

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 95 OF 2025 / EZ
(Earlier OA No.185/2025/PB)**

IN THE MATTER OF:

Prof. Soumya Ranjan Mishra ...Applicant

VERSUS

State of Odisha & Ors ...Respondents

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By the Respondent No.3

Through

Kolkata

Date:

Sri Dipanjan Ghosh,
Advocates for the Respondent No.3
(State Pollution Control Board, Odisha)
e-mail: dpnjnghsh0@gmail.com
Phone No.:990308097

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO. 95 OF 2025 / EZ
(Earlier OA No.185/2025/PB)**

IN THE MATTER OF:

06 FEB 2026

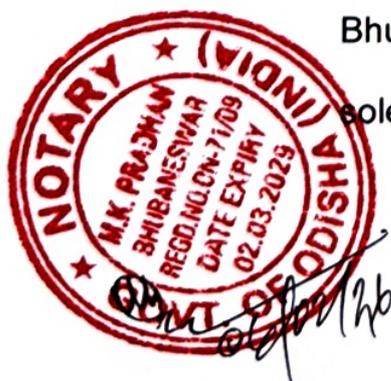
Prof. Soumya Ranjan Mishra ...Applicant

VERSUS

State of Odisha & Ors ...Respondents

**AFFIDAVIT ON BEHALF OF THE STATE
POLLUTION CONTROL BOARD, ODISHA,
R.NO.3 IN COMPLIANCE TO ORDER
DTD.01.12.2025 OF THIS HON'BLE TRIBUNAL.**

I, Dr. Manoj V. Nair, IFS, son of N. Vasudevan Nair aged around 52 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 in compliance to order dtd.22.09.2025 of this Hon'ble Tribunal at para-10, the R-3 Board has submitted the compliance in the affidavit dtd.28.11.2025, which has also been taken note of by the Hon'ble Tribunal at para-1 of the order dtd.01.12.2025. In the affidavit dtd.28.11.2025, the Board has issued direction to the Collector & DM, Cuttack (R-2) to take certain remedial action within a month and to submit the compliance on the action taken of the direction to the Board with copy to the R-1. A copy of the said direction dtd.27.11.2025 has also been annexed in the affidavit dtd.28.11.2025 filed by the R-3 Board and marked as Annexure - R3/2.
3. That it is further humbly submitted that in order to verify the compliance status of the direction dtd.27.11.2025 of the R-3 Board issued to the R-2, Mrs. Kanchan Mala



Bihari, Env. Scientist and Sri Bihuti Bhusan Mohanty, Asst. Env. Scientist of the Regional Office, Cuttack of the R-3 Board have inspected the alleged site on 27.01.2026 and submitted the status report of compliance in their report dtd.05.02.2026. Copy of the inspection report dtd.05.02.2026 along with its annexure relied thereon is annexed to this affidavit and marked as **ANNEXURE - R3/4 Colly.**

4. That this affidavit is filed in compliance to order dt.01.12.2025 of the Hon'ble Tribunal contained at para-6 to bring on record the status of compliance.
5. That the Respondent No.3 Board craves leave of this Hon'ble Tribunal to file further affidavit if required for proper adjudication of this case.
6. That the Annexure annexed to the present affidavit is true and correct copy of its original.
7. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the



MANJULA KUMAR PRADHAN
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2006
PH - 9437627119 (M)

Manjula
06/02/26

official records, and that nothing material has been
concealed therefrom.

Manjula
6.2.26

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 6th day of February,

2026.

SWORN BEFORE ME



MANJULA KUMAR PRADHAN
NOTARY PUBLIC
BHUBANESWAR
REGD. NO. ON-71/2006
PH - 9437627119 (M)

Manjula
6.2.26

DEPONENT
Member Secretary
State Pollution Control Board
Odisha, Bhubaneswar

Manjula
06/02/26

INSPECTION REPORT OF THE SITE VISIT IN THE MATTER OF ORIGINAL APPLICATION NO.95/2025/EZ (EARLIER O.A. NO. 185/2025/PB) –PROF. SOUMYA RANJAN MISHRA VS STATE OF ODISHA AND OTHERS

- I. The Hon'ble NGT, EZB, Kolkata while taking into consideration the affidavit dtd. 07.08.2025 (filed by Collector and District Magistrate) vide their order dtd. 22.09.2025 at para-10 has been pleased to direct the Member Secretary, State Pollution Control Board (R-3) to issue appropriate orders to the R-1 and R-2 for taking remedial measures in time bound manner with specific time lines and in case of violations of such orders, to take action for prosecution of the defaulting officer and to file the action taken report. In compliance to the order dtd. 22.09.2025, a letter was issued to the Collector & DM, Cuttack by the Member Secretary, State Pollution Control Board, Odisha vide Letter No. 21034/VII-L-MISC-1210, dtd. 27.11.2025 to take the following remedial action within a month and submit report of compliance to the SPCB, Odisha.
- (a) To stop discharge of domestic waste water in the Panchayat Pond and the Niali Distributory Canal;
 - (b) Periodical cleaning to prevent the growth of weeds and to maintain the water quality may be taken up;
 - (c) The Niali Gram Panchayat should collect handle and dispose the solid waste in terms of Rule-15 of the Municipal Solid Waste Rules,2016 and ensure compliance of the same;
 - (d) Awareness among the public regarding house hold waste disposal as well as commercial waste disposal with a regulatory mechanism may be done;
- II. The matter was again taken up for hearing by the Hon'ble NGT on 01.12.2025 and the Hon'ble Tribunal at Para-6 has issued specific direction to the Board and adjourned the matter to 09.02.2026.
- III. Subsequently, the Member Secretary, SPCB, Odisha vide letter No. 165/VII-L-Misc-1210, dtd.05.01.2026 has instructed the Regional

Officer, SPCB, Cuttack to make a field enquiry to ascertain the compliance of the direction dtd.27.11.2025 issued to the Collector & DM, Cuttack and submit a detail report.

- IV. In this connection, the alleged site of the Niali Distributary Canal, Panchayat Pond (Hata Pokhari), Niali and Solid Waste Management facility of the Niali G.P were inspected by the undersigned on dtd. 27.01.2026 to verify the compliance of the aforesaid direction dtd. 27.11.2025 issued by the Member Secretary, State Pollution Control Board, Odisha in connection with OA No. 95/2025/EZ- Prof. Soumya Ranjan Mishra vs. State of Odisha 7 Others.

V. OBSERVATION:

The detail observation w.r.t the remedial action points of the direction Letter dtd.27.11.2025 are as follows:

(a) To stop discharge of domestic waste water in the Panchayat Pond and the Niali Distributary Canal :-

- i. During visit it was observed that five numbers of domestic waste water discharge pipelines from the nearby residents at the South-Western side have been laid into the panchayat pond (Hato Pokhari). GPS photographs of the discharge points are given in **Fig. No. 1.**



Fig.1

- ii. It is learnt that Tahasildar Niali has served notice to six nos. of local people to refrain them disposing of their wastewater directly to the pond.
- iii. A water sample was collected on 27.01.2026 from the pond for analysis. The analysis report (Copy enclosed as **Annexure-I**) indicates that concentration of pH, DO, BOD, TC & FC was meeting the standards for Class 'C' (Drinking water source with conventional treatment followed by disinfection) and primary water quality criteria for bathing water (water used for organized outdoor bathing).
- iv. A number of domestic wastewater discharge points has been connected to the Niali Distributary Canal for discharge of domestic wastewater of commercial and residential buildings exist on both side of the said Canal bank. GPS photographs of the discharge points are given at **Fig. No. 2 & 3**.

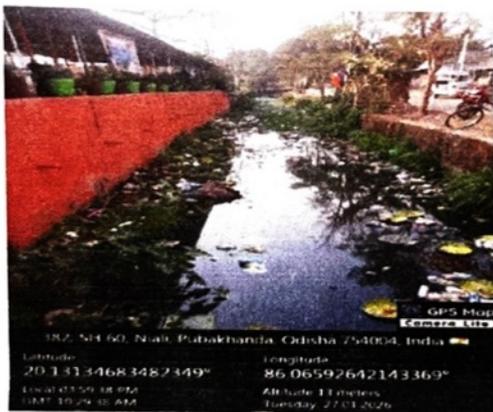


Fig-2



Fig-3

- v. As observed during visit, there was no flow of water in the canal but, stagnant wastewater was observed to be accumulated in some part of the canal in the Niali market area. Besides that some part of the canal was also covered with thick vegetation growth and garbage was dumped at several locations. GPS photographs of the Niali Distributary Canal taken on 27.01.2026 are given as **Fig. No. 4 & 5**. As there was no flow of water in the canal water sample was not collected from the canal for analysis.



Fig.4



Fig.5

(b) Periodical cleaning to prevent the growth of weeds and to maintain the water quality may be taken up :-

As reported by the BDO, Niali, periodic cleaning of the pond is being carried out by Gram Panchayat. During visit it was found that there was no weed floating inside the Panchayat pond but algal growth was observed in some parts of the pond. Solid waste was still dumped on the embankment of the pond. GPS photographs are given as below as **Fig No.6 & 7.**



Fig-6



Fig-7

(c) The Niali Gram Panchayat should collect, handle and dispose the solid waste in terms of Rule-15 of the Municipal Solid Waste Rules, 2016 and ensure compliance of the same :-

Niali Gram Panchayat has provided six nos. of compost pits in different locations of the Niali Panchayat. It has also provided two nos. of solid waste segregation sheds at Pubakhanda, Niali having four no compartments each to store the segregated solid

waste. The Gram Panchayat has engaged 03 Nos. of Self Help Groups (SHGs) for door to door collection and transportation of solid waste to compost pit exist in the G.P, as reported. A tractor has been hired by Niali, G.P. for collection and transportation of waste from compost pit. At present there is no Materials Recovery Facility (MRF) available at Niali block. The BDO, Niali Block informed that Niali Block has been tagged with MRF of Cuttack Municipal Corporation for transportation of dry solid waste (including plastic waste) of the Niali Block /GPs for recycling.

During visit it was observed that solid waste was found to be dumped in some of the compost pits and also near the segregation sheds of Niali GP. GPS Photographs attached at Fig No. **8 & 9**.



Fig-8

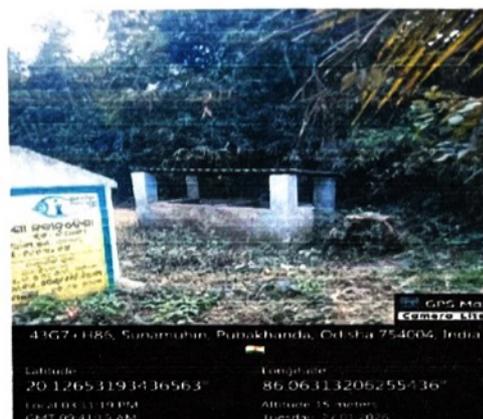


Fig-9

(d) Awareness among the public regarding house hold waste disposal as well as commercial waste disposal with a regulatory mechanism may be done :-

As reported, Niali Gram Panchayat has engaged 03 Nos. of SHGs for door to door collection and transportation of solid waste to compost pit exist in Niali G.P. It is also reported that meetings and awareness campaigning are being carried out on monthly basis both in Block as well as Panchayat level w.r.t awareness on household waste and commercial waste disposal. GPS Photographs provided by Niali Block are given at Fig No. **10, 11, 12 & 13**.



Fig- 10



Fig - 11



Fig- 12



Fig - 13

Shri Bibhuti Bhusan Mohanty
05/02/2026

Shri Bibhuti Bhusan Mohanty
Asst. Environmental Scientist,
State Pollution Control Board,
Odisha, Cuttack

Mrs. Kanchan Mala Bihari
05/02/2026

Mrs. Kanchan Mala Bihari,
Environmental Scientist,
State Pollution Control Board,
Odisha, Cuttack



CENTRAL LABORATORY STATE POLLUTION CONTROL BOARD, ODISHA

Plot No. B-59/2 & 59/3, Chandaka Industrial Estate, Patia,
Bhubaneswar - 751 024

E-mail: centrallab@ospcbboard.org

TEST REPORT

Page 1 of 1

- ULR No. : -----
- 2 (i). Report No. : QS/53/02/2026
- 3 (i) Date : 02.02.2026
- 2(ii). Amendment No. : ---
- 3(ii) Amendment Date : ---
4. Sample Submitted By : Sri K.P. Panigrahi, F.A,
(Name and address) Regional Office, SPCB, Odisha, Cuttack
(On behalf of Regional Officer, Cuttack)
5. Reference Letter No. : 322 / (RO/CTC/ LAB-07) dt.28.01.2026
6. Date of sample receipt : 28.01.2026
7. Sample Description :
- (i) Discipline : Chemical testing and Biological Testing
(Biological Testing, Chemical testing)
- (ii) Group : Water
(Water/ Pollution and Environment)
- (iii) Sub Group : Surface water
(Surface water/ Ground water/ Drinking water / Wastewater/ Effluent)
8. Analysis Starting Date-Analysis Completion Date : 28.01.2026 - 02.02.2026
9. If uncertainty is desired by Customer : No
10. Analysis Results :

(Attach separate sheet if necessary)

Sl. No.	Parameter, Unit	Standards/ Regulatory Limits		Test Method	Samples collected from Panchayat Pond (Hata Pokhari), Niali
		(IS :2296-1982) for Class 'C' **	G.S.R. 742 (E)**		
					Others/Jan- 26/SW/143
					Sample from Panchayat Pond (Hata Pokhari), Niali
					Results
1.	pH	6.5 - 8.5	6.5 - 8.5	4500-H ⁺ -B, APHA, 23 rd Edn., 2017	8.0
2.	Dissolved Oxygen (DO), mg/L	4.0, min	5 mg/L or more	4500-O-C, APHA, 23 rd Edn., 2017	7.7
3.	Biochemical Oxygen Demand (BOD, 3 days at 27° C), mg/L	3.0, max	3 mg/L or less	IS 3025 :Part-44 (1999)	2.3
4.	Total Coliform (TC), MPN/100 ml	5000, max		9221-B, APHA, 23 rd Edn., 2017	3500
5.	Faecal Coliform (FC), MPN/100 ml		500 (desirable) 2500 (max. Permissible)	9221-E, APHA, 23 rd Edn., 2017	790

* Tolerance limit for inland surface water subject to pollution (IS : 2296-1982), for Class 'C' (Drinking water source with conventional treatment followed by disinfection),

** Primary water quality criteria for bathing water (water used for organized outdoor bathing), G.S.R.:742 (E) Dt.25.9.2000

11. Deviation from Test Method, if any : No
12. If Sampling Conducted by the Central Laboratory, Yes/ No. - No
- If Yes,
- (a) Date of Sampling :
- (b) Method Used :
- (c) Name of Sampler with Designation :

-----End of Test Report-----

Umita Nayak
21/01/26
Authorised Signatory
(Chemical Testing)
(Water/ Wastewater)
(Mrs. Smita Nayak)
(Asst. Env. Scientist)

K. Tulsi
22/1/26
Mrs. Kalita Tudu
Addl. Chief Env. Scientist

Dr. Niranjan Mallick
Board Analyst
(Sri Niranjan Mallick)
(OSD-cum- Chief Env. Scientist)

Note :

The results stated above relate only to the items tested.

Report prepared from the findings of the Central Laboratory.