracy: 7.4 m
 Time: 12-02-2025 13:34
 Note: HOUSE NO. 67

Handwritten signature in blue ink

**Addl. Secretary to Govt.
 Revenue & D.M. Deptt.**

X



Handwritten signature
 Addl. Secretary to Govt
 Revenue & D.M. Dept.

~~X~~



Latitude: 19.797085
 Longitude: 85.808632
 Elevation: 39.05±5 m
 Accuracy: 10.2 m
 Time: 12-02-2025 13:44
 Note: HOUSE NO. 73

Handwritten signature and date: 12/02/25

Adtl. Secretary to Govt.
 Revenue & D.M. Deptt.



OFFICE OF THE TAHASILDAR, PURI

[Judicial Section]

Letter No. 1303 Dt. 6.2.25

32

To

The Dy. Collector, Judicial Section, Puri

Sub:

M.A. No.29/2023 (arising out of O.A. No.51/2023/EZ) filed by Sri Chinmaya Das Vrs-State of Odisha & others before the Learned National Green Tribunal ,Eastern Zone Bench,Kolkatta

Ref-

Dist Office letter no.368/Judl dt.03.02.2025.

Sir,

In inviting a reference to the subject cited above, I am to furnish here with the compliance report on following points.

3. An alienation case bearing no.28/2025 is initiated for solid waste management at Mz-Rahangiria.

7. Steps are being taken to prevent further encroachment in the area through NOC for requirement of general public for utilities like new connection electricity and water vide memo no.2509 dt.16.08.2024 of proceeding of the meeting held under the chairmanship of the Collector & District Magistrate,Puri. Further cases are being booked Under OPLE Act. to prevent encroachment.

Yours Faithfully

Tahasildar, Puri

Addl. Secretary to Govt.
Revenue & D.M. Deptt.

Memo No: 6196

Date: 17/08/2024

Copy forwarded to Shri Pradeepta Barik, JRA, G&M Section / all Revenue Supervisors / all Field Officials / Notice Board for information and necessary action.

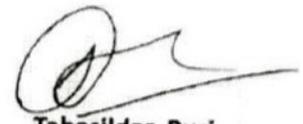


Tahasildar, Puri

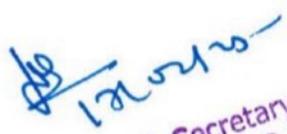
Memo No: 6197

Date: 17/08/2024

Copy submitted to the Collector & District Magistrate, Puri / the Sub Collector, Puri / the Superintending Engineer, TPCODL, Puri / the General Manager, WATCO, Puri / the Superintending Engineer, RWSS, Puri for favour of kind information and necessary action.



Tahasildar, Puri


Addl. Secretary to Govt.
Revenue & D.M. Deptt.

Proceedings of the meeting on unauthorised construction on Govt. Land and connection of different utilities to those constructed structures

A meeting was held under the chairmanship of Collector & District Magistrate, Puri in his Residence office chamber at 12.10 PM on 07.08.2024.

At the outset Collector & District Magistrate, Puri welcomed all the participants of the meeting on the subject-unauthorised construction on the Govt. Land. The list of the participants is appended at Annexure-A.

After thorough discussion among the members the following decisions are taken.

1. That the utilities like electrical connection and water connection by concerned agencies (i.e. TPCODL, WATCO, RWSS, Fire) should be granted on proper verification of land records.
2. In case of temporary connections on different festive occasion like marriage, mela etc. the concerned utility agencies should verify the ground rent obtained from local revenue authority in case, if the applied land is a Govt. land.
3. That in all cases of temporary connections given on Government land should be removed or disconnected by the concerned agencies in due time.
4. That in no case, temporary connections should be granted for unauthorised constructions (i.e. Temporary/Permanent) on Govt. Land, Deity Land or land of Lord Jagannath.
5. That the utility agency henceforth should not allow any permanent connections (i.e. Electrical or water etc.) on Govt. Land, Deity Land or land of Lord Jagannath.
6. The Above decisions will be applicable to the entire district of Puri
7. That the revenue field staff ARI, RI, Revenue Supervisor, Addl. Tahasildar, Tahasildar will keep a close watch on the above subject and submit monthly report to the undersigned.

The meeting ended with vote of thanks to the Chair.

sd
Collector & DM, Puri

Memo No. 2509 / Date. 16.08.2024

Copy forwarded to ADM(Gen), Puri/ E.O., Puri Municipality, Puri/ Secretary, PKDA, Puri/ Sub-Collector, Puri/ Dy. Collector, Revenue, Puri/ All Tahasildars/ EE, TPCODL, Puri for information and necessary action.

sd 16/8/24
Addl. District Magistrate
(Revenue), Puri

Memo No. 2510 / Date. 16.08.2024

Copy forwarded to OSD to Collector, Puri for kind perusal of Collector, Puri.

sd 16/8/24
Addl. District Magistrate
(Revenue), Puri

sd 17/8/24
Addl. Secretary to Govt.
Revenue & D.M. Deptt.

- 7 -


OFFICE OF THE PURI MUNICIPALITY, PURI
Letter No. 773 / Dated. 27.1.25

 P. No. 222004 (CP), 22122 (B.O.)
 E-mail: purim.hud@nic.in

 Mail ID: purim.hud@nic.in
 purim.hud@gmail.com

To

 The Executive Director (BD)
 OIL India Limited, Plot no-19
 Sector-16A, Noida-201301, Uttar Pradesh
 e-mail: oilindia@oilindia.in

Sub:- Regarding commissioning of the work and preparation of DPR for CBG plant of Puri Municipality .

Ref:- Office meeting held on dt.17.12.2024.

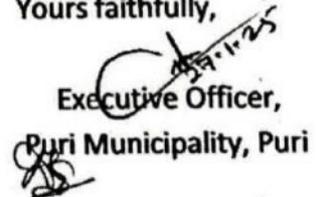
Sir,

In inviting kind reference to the subject cited above, I am to say that, as per our meeting held on dt.17.12.2024 Puri Municipality have identified one location for construction of CBG plant and the same was visited and verify by your team. Further, during the meeting held at office chamber of Executive Officer, Puri Municipality, Puri it was discussed the location identified was good and go ahead could be done for above said purpose. Besides, there was one issue of approaching road to site, which was further discussed with the Collector, Puri and steps will be taken to construct approaching road.

Therefore, you are requested to conduct geo-logical and topographical survey of the concerned site and submit DPR at the earliest.

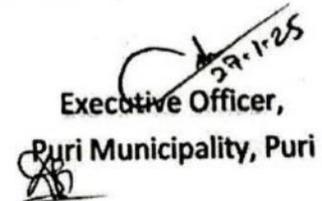
This is for your kind information and necessary action.

Yours faithfully,


 Executive Officer,
 Puri Municipality, Puri

Memo No. 774 Dt. 27.1.25

Copy submitted to the Collector & District Magistrate, Puri for favor of kind information & necessary action.


 Executive Officer,
 Puri Municipality, Puri

Memo No. 775 Dt. 27.1.25

Copy submitted to the Addl. Secretary, Addl. Mission Director, H&U.D. Department, SBM (Urban), Bhubaneswar for favor of kind information & necessary action.


 Executive Officer,
 Puri Municipality, Puri


 Addl. Secretary to Govt.
 Revenue & D.M. Deptt.



~~58~~

OFFICE OF THE PURI MUNICIPALITY, PURI

Letter No. 7333

Dated. 4.9.2024



Ph. No. 222000 (C.P.), 222122 (S.O.)

E-mail: purim.hud@nlp.in

Mail ID: purim.hud@nic.in

purim.hud@gmail.com

To,

The Tahasildar, Puri

Sub:- Alienation of Govt. land for the purpose of Solid Waste Management (Dumping and Composting) unit.

Sir,

I am to submit here with the alienation proposal in form- IA for 10.00 A.c of Govt. land identified in Khata No. 271, Plot No. 175 in mouza Rahangia for the purpose of establishment of Solid Waste Management (Dumping and Composting) unit as per observation of Hon'ble NGT in M.A No.29/2023 arising out of O.A No.51/2023/EZ.

You are requested to initiate the alienation process immediately as it relates to one of compliances of order of Hon'ble NGT.

Yours faithfully,

[Signature]
17/09/24
Addl. Secretary to Govt.
Revenue & D.M. Deptt.

[Signature]
4.9.2024
Executive Officer,
Puri Municipality, Puri

Item No.03

Court No.1

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

Miscellaneous Application No.29/2023/EZ
In
Original Application No.51/2023/EZ

Chinmaya Das	Versus	Applicant(s)
State of Odisha & Ors.		Respondent(s)

Date of hearing: 19.02.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : *Suo Motu*,

For Respondent(s): Mr. Ashok Prasad, Adv. for CGWB,
Mr. Partha Sarathi Nayak, AGA for State of Odisha
(in Virtual Mode),
Mr. Rajib Ray, Adv. for R-5 (in Virtual Mode),
Ms. Papiya Banerjee Bihani, Adv. for R-6 (in Virtual Mode)

ORDER

1. Affidavit dated 15.02.2025 has been filed by the Chief Secretary, Government of Odisha; the same is taken on record.
2. Heard learned Counsel for the parties.

***(Final order of the said case will be uploaded in NGT website
by separate sheets of paper).***

.....
B. Amit Sthalekar, JM

.....
Dr. Arun Kumar Verma, EM

February 19, 2025,
Miscellaneous Application No.29/2023/EZ
In
Original Application No.51/2023/EZ
OM

8. Puri Municipality,

Through Executive Officer,
Infront of Special Circuit House,
VIP Road,
Puri-752001,

9. Puri Konark Development Authority,

Through Chairman,
VIP Road PKDA Square,
Puri-752001,

10. Tehsildar Puri,

Governor House road, near Collector office,
Puri-752002,

11. Integrated Coastal Zone Management Project,

Through Project Director,
Plot No 108, Surya Nagar,
Bhubaneswar-751015,

...[deleted vide order dtd.15.05.2023]

.....**Respondent(s)**

Date of hearing: 19.02.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : *Suo Motu,*

For Respondent(s): Mr. Ashok Prasad, Advocate for CGWB,
Mr. Partha Sarathi Nayak, AGA for State of Odisha
(in Virtual Mode),
Mr. Rajib Ray, Adv. for R-5 (in Virtual Mode),
Ms. Papiya Banerjee Bihani, Adv. for R-6 (in Virtual Mode)

ORDER

1. The Original Application No.51/2023/EZ was filed by the Applicant therein seeking a direction to the State Authorities to prevent burning of waste and for taking steps for proper disposal/recycling of plastic and polythene wastes. The allegation further was that within the jurisdiction of the Puri Municipality, there is a dumping area known as Baliapanda dumping area which is situated just about 50-100 meters away from Puri Sea Beach. It was stated that the said dumping area is used as Material Recovery Facility and there are about nine Micro Composting Centers. It was further

alleged that large amount of municipal waste of Puri town is dumped on this land to be used as compost. However, waste is being burnt thereby completely polluting the nearby areas of Balisahi, Gourbat Sahi, Swargadwar and Baliapanda.

2. The said Original Application was disposed of by this Tribunal vide its order dated 12.07.2023 with the following directions:-

“9. Thus, from the affidavit of the Executive Officer, Puri, and the Collector, Puri, we find that though steps are being taken by the Puri Municipality, towards protection of the environment and treatment of the waste at the dumping site, matter relating to unauthorized colonies close to the dumping site needs to be addressed.

A direction is, therefore, issued to Puri Municipality, to take steps for shifting the said unauthorized colony from the vicinity of the dumping site to some other place in accordance with law in order to curb incidents of persons throwing burning cigarettes or other inflammable material into the dumping site leading to fires. The Puri Municipality, is also directed to install CCTV Cameras covering the entire dumping site within three months to check unauthorized entry of vagrants and others into the dumping site and if such persons are found near the dumping site or starting fires, criminal action shall be immediately taken against such persons.

10. The Inspection Report also mentions that survey by the Central Ground Water Board (CGWA), needs to be carried out to ascertain incidents of contamination of ground water.

We, therefore, direct the Central Ground Water Board, Bhubaneswar, to take immediate steps to carry out study/survey of the ground water in the area within two months to ascertain if there is any contamination due to the existence of the dumping site and if the same is found remedial action shall immediately be suggested to the Odisha State Pollution Control Board and other State authorities for implementation of action to prevent such contamination.

11. We find that though the Central Ground Water Board, Bhubaneswar, has been deleted from the array of Respondents by the order of the Tribunal dated 15.05.2023 but in view of the observations in the Inspection Report, we are issuing the above directions to the Central Ground Water Board.

12. We are issuing this direction to the Central Ground Water Board even though in the Inspection Report, it is mentioned that Odisha Coastal Zone Management Authority ('OCZMA' for short) is taking care of Sweet Water Zone and that drawl of ground water is prohibited in CRZ-II area of Puri, in pursuance of the order issued by the OCZMA on 16.09.2017 under Section 5 of the Environment (Protection) Act, 1986. Since the Report also mentions that the "Drink from Tap" Scheme has been implemented in Puri town and more than 32000 households have benefitted through piped water supply and the number is still growing, there is no need for exploitation of ground water.

We, therefore, direct the Central Ground Water Board, to ensure that Puri town achieves zero reliance on drawl of ground water.

13. The Committee has also mentioned that there is foul odour found at the site during visit to the dumping yard.

We, therefore, direct that the Puri Municipality, shall take immediate steps to ensure complete eradication of foul smell on a day to day basis through spraying and other methodology as per SOP. Affidavit of action taken shall be filed with the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata by 30.09.2023.

14. We, however, find that neither in the two Inspection Reports nor in the affidavit of the Collector, Puri or of the Executive Officer, Puri, any time schedule has been given for complete treatment of the legacy waste.

We, therefore, direct the Puri Municipality, with the assistance of the other State authorities, to ensure treatment and removal of the entire legacy waste from the site in question, within a period of two years i.e., by 31.12.2025.

15. Affidavit of compliance with regard to other directions given by us shall be filed with the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata by 15.01.2026.

16. In view of the above directions given by us hereinabove our directions may be summarized as under: -

a) The Puri Municipality, shall take steps for shifting the said unauthorized colony from the vicinity of the dumping site to some other place in accordance with law.

b) The Central Ground Water Board, Bhubaneswar, shall take immediate steps to carry out study/survey of the ground water within two months, in the area to ascertain if there is any contamination of ground water due to existence of the dumping site and if the same is found remedial action shall immediately be

suggested to the Odisha State Pollution Control Board and other State authorities for implementation of action to prevent such contamination. Affidavit of compliance shall be filed with the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata by 30.09.2023.

c) The Puri Municipality, is directed to install CCTV Cameras covering the entire dumping site, within three months, to check unauthorized entry of vagrants and others into the dumping site and if such persons are found near the dumping site or starting fires, criminal action shall be immediately taken against such persons. Affidavit of compliance shall be filed with the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata by 31.10.2023.

d) The Puri Municipality, shall ensure construction of a boundary wall around the dumping site in question to secure the area to prevent spillover of waste outside the area and to prevent vagrants and unauthorized persons from entering the dumping site. Affidavit of compliance shall be filed with the Registrar, National Green Tribunal, Eastern Zone Bench, Kolkata by 30.11.2023.

e) The Central Ground Water Board, to ensure that Puri town achieves zero reliance on drawl of ground water.

f) The Puri Municipality, shall take steps to ensure complete eradication of foul smell on a day to day basis through spraying and other methodology as per SOP.

g) The Puri Municipality, with the assistance of the other State authorities to ensure treatment and removal of the entire legacy waste from the site in question, within a period of two years i.e., by 31.12.2025.”

3. The Central Ground Water Board has filed affidavit dated 29.09.2023 and along with this affidavit, a Report on “Status of Groundwater Quality around Baliapanda Dumping area, Puri, Odisha”, has been filed. Trace and Toxic Substances, Polynuclear Aromatic Hydrocarbons (PAH) and Conclusions and Recommendations in the Report read as under:-

“4.2 Trace and Toxic Substances

The test results of Trace and Toxic substances of groundwater samples collected from around the dumpsite are shown in the

Annexure-I. the samples are analysed for concentration of iron, manganese, lead, copper, cadmium, nickel and total chromium. All the trace elements are found to be within the permissible limit for drinking purpose except for Fe and Pb.

Out of 29 samples collected from borewells/handpumps, the concentration of Fe in 6 samples are found to be more than acceptable limit of 1 mg/l (Plate-6). However it is observed that the samples collected from the nearby sampling locations of these affected sampling points are free from Fe contamination. It is therefore, inferred that the higher concentration of Fe in few of the sampling locations may be due to the dissolution of Fe from the casing/piping of the abstraction structures.

The lead content in only two groundwater samples collected from Harachandisahi with concentration of 65.89 ppb and Bengali Colony Park, Goudabadasahi with concentration 12.02 ppb exceed the maximum permissible limit (0.01 mg/l) of drinking water specification (Plate-6). However, all other samples are free from Pb contamination. From the above observations, it can be inferred that the higher concentration of trace and toxic substances in the area may not be due to the leachates from the dumpsite. Further it is recommended that the affected abstraction structures with higher concentration of trace and toxic substances may be sealed and further use of ground water from these structures for drinking/domestic purpose may be discontinued with immediate effect.

4.3 Polynuclear Aromatic Hydrocarbons (PAH)

A total of 18 groundwater and one surface water samples were tested for polynuclear aromatic hydrocarbons. The test results are summarized in the annexure-II and shown in the Plate 7. The test results revealed that, 8 samples, out of 18 samples have the naphthalene (PAHs) concentration more than maximum permissible limit (0.0001 mg/l) of drinking water specification, IS 10500:2012. The groundwater samples collected from proximal part of dumpsite are contaminated with high Naphthalene (a parameter of PAHs) values in comparison to sample collected from distal part of dumpsite. Higher concentration of naphthalene (PAHs) more than 0.0001 mg/l are detected in the sample IDs 1,2,3,4,5,6,7 and 8. In sample Id 10, the 2-Bromonaphthalen and acenaphthene are more than the maximum permissible limit.

From the fact that the samples collected from structures closer to the dump site have higher concentrations of PAH as compared to those away from the dumping site, it can be inferred that the dumping site play an important role in occurrence of hither concentration of PAH in ground water in the area.

5.0 Conclusions and Recommendations

The Puri town is underlain by highly permeable phreatic aquifer composed mostly of loose sands. Due to high permeability of the formation, contaminants if present on land surface, seeps very easily and add to the ground water reservoir. A total of 29 ground water samples were collected from borewells/handpumps/dugwells around the dumping site at Baliapanda, Puri and analysed for various contaminants. Out of 29 ground water samples, 16 samples are contaminated due to higher concentration of nitrate and 7 are due to polynuclear aromatic hydrocarbons. All these sampling points are located close to the dumping site indicating possible contaminations due to leachates from the dumping site. The Sample IDs, 1,2,3,5,6,7 and 8 are in the proximal part of the dumpsite, contaminated with nitrate due to leachate of solid wastes from the dumpsite as well as the inland discharge of domestic sewage. In these samples the PAH concentration also exceeds the acceptable limit and the PAHs are not detected in groundwater samples collected from the distal part of the dumpsite.

The recommendations to prevent the ground water contaminations in the area are as follows.

- 1. No single reason can be attributed to contamination of ground water by No3 in 16 samples in the area around the dumping site. The reason for higher concentration of NO₃ could be the anthropogenic activities like improper disposal of sewers/leakage of sewerage and seepage of leachates from the dumping site. Proper lining of sewerage lines, septic tanks of the households may be ensured to prevent ground water contamination with NO₃.*
- 2. The affected abstraction structures with higher concentration of trace and toxic substances may be sealed and further use of ground water from these structures for drinking/domestic purpose may be discontinued with immediate effect.*

- 3. The analysis results of the ground water samples from the dump site are ais suggestive of leaching of contaminants like NO₃ and PAH from the dump site resulting in contamination of ground water in the vicinity.*
 - 4. To prevent mixing of leachates from dumping site with ground water, the dumping site should be isolated from the aquifer by construction of impermeable layers under and around it.”*
4. A perusal of the said Report would show that analysis results of the groundwater samples from the dump site in question are suggestive of leaching of contaminants like NO₃ and PAH from the dump site resulting in contamination of groundwater in the vicinity and, therefore, it is recommended that to prevent mixing of leachates from dumping site with groundwater, the dumping site should be isolated from the aquifer by construction of impermeable layers under and around it.
 5. The Puri Municipality, Respondent No.8, has filed affidavit dated 02.01.2024 and it is stated that there are approximately 3000 households found to be residing in the vicinity of the dumping area by encroaching upon Government land. It is stated that colonies were surveyed in the year 2021 under the Odisha Land Rights to Slum Dwellers Act, 2017, wherein 1619 households were identified. It is stated that the number of households has now increased in the last three years and steps are being taken under the Act, 2017, for redressing the land rights issues of slum dwellers residing around and near the dumping yard by way of relocation and rehabilitation. It is stated that the Puri Municipality alone cannot resolve this issue without being provided with adequate Government land and funds, since the Municipality does not have its own land for the purpose of relocation and rehabilitation of slum dwellers.

6. In the affidavit, it is also stated that besides the above colonies, relocation of more than 4000 families residing over Railway land or land having non-leasable category of Kissams has been a major task for the revenue administration of the Puri Municipality. It is stated that shifting of unauthorized colonies from Government land is governed under the Revenue laws like – Odisha Prevention of Land Encroachment Act (OPLE) and Tahasildar, Puri, is the competent authority to initiate proceedings in this regard.

7. It is, however, stated that an agency empaneled for Bio-mining of legacy waste at Baliapanda dumping yard is taking suitable steps to install CCTV cameras and the agency, namely, Rohini Fire Safety Pvt. Ltd., has also deployed security personnel at the site to ensure security round the clock. It is stated that Sanitation Experts of Puri Municipality were directed to do research and consultation exercise to suggest measures to be adopted for eradicating the foul smell from the dumping yard site on a day-to-day basis and the experts have suggested to apply baking soda and white vinegar for eradicating the foul smell. The experts have also suggested the name of Organoponix Pvt. Ltd. is stated to have expertise in resolving issues of this kind, since manual application of chemical is not possible at the dumping yard. It is stated that the Puri Municipality is, therefore, taking suitable action for drone based application of chemicals by engaging an outsourcing agency, for which two months would be required.

This affidavit is stated to be filed on 02.01.2024 and, therefore, we presume that by now action in this regard must have been completed by the Puri Municipality.

The Odisha State Pollution Control Board shall inspect the dumping yard in question to ensure that steps taken in this regard by the Puri Municipality have been duly complied with and if not, it shall take necessary action against the Municipality for environmental lapses. The State Board shall file Action Taken Report by **15.05.2025**.

8. It is also stated that the agency, Rohini fire Safety Pvt. Ltd., Kolkata, has been engaged by the Puri Municipality under agreement dated 17.10.2023 to complete the process of Bio-mining work of legacy waste within a period of two years.

We, therefore, direct the Puri Municipality to complete the work of bio-mining of remaining legacy waste positively by **30.10.2025** and file an Action Taken Report in this regard by **30.11.2025**.

The Odisha State Pollution Control Board shall inspect the site in question to confirm whether Bio-mining of remaining legacy waste has been completed or not as claimed by the Puri Municipality and submit its Report before this Tribunal by **30.11.2025**.

9. In the affidavit of the Puri Municipality, it is further stated that a detailed plan and estimate has been prepared by the Municipal Engineer for construction of boundary wall around the dumping yard at Baliapanda; the cost of the project is Rs.99,66,600/-; tender notice has been invited and papers are being scrutinized and the work order will be issued to the L1 bidder within a period of seven days; the work is stated to be completed within six months time frame.

Since, more than one year has already passed, we expect the work of construction of boundary wall around the Baliapanda dumping yard would have been completed.

The Odisha State Pollution Control Board shall inspect the dumping yard site and submit its report with regard to construction of boundary wall around the Baliapanda dumping site and in case the Puri Municipality has failed to complete the said work, it shall suggest action to be taken against the officer concerned of the Municipality with environmental compensation for lapses. The State Board is directed to file the said Report by **30.11.2025**.

10. Further affidavit dated 08.05.2024 has been by the Puri Municipality, reiterating the averments of its earlier affidavit. It is, however, stated that the Puri Municipality with the assistance of State Authorities is ensuring treatment and removal of the entire legacy waste from the site and the Rohini Fire Safety Pvt. Ltd., Kolkata, the agency engaged by the Municipality, has Bio-mined a quantity of 31220.01 MT of waste till date.

We, therefore, direct the Puri Municipality to complete the Bio-mining of the entire legacy waste by **31.05.2025**. The Odisha State Pollution Control Board shall inspect the site in question and submit its Report with regard to the Bio-mining of the remaining legacy waste at the site in question by **31.07.2025**.

11. The Tahasildar, Puri, Respondent No.10, has filed affidavit dated 18.12.2024, stating that construction of the boundary wall around the legacy waste site at Baliapanda has been started since 04.11.2024 and the said work will be completed within six months. It is also stated that encroachment line from the legacy waste site is about 50 feet away to the left side, separated by a concrete drain and a road; similarly right side encroachment is also about 50 feet

away, separated by road and the back side encroachment is more than 300 feet away.

12. The Chief Secretary, Government of Odisha, has filed affidavit dated 26.09.2024, stating that the Executive Officer of the Puri Municipality and the Tahasildar, Puri, have made a joint visit for alternate land for disposal site and have already identified two pieces of land for the said purpose; out of which they have selected a piece of land measuring an area of Ac.15.00 bearing Khata No.271, Plot No.175, Kissam-Gochar, in Mouza-Rahangiria as the alternate site for the said disposal site. It is also stated that the Puri Municipality has applied for alienation of Government land measuring an area of Ac.10.00 in favour of the Housing & Urban Development Department for Solid Waste Management vide letter dated 04.09.2024 addressed to the Tahasildar, Puri, and the Puri Municipality is now taking due steps for cleanliness and odourless maintenance of hygiene of the legacy waste site. It is further stated that delay in execution is due to protest by the encroachers.
13. A further affidavit dated 15.02.2025 has been filed by the Chief Secretary, Government of Odisha, stating that construction of boundary wall around the legacy waste site at Baliapanda has been started since 04.11.2024; the total height of the boundary wall is 1.8 meters; the total perimeter is 800 meters, out of which 200 meters of boundary wall has been completed till now and the construction work is under progress; and the construction work will be completed within next three months.
14. In the affidavit, it is also stated that Rohini Fire Pvt. Ltd., the agency engaged by the Puri Municipality has already Bio-mined a

quantity of 186637 MT till date and remaining quantity of 40000 MT will be removed by 31.05.2025.

15. It is further stated that persons occupying land in a slum in the urban area as on 10.08.2017 shall be entitled for settlement of land and Certificate of Land Right as per provisions of the Odisha Land Rights to Slum Dwellers Act, 2017. It is stated that as per the report of the Executive Officer, Puri, the encroachers around the legacy waste site have developed after the cut-off-date of 10.08.2017 and, therefore, they are unauthorized encroachers and need to be evicted, and in this regard the Executive Officer requested the Tahasildar, Puri, to take necessary steps for removal of the encroachers around the legacy waste site and the Tahasildar, Puri, has already initiated the process in this regard.
16. It is also stated that in order to prevent further encroachment in the area, a meeting under the Chairmanship of Collector & District Magistrate, Puri, was held on 07.08.2024 and the Tahasildar, Puri, is taking steps by adopting NOC mandatory from utility agency like TPCODL, WATCO, RWS&S etc. while applying for utilities like – new connection of electricity and water by general public and they have been instructed not to allow any temporary or permanent connection on Government Land, Deity Land or Land of Lord Jagannath and further cases are being booked under the OPLE Act to prevent encroachment.
17. It is further stated that the Puri Municipality has constructed 10 Micro Composting Plants of 5 TPD capacity each and 6 Material Recovery Facility of 10 TPD capacity each for processing regular waste generated from the city; house to house waste is also going to MCCs and MRFs for processing on regular basis.

18. In the affidavit, it is also stated that the Executive Officer, Puri Municipality, has requested the Tahasildar, Puri, for allotment of one more land for construction of Compressed Bio Gas Plant in coordination with Oil India Limited and the Oil India Limited has been requested vide letter of the Executive Officer, Puri Municipality, dated 27.01.2025 to conduct geological and topographical survey of the concerned site and submit Detailed Project Report (DPR) at the earliest.
19. It is further stated that a patch of Government land measuring Ac. 10.00 in Khata No.271, Plot No.175, Kisam-Gochar, Mouza-Rahangiria, has been identified in the vicinity of Puri Municipality area for use as alternative waste processing site and required requisition in this regard has already been filed by the Executive Officer, Puri Municipality, vide his letter dated 04.09.2024 before the Tahasildar, Puri, for alienation of Government land in favour of Housing and Urban Development Department, for the purpose of alternate waste processing site for Puri Municipality.
20. In view of the above, nothing further remains for adjudication in the present M.A. except to direct the State Respondents and the Puri Municipality to ensure that the boundary wall is being constructed around the Baliapanda Dumping Site completely within the stipulated period of time and that Bio-mining of the remaining legacy waste as stated to be completed by 31st May, 2025, is completed within the said period time frame. The Puri Municipality shall submit an Action Taken Report in this regard by **15.07.2025.**

21. The Odisha State Pollution Control Board is also directed to inspect the site in question and thereafter submit its Report with regard to compliance by **15.07.2025**.
22. I.As., if any, stand disposed of accordingly.
23. There shall be no order as to costs.

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

February 19, 2025,
Miscellaneous Application No.29/2023/EZ
In
Original Application No.51/2023/EZ
AK