

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

**Original Application No.25/2025/EZ**

Hazari Dehuri ..... Applicant

-Versus-

State of Odisha & others ..... Respondents

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Cuttack  
Date: 12.08.2025

  
 Addl. Government Advocate  
 Satyabanta Mohanty  
 AGA,  
 Odisha High Court Ctr.  
 0-1131/1925  
 Cell no- 9432311100  
 mohanty12 Satyabanta@gmail.com

X

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

**Original Application No. 25/2025/EZ**

**HAZARI DEHURI ..... APPLICANT**

**VERSUS**

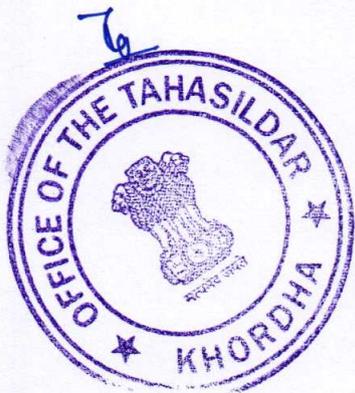
**STATE OF ODISHA AND OTHERS..... RESPONDENTS.**

**COUNTER AFFIDAVIT FILED BY**

**RESPONDENT NO.08.**

I, Sri Gajanan Dayanand Lade aged about 36 years, S/o. Dayanand Lade, at present working as Divisional Forest Officer, Khordha Forest Division, At/P.O./Dist.- Khordha, do hereby solemnly affirm and state as follows: -

1. That, I am working as Divisional Forest Officer, Khordha Forest Division, hereinafter referred to as the answering respondent No.08 and as such I am competent to swear this affidavit in my official capacity.
2. That the averments made in Para-01 to 03 of the Original Application need no comments.
3. That as regards in Para-04 to 06, it is submitted that, in the year 2011 the Central Council for Yoga and Naturopathy made an application to the Govt. Odisha



*[Handwritten signature]*

*Gajanan Dayanand Lade*  
Divisional Forest Officer,  
Khordha Division, Khordha

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to provide 20 acres of land for establishment of Central Research Institute of Yoga and Naturopathy with 100 bedded hospital. The Govt. of Odisha decided to establish the said institute at Binjhagiri in Khata No. 331, plot no.133 area- Ac 20, Kisam-Gochar, Mouza Binjhagiri after field verification by the competent authorities. Accordingly, the said land was leased out in favour of Central Institute of Naturopathy for setting of research institute of 100 bedded hospital.

The Tahasildar, Jatni requested the DFO, Khordha vide his letter no. 3210, dtd.19.12.2012 for submission of valuation report of standing trees over the plot no. 133/1460 in Khata no. 323 and area Ac 20 in Binjhagiri.

4. That as regards in Para-07 it is submitted that the Range Officer Khordha was directed vide memo no.7390, dtd-28.12.2012 with direction to take up a joint verification of the land with revenue officials and submit a joint verification report with the enumeration list of the trees duly signed by all concerned along with the information on the following aspects.

a. Detailed land schedule & map with Kisam/ status and ownership of the duly authenticated by Tahasildar, Jatni.



Paanan Dayanand Lade  
Divisional Forest Officer  
Khordha Division, Khordha

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b. Detail enumeration of the trees plots wise (species & girth class wise) required to be felled with market value and its ownership duly signed by all concerned.

c. Whether any forest land involved as per verdict of Hon'ble Apex Court in W.P.(Civil) No.202/95 T N Godavarman Vrs Union of India.

d. If so, the extent of forest land involved and details thereof. Copy of the Letter no.7390, 28.12.12 of DFO, Khordha is annexed herewith as Annexure -A.

5. That as regards in Para-08 it is submitted, the Range officer, Khordha took up the joint verification with the revenue officials and submitted his report vide memo no. 964, 16.02.2013. Basing on the report of the Range Officer Khordha, the DFO submitted the inquiry report to the Tahsildar Jatni vide letter no. 6801, dt16.07.13. The content of the letter is as follows. The copy of the letter no. 964 dtd 16.02.2013 of the Range Officer, Khordha is annexed herewith as Annexure -B.



Signature

Rajanan Deyanand Lade  
Divisional Forest Officer  
Khordha Division, Khordha

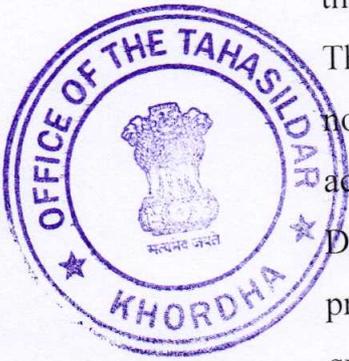
The joint verification has been made by the forest & revenue officials over the said plot and it is observed that the area though is not forest Kissam but looks like a forest. The estimated number of trees per

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hectare comes to 3300 with the crop density more than 70% which is very dense type. The type of species indicates class-II species. The valuation of the standing crop is calculated for the total crop on area basis as classified by Hon'ble supreme court of India for net present valuation of forest. The cost of valuation for class-II species under very dense category comes to ₹10.43 lakh which in total is calculated as ₹83.44 lakhs for 8 ha. of land (20 Ac). The copy of the letter no. 6801 dtd 16.07.2013 to the Tahasildar, Jatni is annexed herewith as Annexure - C.

6. That the averments made in Para-09 & 10 of the Original Application need no comments.

7. That as regards in Para-11 & 12, it is submitted that, the averments made in these paras are not correct. The contention of this petition mentioned in this para is not tenable in the eyes of law. There is no cause of action to make the DFO as party in this case as the DFO, Khordha has taken all reasonable and necessary precaution against cutting of trees from the plot in question and never gave any permission for felling of trees. The DFO, Khordha vide his letter no. 9221 dtd 14.11.2017 informed the Director, Central Council for Research in Yoga and Naturopathy, Dept. of Ayush that no standing trees shall be uprooted for construction of building as per proceedings of meeting held on



Rajanan Deyanand Lade  
Divisional Forest Officer,  
Khordha Division, Khordha

Signature

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02.03.2017 under the Chairmanship of Collector & DM, Khordha. The copy of letter no. 9221 dtd 14.11.2017 to the Director, CCRYN is annexed herewith as Annexure-D.

8. That the averments made in Para-13 to 37 of the Original Application need no comments.

9. That as regards in Para-38 it is submitted that, it is submitted that, the averments made in this para is not correct. The land in question neither belongs to forest department nor the Kissam of the land is forest and doesn't come under the purview of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as amended by Forest (Conservation) Amendment Act, 2023 (15 of 2023).

10. That the contents of the above paragraphs are true and correct to the best of knowledge as derived from the official records and that nothing material has been concealed there from and the present deponent reserves the right to file further affidavit as and when required and directed by this Hon'ble Tribunal.



Identified by

Advocate

Pajanan Dayanand Lade  
 Divisional Forest Officer  
 Khordha Division, Khordha

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**VERIFICATION**

I, Sri Gajanan Dayanand Lade aged about 36 years, S/o. Dayanand Lade, at present working as Divisional Forest Officer, Khordha Forest Division, At/P.O./Dist.-Khordha, 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 there from.

Verified at Cuttack on this the \_\_\_\_\_ day of August, 2025.

Cuttack.

Dt. .08.2025.

*Gajanan Dayanand Lade*  
Divisional Forest Officer  
Khordha Division, Khordha  
VERIFICATION

**CERTIFICATE.**

Certified that due to non-availability of cartridge paper the contents of this counter affidavit have been typed in thick white paper.

Cuttack.

Dt. 12.08.2025.

*[Signature]*  
Addl. Govt. Advocate

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AFFIDAVIT. Affidavit No - 2143  
12/08/2025

The above deponent being personally known to me appears before me.....at 11:30 AM/PM and states an oath that the contents of the counter are true to the best of his knowledge based on official records.

Identified by:

Rajaram Dayanand Lade  
Divisional Forest Officer  
Khordha Division, Khordha

Bibhas Rajan Singh  
Executive Magistrate, Khordha



27 - 08 =

OFFICE OF THE DIVISIONAL FOREST OFFICER, KHORDHA DIVISION,  
AT / PO / DIST. - KHORDHA

Tele No. (06755) 220539, 222825  
FAX No. (06755) 220539  
Mob. No. 9437000935  
Email ID - [dfokhordha@gmail.com](mailto:dfokhordha@gmail.com)

Memo No. 7390 / 14F (Misc.)  
Dated, Khordha the 28<sup>th</sup> December, 2012

To

The Range Officer,  
Khordha Range.

Sub

Setting up Central Research Institutional Hospital of Yoga & Naturopathy of  
Mouza Binhiagiri in plot no. 133/1460, Khata no. 329

Enclosed, please find herewith the letter No. 3200 dtd. 19.12.12 received  
from the Tahasildar, Jatni, you are directed to take up the joint verification of the above  
proposed lands with the Revenue staffs of Jatni Tahsil & submit your joint verification  
report with the enumeration list of the trees duly signed by all concerned along with the  
information on the following aspects

- 1 Detailed land schedule & map with kisan/ status and ownership of the land duly  
authenticated by Tahasildar, Jatni.
- 2 Detail enumeration of the trees plot wise (species & girth class wise) required to  
be felled with market value and its ownership duly signed by all concerned
- 3 Whether any Forest land involved as per verdict of the Hon'ble Apex Court in  
W.P. (Civil) No. 202/95 T.N. Godavaram Vrs Union
- 4 If so, the extent of forest land involved and details thereof

Encl As above

Memo No. 7391 / Date 28.12.12  
Copy forwarded to the Tahasildar, Jatni for information & necessary action  
with reference to his letter No. 3200, dt. 19.12.2012.

*[Signature]*  
Divisional Forest Officer,  
Khordha Division, Khordha

*[Signature]*  
Divisional Forest Officer,  
Khordha Division, Khordha

*[Signature]*  
Tahsil

True Copy Attested

Case

Divisional Forest Officer,  
Khordha Division, Khordha

Typed Copy  
Annexure-A

**OFFICE OF THE DIVISIONAL FOREST OFFICER, KHORDHA DIVISION, KHORDHA**  
**AT/PO/DIST. – KHORDHA**  
**Tele No. (06755) 222825**  
**Email ID – dfokhordha@gmail.com**

Memo No. 7390 /4F(Misc)  
Dated, Khordha the 28 December,2012

To,

The Range Officer,  
Khordha.

Sub: - Setting up Central Research Institute Hospital of Yoga & Naturopathy of Mouza-  
Binhjagiri in plot 133/1460, Khata No-329

Enclosed, find herewith the letter no. 3200 dtd 19.12.12 received from the Tahasildar, Jatni. You are directed to take up joint verification of the above proposed lands with the revenue staffs of Jatni Tahasil & submit your joint verification report with the enumeration list of trees duly signed by all concerned along with the information on the following aspects;

1. Detailed land schedule & map with Kisam/ status and ownership of the duly authenticated by Tahasildar, Jatni.
2. Detail enumeration of the trees plots wise (species & girth class wise) required to be felled with market value and its ownership duly signed by all concerned.
3. Whether any forest land involved as per verdict of Hon'ble Apex Court in W.P.(Civil) No.202/95 T N Godavarman Vrs Union of India.
- 4.If so, the extent of forest land involved and details thereof.

Encl: - As above

Sd/- 28.12.2012  
Divisional Forest Officer,  
Khordha Division, Khordha

Memo No 7391 Date 28.12.2012  
Copy forwarded to The Tahasildar, Jatni for information & necessary action. With  
reference to letter no. 3200 dtd 19.12.2012

Sd/- 28.12.2012  
Divisional Forest Officer,  
Khordha Division, Khordha

*True copy attached*

*[Signature]*

**Divisional Forest Officer**  
**Khordha Division, Khordha**

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ANNEXURE B

OFFICE OF THE FOREST RANGE OFFICER, KHORDHA RANGE, KHORDHA

Memo No. 961 Date 16/07/2013

To  
The Divisional Forest Officer  
Khordha Division, Khordha

Sub: Setting of Central Research Institutional Hospital of Yoga & Naturopathy  
of Mouza - Binjharua in Plot No 134-160, Khata No. 199.  
Ref: Your office Memo No 7390, dtd 18<sup>th</sup> December, 2012

Sir

With reference to above cited Memo, I am submitting the Joint Verification Report  
of the above mentioned area identified by the R.L. Jaisa and enumeration was done by the  
Inspector, Khordha duly countersigned by the Tahasildar, Tahsil and Range Officer, Khordha  
(copy enclosed)

- The detailed land schedule and map of the identified area is enclosed
- Detailed enumeration was not possible due to high density of trees in different growth classes which are less than exploitable size. A sample enumeration was done of plot size 40 m x 25m = 1000 sqm in 4 nos. of plots. From the sampling over 4000 sqm. Area 1330 nos. of trees are found. So from the whole area 1330 nos. x 20 = 26600 nos. of trees are standing over the identified area over 8 ha. The crop density is more than 70%.
- The identified area is under Khasam Abada Ajanya-Patna as per report of R.L. Jaisa  
This is for favour of your kind information and necessary action

Yours faithfully,

*[Signature]*  
Forest Range Officer, 14/7/13  
Khordha Range, Khordha

*[Signature]*  
Public Information Officer  
Khordha Forest Division  
KHORDHA

Land schedule and map  
was enclosed.  
15/7/13

True Copy Attested

*[Signature]*  
Divisional Forest Officer  
Khordha Division, Khordha

Typed Copy  
Annexure-B

**OFFICE OF THE FOREST RANGE OFFICER, KHORDHA DIVISION, KHORDHA**

Memo No. 961 / Date 16.02.2013

To,

The Divisional Forest Officer,  
Khordha Division, Khordha

Sub: -

Setting up Central Research Institute Hospital of Yoga & Naturopathy of Mouza-  
Binhjagiri in plot 133/1460, Khata No-329

Ref:-

Your office memo no. 7390 dt 28.12.2012

Sir,

With reference to above cited memo, I am submitting the joint verification report of the above-mentioned area identified by the R.I, Janla and enumeration was done by the Forester, Khordha duly counter signed by the Tahasildar, Jatni and Range Officer, Khordha.

(Copy Enclosed)

1. The detailed land schedule and map of the identified area is enclosed.
2. Detailed enumeration was not possible due to high density of trees in different girth classes which are less than exploitable size. A sample enumeration was done at plot Size 40mx25m=1000 sqm in 4 no. s of plots. From the sampling over 4000sqm. Area 1320no.s of trees are found. So, from the whole area 1320 no x 20=26400 no. s of trees are standing over the identified area over 8ha. The crop density is more than 70%.
3. The identified area is under Kisam- Abada ajogya-Patita as per report of R.I Janla.

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

Yours faithfully

Sd/-16.02.2013

Forest Range Officer,  
Khordha Range, Khordha

*True copy attested*

*Q. Sd/-*

**Divisional Forest Officer  
Khordha Division, Khordha**



OFFICE OF THE DIVISIONAL FOREST OFFICER, KHORDHA DIVISION, KHORDHA.

A/P.O./Dist - Khordha.

Tel.No. (06755) 222825.

Fax No. (06755) 220539.

Cell No.-9437000935.

Email [112-dfo@khordha@gmail.com](mailto:112-dfo@khordha@gmail.com).No. 6801/Steno.Dated, Khordha, the 16<sup>th</sup> July, 2013.

To

The Tahasildar,  
Jatni.  
20/7/13

Sub :- Submission of Valuation report on standing trees over the Plot No.133-1460  
in Khata No. 329 an area Ac. 20.000. Kissam - Puratan Patita of Mouza  
Binjhagiri.

Ref :- Your letter No.3200, dtd. 19.12.2012.

Sir.

With reference to the letter No. cited above, I am to inform you that the Joint Verification has been made by the Forest & Revenue officials over the said plot (copy enclosed) and it is observed that the area though is not a forest Kissam but looks like a forest. The estimated number of trees per hectare comes to 3300 with the crop density more than 70% which is very dense type. The type of species indicates class-II species. The valuation of the standing crop is calculated for the total crop on area basis as classified by the Hon'ble Supreme Court of India for net present valuation of a forest. The cost of valuation for class-II species under very dense category comes to ₹10.43 lakh which in total is calculated as ₹83.44 lakhs for 8 ha. of land (20 Ac).

Yours faithfully,

Divisional Forest Officer,  
Khordha Division, Khordha.

Memo No. \_\_\_\_\_ /date 16.07.2013

Copy forwarded to the Range Officer, Khordha Range for information and necessary  
action with reference to his Memo No.964, dtd.16.07.2013.

Divisional Forest Officer,  
Khordha Division, Khordha.

True Copy Attested

Divisional Forest Officer,  
Khordha Division, Khordha

Typed copyANNEXURE-C

OFFICE OF THE DIVISIONAL FOREST OFFICER, KHORDHA DIVISION, KHORDHA

At/P.O./Dist-Khordha

Tel. No.(6755) 222825

Fax No.(6755) 220539

Cell No.9437000935

Email ID-dfokhordha@gmail.com

No. 6801/Steno,  
Dated, Khordha, the 16<sup>th</sup> July, 2013.

To  
The Tahasildar,  
Jatni.

Sub :- Submission of Valuation report on standing trees over the Plot No.133-1460 in Khata No. 329 an area Ac. 20.000, Kissam- Puratan Patita of Mouza- Binjhagiri.

Ref :- Your letter No.3200, dtd. 19.12.2012.

Sir,

With reference to the letter No. cited above, I am to inform you that the Joint Verification has been made by the Forest & Revenue officials over the said plot (copy enclosed) and it is observed that the area though is not a forest Kissam but looks like a forest. The estimated number of trees per hectare comes to 3300 with the crop density more than 70% which is very dense type. The type of species indicates class-II species. The valuation of the standing crop is calculated for the total crop on area basis as classified by the Hon'ble Supreme Court of India for net present valuation of a forest. The cost of valuation for class-II species under very dense category comes to ₹10.43 lakh which in total is calculated as ₹83.44 lakhs for 8 ha. of land (20 Ac)

Yours faithfully,

Sd/- 16/7/13

Divisional Forest Officer,  
Khordha Division, Khordha

Memo No. /date 16.07.2013

Copy submitted to the Range Officer, Khordha Range for information and necessary action with reference to his Memo No.964, dtd. 16.07.2013.

Sd/- 16/7/13

Divisional Forest Officer,  
Khordha Division, Khordha

*Form copy attached*

*Beale*

**Divisional Forest Officer  
Khordha Division, Khordha**



OFFICE OF THE DIVISIONAL FOREST OFFICER, KHORDHA DIVISION, KHORDHA.

At/P.O./Dist - Khordha,  
Tel.No. (6755) 222825,  
Fax No. (06755) 220539,  
Cell No.-9437000935,  
Email ID-[dfokhordha@gmail.com](mailto:dfokhordha@gmail.com)

No. 9221 /Steno/4F.  
Dated, Khordha, the 14<sup>th</sup> November, 2017

To

The Director,  
Central Council for Research in Yoga & Naturopathy,  
Deptt. of AYUSH, Ministry of Health & Family Welfare,  
Govt. of India, 61-65, Industrial Area,  
Janakpuri, New Delhi-110058.

Sub :- Regarding establishment of Central Research Institute by Yoga and Naturepathy in Binjhagiri, Khordha in Bhubaneswar – regarding permission of construction of boundary wall and main gate.

Ref.:- File No.3/2-2009-10/ CCRYN/CRI, Odisha/523, dtd. 04.02.2016.

Sir,

As solicited, I would like to clarify that for construction of proposed boundary wall, there will be no need to cut down any tree. In the proceedings of the meeting held on 02.03.2017 under the chairmanship of the Collector & Dist. Magistrate, Khordha, it was decided, the alignment of boundary wall of the project will be realigned in such a way, there is no need to cut down any tree. The construction of building will be in vacant space so that no standing tree will be uprooted. The copy of the proceedings of the meeting dated 02.03.2017 is enclosed herewith for ready reference. Therefore, there is no issue for construction of boundary wall for establishment of Central Research Institute of Yoga and Naturopathy in the proposed site.

Encl.: As above.

Yours sincerely,

*[Signature]*  
Divisional Forest officer,  
Khordha Division, Khordha.

Memo No. 9222 /Date 14.11.2017

Copy forwarded to the Collector & District Magistrate, Khordha for favour of information and necessary action.

*True Copy Attested*

*[Signature]*  
Divisional Forest Officer  
Khordha Division, Khordha

*[Signature]*  
Divisional Forest officer,  
Khordha Division, Khordha