

X

**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

I N D E X

<u>Sl. No.</u>	<u>Description of Documents</u>	<u>Page No.</u>
1	Affidavit filed by the Opp. Party No. 08.	1-3
2	<u>Annexure-A/8</u> Copy of the Letter No. 5580 dated 08.07.2025 issued by the Divisional Forest Officer, Cuttack.	4
3	<u>Annexure-B/8</u> Copy of the Letter No. 6539 dated 01.08.2025 issued by the Divisional Forest Officer, Cuttack.	5
4	<u>Annexure - C/8</u> Copy of the Letter dt. 26-11-2025	6

Cuttack By The Respondent No. 8 through

Date: 15.12.2025

Asw

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

AFFIDAVIT FILED BY RESPONDENT No. 08

I, Sri Anil Kumar Ray, aged about 52 years, S/o Basanta Kumar Ray, presently working as Divisional Forest Officer, Cuttack Forest Division, At.- Ghatakula, P.O.- Nuapada, Madhupatana, Dist.- Cuttack, do hereby solemnly affirm and state as follows:-

1. That, I am the Respondent No. 08 in the captioned Original Application. 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.

2. That, it is humbly submitted that the Ministry had requested the State Government to provide information regarding the 33 KV electric poles which supply electricity to the concerned project. The State Government, through a

Anil Kumar Ray
15.12.25



X

letter dated 7th December 2024, has submitted the joint inspection report conducted by the Forest Department, TPCODL, Revenue Officials and the user agency. Accordingly, to the joint verification it is stated that a 33KV power line has been laid on temporary basis for the purpose of construction use of M/s My Home Industries Pvt. Ltd. The Pillar No.19 to 26 & Pillar No.32 to 38 (total 15 nos.) poles are coming 2 under Byree PF which is included in approved working plan of Cuttack Forest Division. Neither TPCODL nor the My Home Industries Pvt. Ltd. has applied for forest diversion proposal for the above purpose. In this furtherance, the Regional Office of Ministry of Environment, Forest & Climate Change vide its letter dated 03.02.2025 requested the State Govt. to take necessary steps under the relevant Act. The copy of the Joint Verification Report is already annexed in the Counter Affidavit on behalf of the Ministry of Environment, Forest and Climate Change (Respondent No. 03) on 13.02.2025 as Annexure-R3/3.

Arail Kumar Roy
15.12.25

In this context, the Executive Engineer (Elect.), CED, TPCODL, Cuttack was intimated for dismantling the



Arail

X

electric pole vide office letter No. 5580 dated 08.07.2025 with a request to submit the status report along with his reply within 3 days, but no reply from his office yet received despite of issuance of reminder issued to him vide this office letter No. 6539 dated 01.08.2025.

Copy of the Letter No. 5580 dated 08.07.2025 and 6539 dated 01.08.2025 issued by the Divisional Forest Officer, Cuttack are annexed herewith and marked as

Annexure-A/8, B/8 & 10078 dt. 26.11.2025 is marked as Annexure-C/8.

3. 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

[Signature]
15.12.25

DEPONENT



The above named deponent being identified, by Mr./Ms. *A. Desh* Advocate appears before me at *0* AM/PM. on this the *15* day of *12* 20. I solemnly affirms that the facts stated are true to his/her knowledge and papers.

CERTIFICATE

CUTTACK

NOTARY
CUTTACK TOWN

Dt.- 15.12.2025

Adar
ADDL. STANDING COUNSEL

-X-

ANNEXURE - 'A/8'

174



GOVERNMENT OF ODISHA

ବନଖଣ୍ଡ ଅଧିକାରୀ ଓଥା ବନ୍ୟପ୍ରାଣୀ ଡ଼ଭାବଧାରକଙ୍କ କାର୍ଯ୍ୟାଳୟ, କଟକ ବନଖଣ୍ଡ, କଟକ
OFFICE OF THE DIVISIONAL FOREST OFFICER: CUTTACK FOREST DIVISION

AT: - GHATAKULA, NUAPADA, CUTTACK 753010

Tel:- 0671-2957611, Control Room:- 0671-2340343, Toll Free No.18003457473

Email: - dfo.cuttack@odisha.gov.in

No. 5580 / 5F/ (Forest Diversion) 48/2024

Dated, Cuttack the 08th July, 2025.

To

The Executive Engineer (Elect.),
CED, TPCODL,
Cuttack.

Sub: -

Regarding RoW clearance on 33 KV transmission line from Kaimatia to My Home Industries Cement Grinding unit at-Byree under Darpan Tahasil of Jajpur District.

Ref: -

(i) O.A. No. 42 of 2024 of Bimal Hembram vs. State of Odisha before the Hon'ble Green Tribunal, Eastern Zone Bench, Kolkata.
(ii) Your letter No.388 dt.13.02.2025.

Sir,

With reference to the letter cited above on the captioned subject it is to inform you that, you have posted 33 KV transmission line from Kaimatia to My Home Industries Cement Grinding unit at-Byree under Darpan Tahasil of Jajpur District as per joint verification report. It is observed that the poles from pillar No. 19 to 26 & pillar No.32 to 38 (Total 15 nos.) is coming under Byree PF which is forest land as per approved Working Plan of Cuttack Forest Division. You have not been accorded any forest clearance from competent authority for such non forest activities without prior approval which attracts violation of Forest (Conservation) Act, 1980.

In this context, you are instructed to submit the status report along with your reply for further action at this end. Your letter should be reach in this office within 03 days positively. This is for information and necessary action.

Yours faithfully,

True copy
A
15/12/25
(Forester)

A
08.07.25
Divisional Forest Officer,
Cuttack Forest Division.
(P.T.O)

-12/-

Memo No 5581/Date 08.7.2025

Copy forwarded to the Range Officer, Dalijora Range for information and necessary action. He is instructed to ensure of dismantle of electric pole and submit the report.

AP
08.07.25

Divisional Forest Officer,
Cuttack Forest Division.

Memo No 5582/Date 08.7.2025

Copy forwarded to the Authorised Signatory, My Home Industries Pvt. Ltd. for information and necessary action. He is instructed to ensure the dismantle of electric poles.

AP
08.07.25

Divisional Forest Officer,
Cuttack Forest Division.

ANNEXURE - 'B/P' 1/28



GOVERNMENT OF ODISHA

ବନଖଣ୍ଡ ଅଧିକାରୀ ତଥା ବନ୍ୟପ୍ରାଣୀ ଉଦ୍ଭାବଧାରକଙ୍କ କାର୍ଯ୍ୟାଳୟ, କଟକ ବନଖଣ୍ଡ , କଟକ

OFFICE OF THE DIVISIONAL FOREST OFFICER: CUTTACK FOREST DIVISION

AT: - GHATAKULA, NUAPADA, CUTTACK 753010

Tel:- 0671-2957611, Control Room:- 0671-2340343, Toll Free No.18003457473

Email: - dfo.cuttack@odisha.gov.in

No 6539 / 5F/ (Forest Diversion) 48/2024

Dated, Cuttack the 01 th July, 2025.

To

The Executive Engineer (Elect.),
CED, TPCODL,
Cuttack.

Sub: -

Original Application No.42/2024/EZ Bimal Hembram & Anr-Vrs- State of Odisha & Ors before the Hon'ble National Green Tribunal, Eastern Zone- Regarding.

Ref: -

- (i) Memo No.15631 dt.24.07.2025 of CCF (Nodal), O/o the PCCF & HoFF.
- (ii) This office letter No.5580 dt.08.07.2025.

Sir,

With reference to the letters cited above on the captioned subject it is to inform you that, the Government of Odisha, Forest, Environment & Climate Change Department, Regional Office, Bhubaneswar has intimated regarding the detail action taken report regarding violation committed in the Byree PF land (Non-Forestry activity on forest land) vide their letter under reference (Copy enclosed).

In this context, you are requested to provide the action taken report to the undersigned by which the undersigned will be able to submit the compliance report to higher quarters for onward transmission.

Yours faithfully,

True copy
Ara
15/12/25
(Forester)

A.P.
21.07.25
Divisional Forest Officer,
Cuttack Forest Division.
(P.T.O)

-1/1/-

Memo No _____/Date

Copy forwarded to the Range Officer, Dalijora Range for information and necessary action with reference to this office memo No.5581 dt.08.07.2025.


Divisional Forest Officer,
Cuttack Forest Division.

Memo No _____/Date

Copy forwarded to the Authorised Signatory, My Home Industries Pvt. Ltd. for information and necessary action with reference to this office memo No.5582 dt.08.07.2025.


Divisional Forest Officer,
Cuttack Forest Division.



GOVERNMENT OF ODISHA

ବନଖଣ୍ଡ ଅଧିକାରୀ ତଥା ବନ୍ୟପ୍ରାଣୀ ତତ୍ତ୍ଵାବଧାରକଙ୍କ କାର୍ଯ୍ୟାଳୟ, କଟକ ବନଖଣ୍ଡ , କଟକ

OFFICE OF THE DIVISIONAL FOREST OFFICER: CUTTACK FOREST DIVISION

AT: - GHATAKULA, NUAPADA, CUTTACK 753010

Tel:- 0671-2957611, Control Room:- 0671-2340343, Toll Free No.18003457473

Email: - dfo.cuttack@odisha.gov.in

No 10078 / 5F/ (Forest Diversion) 48/2024Dated, Cuttack the 26th November, 2025.

To

The Executive Engineer (Elect.),
CED, TPCODL,
Cuttack.

Sub: -

Original Application No.42/2024/EZ Bimal Hembram & Anr-Vrs- State of
Odisha & Ors before the Hon'ble National Green Tribunal, Eastern Zone-
Regarding.

Ref: -

This office letter No.5580 dt.08.07.2025 & No.6539 dt.01.08.2025.

Sir,

With reference to the letters cited above on the captioned subject it is to inform you that, you were intimated to provide the detail action taken report regarding violation committed in the Byree PF land (Non-Forestry activity on forest land) vide this office letter under reference. But, the action taken report has not been received in this office till date.

In this context, you are once again requested to provide the action taken report to the undersigned by which the undersigned will be able to submit the compliance report to higher quarter for onward transmission.

Yours faithfully,

AP
26.11.25
Divisional Forest Officer,
Cuttack Forest Division.

Memo No 10079 /Date 26.11.2025

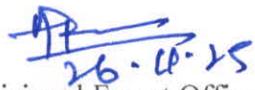
Copy forwarded to the Range Officer, Dalijora Range for information and necessary action.

True copy
AP
15.12.25
(Forester)

AP
26.11.25
Divisional Forest Officer,
Cuttack Forest Division.
(P.T.O)

-//2//-
2021
Memo No. 10080 /Date 02/11/2025

Copy forwarded to the Authorised Signatory, My Home Industries Pvt. Ltd. for information and necessary action.


26.11.25
Divisional Forest Officer,
Cuttack Forest Division.