

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

**Original Application No. 42/2024/EZ**

**In the matter of:-**

Bimal Hembramand Another ... Applicant

-Versus-

State of Odisha & others ... Respondents

**I N D E X**

<b><u>Sl. No.</u></b>	<b><u>Description of Documents</u></b>	<b><u>Page No.</u></b>
1	Reply Affidavit on behalf of the Opp. Party Nos. 01 & 04 to the rejoinder filed by the Petitioner.	1-6
2	<b><u>Annexure-A/4 Series</u></b> Copy of the land schedule i.e. Hal Khata No. 1298, Hal Plot No. 4368 area Ac. 161.52 dec Kisama Patita.	7-8
3	<b><u>Annexure-B/4</u></b> Copy of the Certified L.R. register showing land schedule Sabik Khata No. 1246, Sabik Plot No. 2024 area Ac. 161.52 dec Kisham-Padia.	9-12

Cuttack

By The Respondent Nos. 1&4 through

Date: 26.08.2024

*Adar*

**ADDL. STANDING COUNSEL**

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

Original Application No.42/2024/EZ

Bimal Hembram and Another

...

Applicant

-Versus-

State of Odisha & others ... Respondents

**REPLY AFFIDAVIT ON BEHALF OF OPP PARTY**  
**NOS. 01 & 04 TO THE REJOINDER FILED BY**  
**PETITIONER**

I, Sri Ambar Kumar Kar, aged about 58 years,  
S/o-Kulamani Kar, presently working as Collector, Jajpur  
do hereby solemnly affirm and state as follows:-

1. That, I am presently working as above. I have gone  
through the Original Application and understood the  
contents thereof. I am otherwise also well acquainted with  
the facts of the present case and also being authorized to  
file counter affidavit on behalf of Opp. Party Nos. 01.

2. That I have gone through the contents of the  
rejoinder affidavit and have understood the same and



Ambar Kumar Kar

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thereafter the present affidavit is being filed in reply to the same.

3. That, at the outset, I deny all the allegations, averments and contentions urged in the rejoinder affidavit individually and collectively, save and except to the extent specifically admitted by me herein below. Any allegation, averment and/or contention not specifically admitted, though not traversed, shall be deemed to have been denied.

4. That, in response to the Paragraph No. 01 of the rejoinder affidavit, being the matter of record, the same needs no comments.

5. That in reply to the averments made in Paragraph No. 02 of the rejoinder affidavit, it is humbly submitted that the Hal Plot No.4368 measuring an area of Ac.161.52dec. Kisam-Patita recorded under Govt. Khata i.e (Abada Jogya Anabadi) vide Khata No.1298 of Village-Byree, Tahasil-Darpan in favor of Govt. of Odisha as per the Publication dated 22.04.1998 by the Concerned Consolidation Authority. The Hal Plot No.4368 corresponds to the temporary Plot No.3854, the temporary

Amban Kumar hal

plot corresponds to the Sabik Plot No.2024 and the Kisam of the Sabik plot was "Padia". The Amin submitted his field inquiry report to the concerned Consolidation Authority, wherein he had suggested to record the land under Abada Jogya Anabadi Khata with Kisam "Pathuria Jungle". Though the Amin had suggested to change the Kisam of said land from "Patita" to "Pathuria-Jungle", but the same was rejected by the competent authority i.e Consolidation officer and the land was published with Kisam "patita".

6. That in reply to the averments made in Paragraph No. 03 of the rejoinder affidavit, it is humbly submitted that the Hal Plot No.4368 measuring an area of Ac.161.52dec Kisam-Patita recorded under (Abada Jogya Anabadi) Khata No.1298 of Village-Byree in favor of Govt. of Odisha as per the Publication dated 22.04.1998 by the Concerned Consolidation Authority. The Letter No. 43968, dated 24.10.2011 of Revenue & Disaster Department Govt. of Odisha has no application in the present case as the Sabik ROR showed the land as 'Padia'

Ambar Kumar Das ✓

and the hal ROR the land is shown as 'Patita'. The meaning of both 'Padia' & 'Patita' are of same category.

7. That, in response to Paragraph Nos. 04 to 10 of the rejoinder affidavit, being the matter of record, the same needs no comments.

8. That in reply to the averments made in Paragraph No. 11 of the rejoinder affidavit, it is humbly submitted that it has already been stated in reply to Para No.02& 03 that the report of the Amin was not accepted by the concerned Consolidation Authority and the Suit Hal Plot No.4368 published with Kizam"Patita" as it was, prior to the publication of ROR and Sabik ROR should the land as 'Padia'.

A copy of land schedule i.e hal khata No.1298, hal plot No.4368 area Ac.161.52 dec kishama patita is enclosed as **Annexure- A/4** series and a copy certified L.R register showing land schedule Sabik khata No. 1246, Sabik plot No.2024 area Ac.161.52 dec Kisham-Padia is enclosed as **Annexure-B/4** series for kind perusal of Hon'ble Court.

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9. That in reply to the averments made in Paragraph No. 12 of the rejoinder affidavit, it is humbly submitted that the Kisam recorded in C.S ROR (Sabik) and M.S ROR(Hal) in respect to the suit land is same, both are synonymous.

Further, it is submitted that the Sabik Kisam of the suit hal plot is "Padia", which does not attract the provision of Section-2 of Forest Conservation Act, 1980.

10. That in reply to the averments made in Paragraph No.13 of the rejoinder affidavit, it is humbly submitted that, in compliance to order dtd- 03.02.2023 of the Hon'ble High Court of Odisha, Cuttack passed in W.P (C) No. 1592/2023, The Tahasildar Darpan has already disposed of the representation of the concerned villagers on dt- 15.03.2024 after hearing them with due diligence. The land of the Kisam leased out are Sarada-3, Sarada-2 and Patita, no such common land of the village were leased out to IDCO, Bhubaneswar for Industrial Purpose.

Amber Kumar Kori

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11. That, in response to Paragraph Nos. 14 & 15 of the rejoinder affidavit, being the matter of record, the same needs no comments.

12. That, the contents of the above paragraphs are true and correct to the best of my knowledge and based on official records.

Identified by

*Adar*  
Advocate

*Amban Koman Kar*  
DEPONENT *26/8/25*  
*Collector*  
*Jajpur*

CERTIFICATE

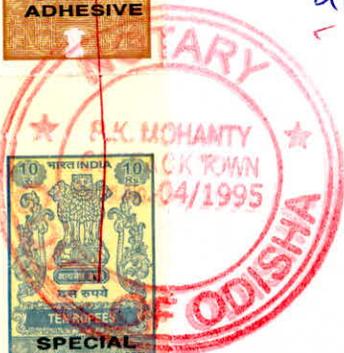
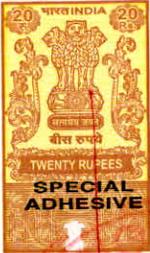
Certificate that due to non availability of cartridge papers, white papers are used.

CUTTACK

*Adar*

Dt.- *26/08/25*

ADDL. STANDING COUNSEL



Solemnly sworn before *A.K. Kar,*  
me by..... *Ar Dash, Advocate*  
being Identified by.....  
at Cuttack Town Dated..... *26/08/2025*  
*26/08/2025*  
P.K. MOHANTY, Notary, Cuttack Town  
Regd. No-ON-04/1995

Annexure

344

X

Annexure-A/4 Series



ଖତିୟାନ

ମୌଜା

କୈଥୀ

ଥାନା

ବଡ଼ଚଣା

ଥାନା ନମ୍ବର

୧୦୪୧

ତହସିଲ ଦର୍ପଣ

ତହସିଲ ନଂ ୧୮

ଜିଲ୍ଲା ପାଟଣା

ପରିଶିଷ୍ଟ - କ

ଫର୍ମ ନଂ ୯୯

ପରିଚ୍ଛେଦ - ୪୦୨

୧। ଖତିୟାନର କ୍ରମିକ ନମ୍ବର	୨। ଜମିଦାରଙ୍କ ନାମ ଓ ଖେତ୍ରାଂଶ ବା ଖତିୟାନର ନମ୍ବର				୩। ପ୍ରଜାର ନାମ, ପିତାର ନାମ, ଜାତି ଓ ବାସସ୍ଥାନ	
୧୨୪	ଓଡ଼ିଶା ସରକାର ମେଦିନୀ ନମ୍ବର ୧				ଧାବାଜ ସୋରାଧ୍ୟ ଅନାବଦୀ	
୪। ସ୍ୱତ୍ୱ	୫। ଦେୟ				୬। କ୍ରମବର୍ଦ୍ଧନଶୀଳ ଖଜଣାର ବିବରଣୀ	
	କଳକର	ଖଜଣା	ସେୟ	କ୍ରିଷ୍ଟାର ସେୟ ଓ ଅନ୍ୟାନ୍ୟ ସେୟ ଯଦି କିଛି ଥାଏ	ମୋଟ	
୭। ବିଶେଷ ଅନୁସଙ୍ଗ ଯଦି କିଛି ଥାଏ ।				<p align="center"><b>BLANK SPACE FOR STAMPING</b></p> <p align="center">Certified to be a copy of the record of rights when has been finally prepared under section 4 of section 13 of the Orissa Consolidation of Holdings and prevention of Fragmentation of Land Act, 1972 and finally published on...22.04.1998... and conforms with the provision contained in section 22 read with rule 20 of the Orissa Consolidation of Holdings and prevention of fragmentation of Land rules 1973. From...1.4.1999.....</p> <p align="right">Sd/- Assistant. Consolidation Officer Circle. <b>CHHATTA</b></p>		

**Khatian**

Appendix - A

Form No-99

Intersection - 402

Mauza: Byree

Police Station: Badachana

Police Station No: 1041

Tehsil: Darpan

Tehsil No.18

District : Jajpur

1) Serial No. of Khatiyaan	2) Name of Zamidar and serial number of Khewat or Khatian					3) Family name, father's name, caste and place of residence	
1298	Government of Odisha Khewat No.1					Admirable anarchist (Abadajogya Anabadi)	
4) Status	5) Payment					6) Details of incremental cost	
	Water Tax	Rent	Cess	Passover Cess and other Cess if any	total		
		0.00	0.00	0.00	0.00		
7) Bisesa Anusanga if any							

True Copy attested  
Tahasildar, Darpan



କକ ନମ୍ବର	ପୁର ନମ୍ବର ଓ କମିର ସ୍ଥାନୀୟ ନାମ		କୋଲେକ୍ଟରାଟ୍ ପ୍ରକାଶ ନାମ	ରକବା			କକତୁକ୍ତ ହୋଇ ନଥିବା କମିର ଜିସମ	ମତ୍ତବ୍ୟ (ଅନ୍ୟ ବିବରଣୀ ସହ ଜୌଣ୍ଡି ପ୍ରକା ବା ବ୍ୟକ୍ତିଙ୍କ ସ୍ୱାର୍ଥ ବା ସ୍ୱତ୍ୱ ଥିଲେ ତାହା ଏଠାରେ ଉଲ୍ଲେଖ ହେବ)
	କକତୁକ୍ତ ହୋଇଥିବା ପୁର	କକତୁକ୍ତ ହୋଇନଥିବା ପୁର		ଉ.-	ଃ	ଡି:		
୧	୨	୩	୪	୫	୬	୭	୮	୯
		X ୪୩୬୩		X	X	X	X	
		X		X	X	X	X	
		୩୩୩୩		୩୫୦	୦୮			

*Shukh...*  
07.08.24  
**COPIED BY ME**

**COMPARED BY ME**  
And found Correct  
07.08.24  
**COMPARER**

Certified to be true copy  
*Sashi...*  
Section Officer Revenues  
S.L.R., Section  
Collectorate Jajpur  
Authorised U/S 76 of ORM-1964

*07.08.24*

7.8.2024

*[Signature]*  
Deputy Collector  
Record Room  
Collectorate, Jajpur

Sd/- District record room- Collectorate, Jajpur

Chaka No	Plot No and local name of land		Boundary Tenant name	Area			Kissam of other than Chaka Plot	Remarks (If there is interest or personal interest of any citizen or person along with other details to be mentioned here
	Chaka plot No.	Other than Chaka Plot No.		Ac.	Dec.	Ha.		
1	2	3	4	5	6	7	8	9
		X 4368 X		X 161 X	X 52 X	X 65.3577 X	X Patita X	
		333		360	09	145.5956		

True Copy attested  
Tahasildar, Darpan



**Part II: Land Register of Consolidation operation.**

Parisista- Ka

Form No- 66

Units Name- Byree

Tahasil and Tahasil No. Darpana-18

Intersection - 266 Thana &amp; Thana No.

Dist- Jajpur

1. Serial No.-
2. First Part of Consolidation Operation Serial No.
3. Description of First Part of Consolidation Operation of Collum Nos.5 & 6  
Odisha Government Khewat No.1.
4. Name and Thana of Mouza: Byree No- 1041
5. Status of the Tenant- Government Mahala
6. New Khata No.1246, Consolidation Khata No.1298

Plot No other than unutilized consolidation plots			An old plot or part of an old plot taken for creation of new Plot					Amount of compensation										
Chaka No	Plot No	Kissam of other than Chaka Plot	From Original Khata	From other than Land lord Khata.	Area	Exchange Rate	value								Total assessed value	Deposit amount	Received amount	
7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25

True Copy attested

Tahasildar, Darpan

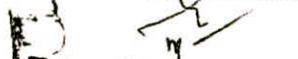


## District record room- Collectorate, Jajpur

As per direction under Rule-15, Case No.2305/1997, Plot No.4368 measuring an area of Ac.5.00 dec has been recorded in Hal Khata No.590/Ka, Part Plot No.4368/4713

Assessed value of new plot	Total assessed value of all plots of the Khata	Area of new plots	Total area of all new plots of the Khata	Number of Plots, Area & Kissam of non-consolidation plots of the khata			Total area of Anupajogi plots of the Khata	Total area of the Khata	Total payment of Rent & Cess	Payment of water tax	Name and Area of irrigation land	First Part of Consolidation Operation of Column Nos. 34 to 37 the details of the interest of the individual.				Remarks
				Plot No	Area	Kissam						Part-Of Consolidation Operation	Name of the person	What kind of self-interest	Declared value of the interest	
26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42
				X 4368 3854 X	X 169. 52 X	X Patita X										

True Copy attested

  
 Tahasildar, Darpan



**Part II: Land Register.**

Parisista- Ka

Form No-34

Mouza - Byree

Thana No.1041

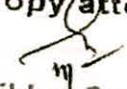
Tahasil No.18

Intersection -152 Thana: Badachana Tahasil: Darpan, Dist-

1. Serial No.-
2. Name, Address, Caste & Share if any of the Land Lord:  
Abada Jogya Anabadi
3. Description of Khewat: Odisha Government Khewat No.1.
4. Khata No:1246
5. Status:

At the time of preparation of Land Register				Payment		
Rent	Cess	Water tax	Total	Fixed rent	Cess amount and payment date	Water tax
6	7	8	9	10	11	12

14- Special requirement if any

True Copy attested  
  
 Tahasildar, Darpan



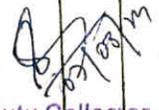
୧୫୩୩୧୬ କଟାଳୀ ୨୩୦୫ ଡି.ଏ. ସୁ. କା. ୫୦ ୬୨ ରକ୍ଷା ସଂଗୃହଣ ୧ ଡି.ଏ. ୩୩୫୫  
 ଗୃହଣ ପା.ନଂ ୫୨୦ କା. ୬୨ ୧୨୨ ।

କୃତ୍ରିମ ନମ୍ବର ଓ ପୁସ୍ତକ ନାମ	କିସମ	ରକ୍ଷା									କାଳ	କାର୍ଯ୍ୟ ସମାପ୍ତ ତାରିଖ	କାର୍ଯ୍ୟ ସମାପ୍ତ ତାରିଖ	କାର୍ଯ୍ୟ ସମାପ୍ତ ତାରିଖ	କାର୍ଯ୍ୟ ସମାପ୍ତ ତାରିଖ	କାର୍ଯ୍ୟ ସମାପ୍ତ ତାରିଖ	କାର୍ଯ୍ୟ ସମାପ୍ତ ତାରିଖ
		କଲକମ ଉପଲୋଗ			କଲକମ ଧନୁପଲୋଗ			କାଳ									
		୩	୩	୩	୩	୩	୩	୩	୩	୩							
୧୫	୧୬	୧୭	୧୮	୧୯	୨୦	୨୧	୨୨	୨୩	୨୪	୨୫	୨୬	୨୭	୨୮	୨୯	୩୦	୩୧	୩୨
X	X				X	X		X	X								
୩୩୫୫ ୨୨୨୫୫	କଟାଳୀ କଟାଳୀ				୧୫୫୫୫	୫୫୫୫୫		୧୫୫୫୫	୫୫୫୫୫								
X	X				X	X		X	X								

Shubhraman Mishra  
 07.08.24  
 COPIED BY ME

COMPARED BY ME  
 And found Correct  
 07.08.24  
 COMPAREE

Certified to be true copy  
 Sushil Kumar Mishra  
 Section Officer Revenue  
 S.L.R., Section  
 Collectorate Jajpur  
 Authorised U/S 76 of O.R.M.-1964

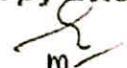
  
 Deputy Collector  
 Record Room  
 Collectorate, Jajpur

## District record room- Collectorate, Jajpur

As per direction under Rule-15, Case No.2305, Plot No.3854 corrected the area and new plot No.3854/5715 recorded in New Khata No.590/Ka

Plot and block Name	Kisama	Area									Propionate of ex-change	Nominal value of land	Value of trees, buildings, well and other things of the land			Special requirement if any at land		
		Chakabandhi Upajogi			Chakabandhi Anupajogi			Total					Details	Value	Compensatory proportionality	Name	Details	Price
		A.	D.	H.	A.	D.	H.	A.	D.	H.								
15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33
X 3854 2024(p)	X Patita Padia X				X 161. X	X 52 X		X 161. X	X 52 X									

True Copy attested

  
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 Darpan  
 Tahasildar, Darpan