

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH: KOLKATA**

MEMORANDUM OF APPLICATION

(Under Section 18(1) read with Sections 14, 15 & 17 of the National Green
Tribunal Act, 2010)

Original Application No: 29/2026/EZ

Between:

Deba Prasad Sahoo

..... Applicant

And

Executive Officer, Talcher Municipality & others

..... Respondents

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH: KOLKATA**

Original Application No: _____
(Under Section 14, 15 R/W Section 18(1) & (2) of the National
Green Tribunal Act, 2010)

Between:

Deba Prasad Sahoo **Applicant**

-Vrs-

**Executive Officer, Talcher Municipality
and Ors.**

..... **Respondents**

MEMO OF PARTIES

1. Deba Prasad Sahoo, aged 34 years, S/o – Shri Debendra Kumar Sahoo, At – Remuan, Ward No – 12, P.O – Talcher, Dist – Angul, 759100, Odisha

..... **Applicant**

-Versus-

1. Executive Officer, Talcher Municipality, Dist - Angul, Odisha, 759107, Email: e.o.talcher@gmail.com
2. Principal Secretary, Department of Housing & Urban Development, Govt of Odisha, Kharvel Bhawan, 751001, Bhubaneswar, Odisha
Email: hudsec.or@od.gov.in
3. Member Secretary, State Pollution Control Board, A-118, Unit – VII, Nilakantha Nagar, Bhubaneswar, 751012, Email: paribesh1@ospcboard.org

4. State of Odisha represented by Chief Secretary, Govt of Odisha, Lokseva Bhawan, Bhubaneswar, 751001
Email: csori@nic.in
5. District Magistrate & Collector, Angul, 759122
Email: dm-angul@nic.in
6. Sub Divisional Magistrate & Sub Collector, Talcher, 759100, Email: subcoll.tcr@gmail.com

.....Respondents

**Date: 5th February 2026
Talcher, Odisha**

Deba Prasad Sahoo.

Applicant in Person

MOB – 9124404242

SYNOPSIS

The present Original Application is filed under Sections 14 and 15 of the National Green Tribunal Act, 2010 seeking protection of environment and public health due to persistent air pollution and continuous violation of the Solid Waste Management Rules, 2016 within the jurisdiction of Talcher Municipality, District Angul, Odisha.

Talcher is a major coal-bearing and energy-producing region of the country. Owing to intensive coal mining, operation of thermal power plants, heavy transportation of coal and poor municipal management, the area is experiencing severe air pollution.

The primary grievance in the present application is the systematic and repeated open burning of municipal solid waste by sweepers engaged by Talcher Municipality in public places. Such acts are being carried out openly and regularly, despite a clear statutory prohibition under Rule 15(k) of the Solid Waste Management Rules, 2016.

Open burning of leaf waste and plastic releases hazardous pollutants including PM2.5, carbon monoxide, carcinogenic polycyclic aromatic hydrocarbons, dioxins, furans, heavy metals and volatile organic compounds, leading to serious health risks and deterioration of ambient air quality.

The gravity of the situation is evident from the Air Quality Index, which reached **380 on 02.01.2026**, with the average AQI remaining above 250 for several months, falling under the “Very Poor” category. In view of deteriorating conditions, the District Collector, Angul invoked Section 163 of BNS and imposed GRAP Stage-II restrictions within Talcher Municipality area.

Despite statutory provisions, public orders, and widespread media reporting, the Municipality has failed to prevent, monitor or penalize illegal waste burning. Even after more than ten years of enforcement of the Solid Waste Management Rules, 2016, there is a complete failure of implementation, supervision and accountability on the part of the municipal authorities.

The Applicant has also approached the Odisha Human Rights Commission citing violation of the right to life under Article 21 of the Constitution; however, no effective remedial action is forthcoming. The cause of action is continuing in nature, involving ongoing environmental damage and serious threat to public health.

In these circumstances, the Applicant has no other efficacious remedy except to invoke the jurisdiction of this Hon'ble Tribunal for appropriate directions, enforcement of statutory duties, and imposition of environmental compensation upon the defaulting authorities.

LIST OF DATES/EVENTS

- 19/10/2025 - Witnessed Waste Burning by Municipal Sweepers for **1st time**
- 22/10/2025 - Witnessed Waste Burning by Municipal Sweepers for **2nd time**
- 26/10/2025 - Witnessed Waste Burning by Municipal Sweepers for **3rd time**
- 28/10/2025 - Complaint filed before Hon'ble OHRC
- 07/11/2025 - Witnessed Waste Burning by Municipal Sweepers for **4th time**
- 09/11/2025 - News Article published on Sambad paper (Odia)
- 10/11/2025 – Hon'ble OHRC called for report
- 23/11/2025 – News Article published on The Pioneer (English)
- 08/12/2025 - Witnessed Waste Burning by Municipal Sweepers for **5th time**
- 12/12/2025 - Witnessed Waste Burning by Municipal Sweepers for **6th time**
- 28/12/2025 - Witnessed Waste Burning by Municipal Sweepers for **7th time**
- 29/12/2025 - Witnessed Waste Burning by Municipal Sweepers for **8th time**
- 02/01/2026 – AQI of Talcher area touched 380 levels
- 03/01/2026 – Collector Imposed GRAP-II restrictions
- 22/01/2026 - Witnessed Waste Burning by Municipal Sweepers for **9th time**
- 27/01/2026 - Witnessed Waste Burning by Municipal Sweepers for **10th time**
- 27/01/2026 - Hon'ble OHRC issued reminder for report submission
- 05/02/2026 - Filed OA before Hon'ble NGT

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH: KOLKATA**

MEMORANDUM OF APPLICATION

(Under Section 18(1) read with Sections 14, 15 & 17 of the National Green Tribunal Act, 2010)

Original Application No: _____

Between:

Deba Prasad Sahoo

..... Applicant

And

**Executive Officer, Talcher Municipality
and Ors.**

..... Respondents

IT IS MOST RESPECTFULLY SHOWN:

1. The address of the applicant as given above for the service of notices of this application and the addresses of the respondents are as given above for service of notices of the applicant.
2. That, present application is being filed under section 14 & 15 of the National Green Tribunal Act, 2010 for the protection of environment from polluters as well as safeguard of public health.
3. That, applicant is a public-spirited person concerned with environmental protection and public health in the locality. The Applicant has been documenting civic issues, including environment pollution, for community awareness and legal remedies.

BRIEF FACTS OF THE CASE:

4. That, Talcher is one of India's major coal-bearing regions and plays a significant role in the energy sector. However, intensive coal mining, thermal power plants, heavy transportation of coal, and poor municipal practices have made Talcher one of the most polluted areas in Odisha. Air quality in the region frequently deteriorates to severe levels, with high concentrations of particulate matter (PM2.5 and PM10), especially during winter months.
5. That, primary grievance in this original application concerns the repeated violations of the Solid Waste Management Rules, 2016, by municipal sweepers who have been burning waste materials in public places for several years. These actions severely endanger public health, degrade the environment, and deteriorate air quality.

(Photographs attached as Annexure – 1)

6. That, Rule 15(k) of the Solid Waste Management Rules, 2016, expressly prohibits municipal sweepers from burning any waste, including street sweepings, in public places. It is the statutory duty of the local authority to issue clear directions prohibiting such practices, conduct regular sensitization and training programs for sweepers, and ensure strict compliance to prevent environmental and health hazards.
7. That, burning leaf and plastic waste severely pollutes air, soil, and water while accelerating climate change. These practices release toxic

particles and chemicals with lasting environmental harm. Open burning of leaves emits PM2.5 particulates, carbon monoxide, and carcinogenic polycyclic hydrocarbons like benzopyrene, worsening air quality. Plastic burning adds dioxins, furans, heavy metals, PAHs, VOCs, and black carbon, which travel long distances and form ozone.

8. That, recently the Air Quality Index (AQI) has touched **380 levels on 02/01/2026**. From last few months the average AQI is above 250 levels which are considered as “very poor category”.

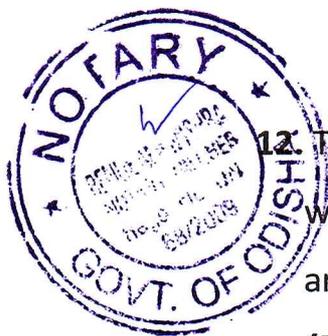
(Photographs attached as Annexure – 2)

9. That, considering the scenarios and public outrage, the District Magistrate & Collector Angul on 3rd January 2026 invoked Section 163 of BNSS and imposed GRAP State – II guidelines in Talcher Municipality area for seven days.

(Attached as Annexure – 3)

10. That, despite clear statutory prohibition, sweepers engaged by Talcher Municipality repeatedly burning municipal solid waste in public places, including roadsides, marketplaces and residential areas. Such illegal burning is being carried out openly and regularly, in full knowledge of the municipal authorities, who have failed to prevent, monitor or penalize such acts.

11. That, even after more than 10 years of enforcement of the Solid Waste Management Rules, 2016, the Talcher Municipal authority has completely failed to implement the law on ground, and no regular inspection, supervision or accountability mechanism exists.



12. That, news articles regarding waste burning and pollution in Talcher were published in leading Odia and English dailies, including Sambad and The Pioneer, highlighting the seriousness of the issue.

(Photographs attached as Annexure – 4)

13. That, the applicant approached the Odisha Human Rights Commission (OHRC) on this issue citing public health violations under Article 21 of the Constitution. On 10/11/2025, Hon'ble Chairperson called for a report from the Collector, Angul and Executive Officer, Talcher Municipality but both the authorities remained silent and didn't submitted any report for which matter is again postponed to 24/04/2026. Such casual approach by authorities shows their seriousness towards environmental issues.

(Photographs attached as Annexure – 5)

14. That, the cause of action in the present matter is continuing in nature, with persistent regulatory failures and unabated environmental degradation. Consequently, the Applicant has no other efficacious remedy available except to invoke the jurisdiction of this Hon'ble Tribunal for urgent directions and relief.

Date: 5th February 2026

Talcher, Odisha

Deba Prasad Sahoo

Signature of Applicant

6.2.2025
Renubala Mishra
 Notary Talcher
 Govt. of Odisha
 Regd No-ON-68-2009

GROUNDS

The application, amongst others, is being filed on the following grounds:

- Because open burning of waste is a direct violation of Section 4(2) and Rule 15(k) of the Solid Waste Management Rules, 2016, and the municipal authority has failed in its statutory duties.
- Because authorities failed to take appropriate action to prevent open waste burning which is contrary to the constitutional mandate under Article 48A, which directs the State to “protect and improve the environment and to safeguard the forests and wild life of the country”.
- Because Municipal Authority has failed to ensure strict implementation of solid waste management rules in the area.
- Because illegal waste burning contributes directly to environmental degradation, and the responsible authorities must be made accountable under the polluter pays principle.
- Because despite complaints, media reports and OHRC intervention, the Respondents have shown wilful negligence and administrative silence.
- Because the Right to live in a pollution-free environment is part of Article 21 of the Constitution, which stands violated due to inaction of the authorities.

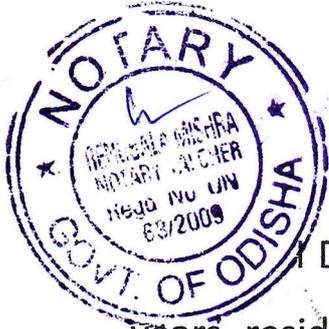
LIMITATION

That present application is within limitation as the same is preferred before the stipulated time period u/s 14 of the National Green Tribunal Act 2010 which is a continuous cause of action. Thus the cause of action is a continuous one and hence the present application is filed within limitation period.

PRAYERS

In light of the above, the applicant most respectfully prays that this Hon'ble Tribunal may be pleased to:

1. Direct the Executive Officer, Talcher Municipality, to forthwith ensure complete prohibition of open burning of solid waste in all public places and to issue strict instructions to all sanitation workers, contractors, and agencies engaged in municipal sanitation activities to strictly refrain from such illegal practices in future
2. Direct the Executive Officer, Talcher Municipality, to convene a special sensitization meeting of all sanitation workers, contractors and agencies engaged in municipal cleaning and waste management activities, with a view to educating them about the provisions of the Solid Waste Management Rules, 2016 and to create awareness regarding the serious health hazards and environmental consequences arising out of open burning of solid waste.
3. Direct all the Respondent authorities to ensure strict, effective and time bound implementation of the Solid Waste Management Rules, including regular monitoring, supervision and enforcement, so as to prevent any violation thereof.
4. Impose environmental compensation upon Talcher Municipality for repeated violations of the Solid Waste Management Rules, 2016 and for continued failure to ensure their effective implementation despite more than ten years having elapsed since the rules came into force.

VERIFICATION

I Deba Prasad Sahoo, S/o – Debendra Kumar Sahoo, age 34 years, resident of Remuan Ward No 12 Talcher, do hereby verify that the contents of all paras believed to be true on legal advice and that I have not suppressed any material fact.

Date: 5th February 2026
Talcher, Odisha

5.2.2026
Renubala Mishra
Notary Talcher
Govt. of Odisha
Regd No-ON-68-2009

Deba Prasad Sahoo

Signature of Applicant



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

Original Application: _____

IN THE MATTER OF:

Deba Prasad Sahoo Applicant

-Vs-

Executive Officer, Talcher Municipality & others
..... Respondents

AFFIDAVIT

I, Deba Prasad Sahoo, S/o – Debendra Kumar Sahoo, Remuan, Ward No 12, Talcher, District – Angul, 759100, Odisha currently aged about 34 years hereby solemnly affirm and declare as under:

1. That, I am fully conversant the facts and circumstances of this matter, and thereby competent to swear this affidavit.
2. That, contents of the Original Application are true and correct, best to my knowledge and belief and nothing material has been concealed there from.
3. The Annexures attached with this original application are true copies of their respective originals.

Deba Prasad Sahoo

DEPONENT

VERIFICATION

Verified at Talcher on this 6 day of February 2026 that the contents of above affidavit are true and correct to my knowledge and belief and no part of it is false or has been concealed there from.

Identified By: **N.R. No. 514** Date **5-2-2026**

Deba Prasad Sahoo

DEPONENT

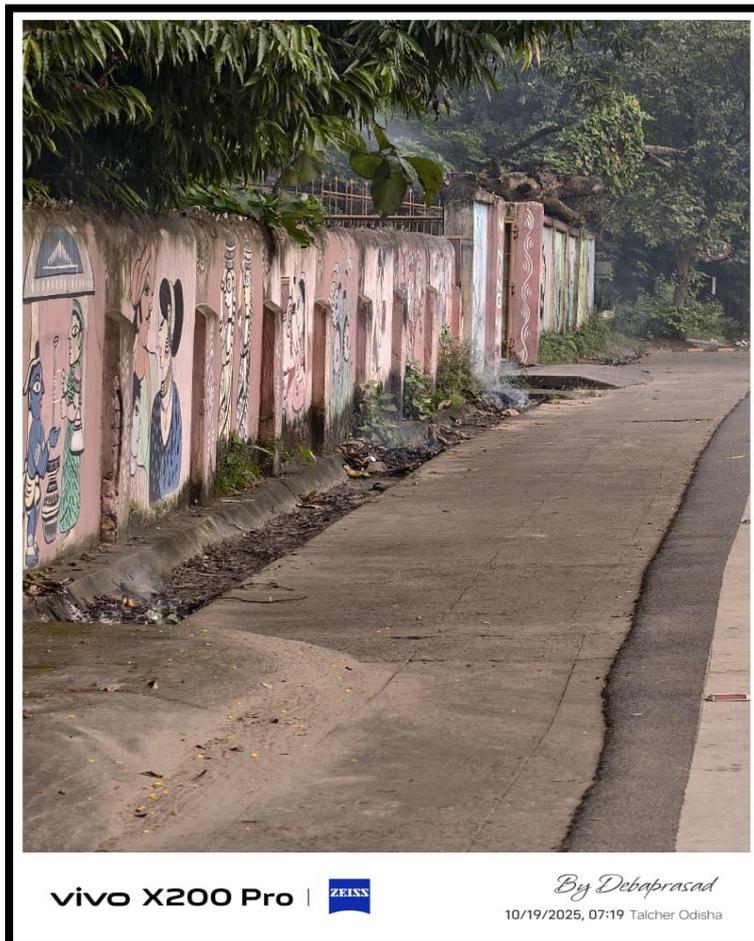
AFFIDAVIT

The above named deponent, having been identified by Sr. **B. K. Mishra** Advocate Talcher Solemnly affirmed before me this **6** day of **Feb** 2026 at of **6-2-2026** in the court premises that the contents of the affidavit are true to the best of belief & knowledge

B.K. Mishra
6/2/26

Renubala Mishra
6-2-2026
Renubala Mishra
Notary Talcher
Govt. of Odisha
No-ON-68-2009

Pictures taken on 19/10/2025 (Beside Civil Court Talcher)



*True Copy
Attested
Deba Prasad Sahoo*

Pictures taken on 22/10/2025 (Beside BDO Talcher office)



*True Copy
Attested
Deba Prasad Sahoo*

Pictures taken on 26/10/2025 (Remuan Road, Ward No - 12)



*True Copy
Attested
Debaprasad Sahoo*

Pictures taken on 07/11/2025 (Beside SDPO Talcher office)



vivo X200 Pro | ZEISS

By Debaprasad

11/07/2025, 07:50 Talcher Odisha

*True Copy
Attested
Debaprasad Sahoo*

Pictures taken on 08/12/2025 (Beside Civil Court Talcher)



*True Copy
Attested
Debaprasad Sahoo*

Pictures taken on 12/12/2025 (Near Talcher Post Office)



*True Copy
Attested
Deba Prasad Sahoo*

*True Copy
Attested
Deba Prasad Sahoo*

Pictures taken on 28/12/2025 (Near Civil Court Talcher)



*True Copy
Attested
Baba Prasad Sahar*

Pictures taken on 28/12/2025 (Near Civil Court Talcher)



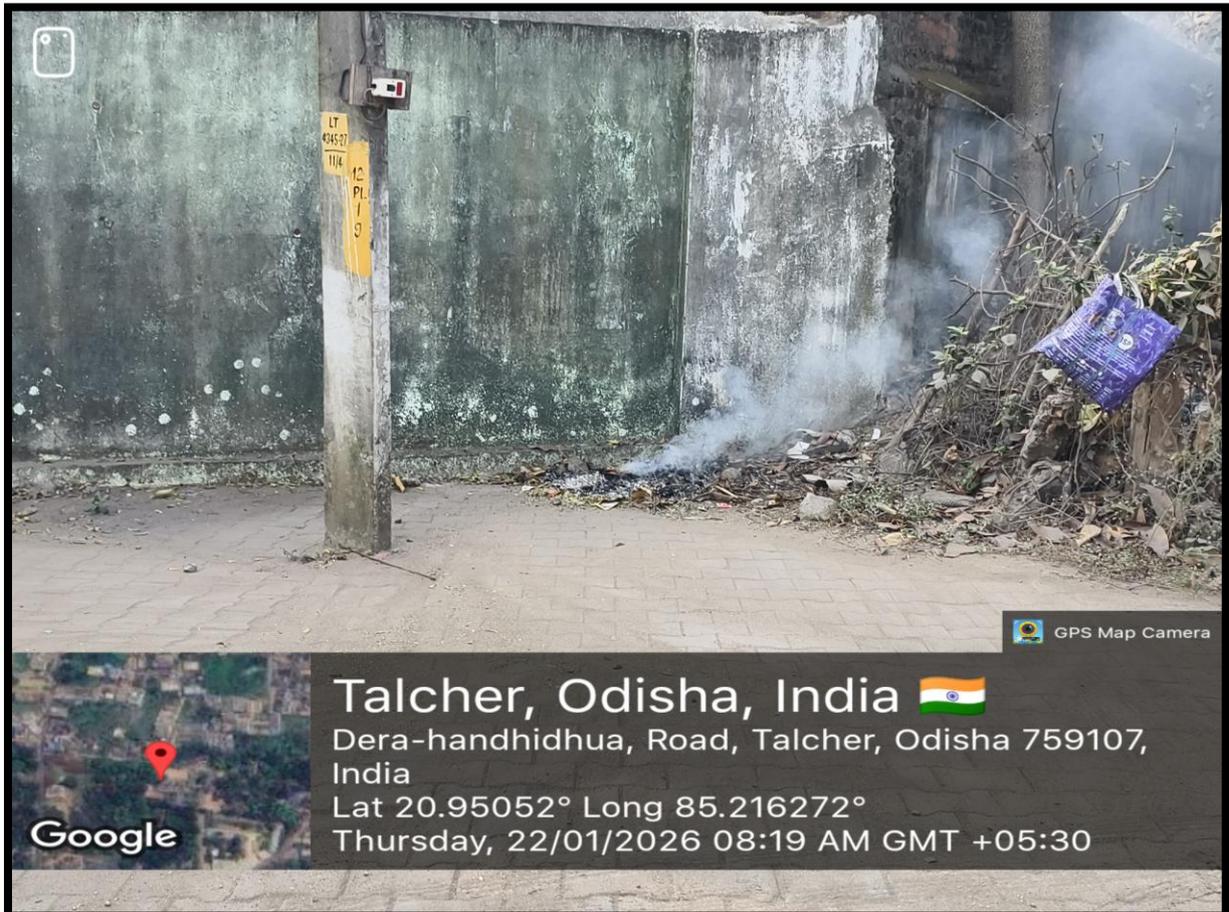
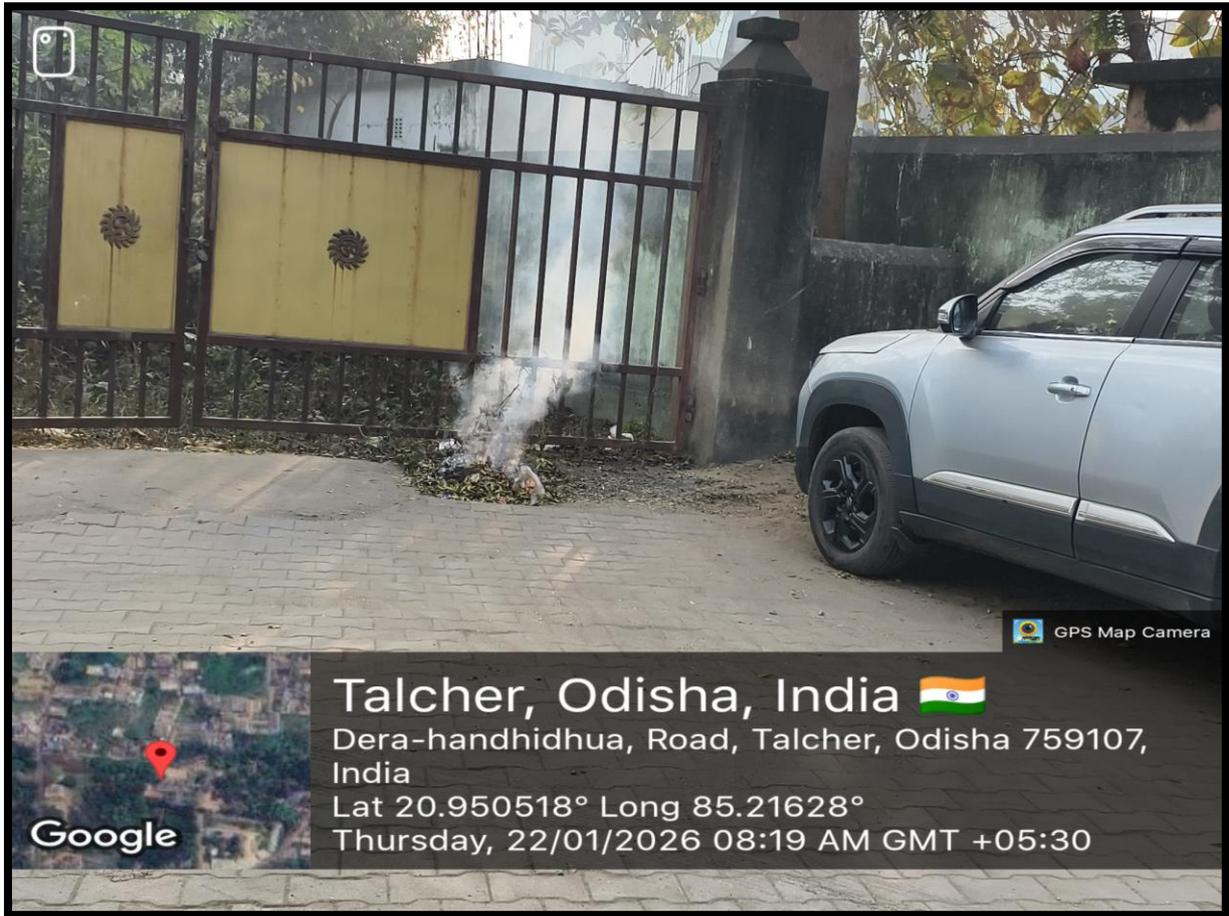
*True Copy
Assttd
Babu Prasad Sahon*

Pictures taken on 29/12/2025 (Near Civil Court Talcher)



*Toxic Copy
Attested
Bela Prasad Sahoo*

Pictures taken on 22/01/2026 (Prakruti Vihar, Ward No - 12)



ANNEXURE - 1Pictures taken on 27/01/2026 (In front of Talcher Tahasildar Residence)

*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 03/02/2026 (Near Civil Court Talcher)



Air Quality Index of Talcher in December 2025

Date	AQI Level	Air Quality	Prominent Pollutant
01-12-2025	232	Poor	PM 2.5
02-12-2025	198	Moderate	PM 2.5
03-12-2025	257	Poor	PM 2.5
04-12-2025	244	Poor	PM 2.5
05-12-2025	192	Moderate	PM 2.5
06-12-2025	216	Poor	PM 2.5
07-12-2025	242	Poor	PM 2.5
08-12-2025	220	Poor	PM 2.5
09-12-2025	229	Poor	PM 2.5
10-12-2025	253	Poor	PM 2.5
11-12-2025	240	Poor	PM 2.5
12-12-2025	238	Poor	PM 2.5
13-12-2025	275	Poor	PM 2.5
14-12-2025	292	Poor	PM 2.5
15-12-2025	287	Poor	PM 2.5
16-12-2025	No Data	No Data	PM 2.5
17-12-2025	305	Very Poor	PM 2.5
18-12-2025	267	Poor	PM 2.5
19-12-2025	276	Poor	PM 2.5
20-12-2025	286	Poor	PM 2.5
21-12-2025	243	Poor	PM 2.5
22-12-2025	254	Poor	PM 2.5
23-12-2025	331	Very Poor	PM 2.5
24-12-2025	339	Very Poor	PM 2.5
25-12-2025	320	Very Poor	PM 2.5
26-12-2025	284	Poor	PM 2.5
27-12-2025	279	Poor	PM 2.5
28-12-2025	297	Poor	PM 2.5
29-12-2025	331	Very Poor	PM 2.5
30-12-2025	291	Poor	PM 2.5
31-12-2025	223	Poor	PM 2.5

Average AQI for the month – 265 (Poor category)

Highest AQI – 339

Lowest AQI – 192

Very Poor Category – 5 days

Poor Category – 23 days

Moderate Category – 2 days

*True Copy
Attested
Deba Prasad Sahoo*

Air Quality Index of Talcher in January 2026

Date	AQI Level	Air Quality	Prominent Pollutant
01-01-2026	310	Very Poor	PM 2.5
02-01-2026	380	Very Poor	PM 2.5
03-01-2026	332	Very Poor	PM 2.5
04-01-2026	255	Poor	PM 2.5
05-01-2026	210	Poor	PM 2.5
06-01-2026	226	Poor	PM 2.5
07-01-2026	286	Poor	PM 2.5
08-01-2026	238	Poor	PM 2.5
09-01-2026	210	Poor	PM 2.5
10-01-2026	186	Moderate	PM 2.5
11-01-2026	177	Moderate	PM 2.5
12-01-2026	216	Poor	PM 2.5
13-01-2026	212	Poor	PM 2.5
14-01-2026	213	Poor	PM 2.5
15-01-2026	237	Poor	PM 2.5
16-01-2026	254	Poor	PM 2.5
17-01-2026	233	Poor	PM 2.5
18-01-2026	243	Poor	PM 2.5
19-01-2026	300	Very Poor	PM 2.5
20-01-2026	No Data	No Data	PM 2.5
21-01-2026	225	Poor	PM 2.5
22-01-2026	189	Moderate	PM 2.5
23-01-2026	162	Moderate	PM 2.5
24-01-2026	181	Moderate	PM 2.5
25-01-2026	168	Moderate	PM 2.5
26-01-2026	232	Poor	PM 2.5
27-01-2026	191	Moderate	PM 2.5
28-01-2026	193	Moderate	PM 2.5

Average AQI for the month – 235 (Poor category)

Highest AQI – 380

Lowest AQI – 162

Very Poor Category – 4 days

Poor Category – 15 days

Moderate Category – 8 days

*Touse Copy
Attested
Deba Prasad Sahoo*



OFFICE OF THE COLLECTOR AND DISTRICT MAGISTRATE, ANGUL

ଜିଲ୍ଲାପାଳଙ୍କ କାର୍ଯ୍ୟାଳୟ, ଅନୁଗୋଳ

JUDICIAL SECTION

Telephone: 06764-230567/230234 | Email: dm-angul@od.gov.in

Order No. 19 /Judl., dated Angul, the 3rd of January, 2026

An order under Section 163 of the Bharatiya Nagarik Suraksha Sanhita
(BNSS)

In light of the poor air quality in Talcher Municipality and considering the GRAP Stage-II guidelines, the following restrictions are imposed in Talcher Municipality area.

1. All construction activities are prohibited during 6.00 PM to 10.00 AM every day.
2. Any demolition or earth work to be carried out within the Municipality limits is prohibited.
3. The Municipality, NHAI and MCL shall carry out water sprinkling on all roads at least 3 times a day.
4. Entry of heavy trucks inside Talcher town is completely prohibited.
5. Open burning of waste, coal burning in Dhaba etc and open fire of any kind are completely prohibited.
6. Sub-Collector, Talcher and RTO, Talcher shall issue separate restrictions on movement of all the coal and ash trucks during day time.
7. No trucks without covering/tarpauline shall be permitted to ply on the NH-149.
8. NHAI and Executive Engineer, NH Division, Pallahara shall ensure sprinkling of water at all their construction sites.
9. In view of this emergency, this order is made ex-parte u/s 163(2) of the BNSS.
10. This order shall remain in force for a period of 7 days unless extended.
11. The Police, Municipality, all Executing Agencies and RTO are ordered to ensure strict compliance.
12. The Sub-Divisional Magistrate, Talcher shall ensure daily monitoring and submit compliance on daily basis to this Office.

*True Copy
Attested
Deba Prasad Sahoo*


Collector & District Magistrate

ANNEXURE - 4

Sunday Pioneer

BHUBANESWAR | SUNDAY | NOVEMBER 23, 2025



Hazard to public health

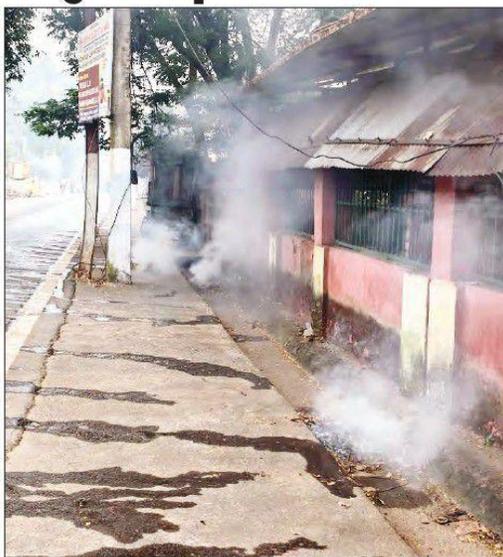
Waste burning in open in Talcher: OHRC seeks reports

DHIRAMOHAN RAY ■ Talcher

In a significant development highlighting environmental accountability and public health protection, the Odisha Human Rights Commission (OHRC) has formally acknowledged and acted upon a complaint regarding the rampant open burning of municipal waste in Talcher Municipality in Angul district.

The complaint, filed by Deba Prasad Sahoo, alleges that sweepers engaged by Talcher Municipality routinely set fire to collected waste which includes leaves and plastics at public locations, thereby endangering community health and violating statutory regulations.

The complaint meticulously cites provisions under the Solid Waste Management (SWM) Rules, 2016, which



strictly prohibit the burning of waste in public spaces. The

SWM Rules mandate that no waste generator shall burn

waste in any public or private area and that sweepers must not burn refuse from street sweeping.

Additionally, the petition invokes Article 21 of the Indian Constitution, emphasizing that the Right to Life inherently includes the Right to a clean and healthy environment. The persistent negligence by municipal authorities in enforcing these rules was described as an ongoing violation of both national and international norms.

Open burning of municipal waste releases toxic pollutants, including PM2.5, PM10, carbon monoxide, sulfur dioxide, nitrogen oxides, and hazardous substances like dioxins, lead, and mercury. Exposure to these pollutants is linked to acute respiratory conditions, asthma, bronchitis, and even

long-term risks such as cancer and developmental issues. The complaint notes a marked deterioration of air quality, affecting vulnerable populations, children, the elderly, and those with preexisting cardiac or respiratory conditions.

Special risk factors during winter months, such as atmospheric inversion trapping pollutants, have further exacerbated the crisis.

Following the formal complaint, OHRC Chairperson Justice S Jauhari has taken cognizance of the matter in public interest. The Commission has ordered the Collector Angul and the Executive Officer of Talcher Municipality to submit comprehensive reports on the case. The next date for hearing and submission of official responses is set for January 27, 2026.

*Tone Copy
Attested
Deba Prasad Sahoo*

28th October 2025

To

**Hon'ble Chairperson
Odisha Human Rights Commission**

Subject: Petition to prohibit and prevent open burning of waste in public place which is causing serious effect on human health and environment

Respected Sir/Madam,

I am writing to bring to your attention a serious environmental and public health issue occurring within Talcher Municipal limits. It has come to my notice that sweepers engaged in morning cleaning duties routinely burn collected waste, including leaves, plastics, and other refuse, in open public spaces. Likewise, several households and shop owners are also found burning their daily waste in public locations.

This practice is causing severe air pollution and significantly impacting public health. During morning hours, when most citizens come outside for walking or exercise to breathe fresh air, they are instead exposed to toxic smoke laden with harmful chemicals. The situation in Talcher is already critical due to the heavy air pollution from nearby coal mines, and this open waste burning further worsens the quality of breathable air.

Winter-Specific Concerns

With the onset of winter, atmospheric inversion traps pollutants near the ground, drastically reducing air quality and intensifying respiratory discomfort. The continuance of open waste burning during this season poses compound risks, especially for children, senior citizens, and individuals with cardiac or respiratory conditions.

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Attested
Deba Prasad Sahoo

Legal Provisions under Solid Waste Management (SWM) Rules, 2016

The practice of burning waste in public spaces is clearly prohibited under the SWM Rules, 2016:

Rule 4(2): "No waste generator shall throw, burn, or bury the solid waste generated by him on streets, open public spaces outside his premises, or in drains or water bodies."

Rule 15(g): Local bodies shall "direct waste generators not to litter or burn waste in open public spaces and to hand over segregated waste to authorized collectors."

Rule 15(k): Local bodies shall "direct street sweepers not to burn tree leaves collected from street sweeping and store them separately for authorized collection."

The **Right to Life under Article 21** of the Constitution of India includes the right to a clean and healthy environment. By permitting widespread waste burning, local authorities are neglecting their statutory duties, resulting in continuous exposure of citizens to hazardous pollutants and toxic substances such as dioxins, heavy metals, and particulate matter. This constitutes an ongoing violation of environmental and human rights recognized under national and international frameworks.

Health and Environmental Impacts

Open burning of waste releases toxic particulate matter (PM_{2.5}, PM₁₀), carbon monoxide, nitrogen oxides, sulfur dioxide, and poisonous chemicals such as dioxins, lead, and mercury. Exposure to these pollutants causes eye and throat irritation, asthma, bronchitis, heart

*True Copy
Attested
Deba Prasad Sahoo*

ailments, and long-term risks including cancer and developmental problems. Besides harming public health, it also deteriorates soil and water quality and contributes to climate change.

Prayer:

I therefore humbly request the Hon'ble Commission to:

1. Take cognizance of this issue as a violation of citizens' right to a healthy environment under Article 21.
2. Direct the Talcher Municipality and relevant departments to immediately stop the burning of waste in public spaces.
3. Ensure proper implementation of the Solid Waste Management Rules, 2016 through strict monitoring and accountability.
4. Mandate awareness programmes for sweepers, residents, and business establishments regarding safe waste disposal methods.
5. Recommend appropriate administrative or penal action against habitual violators and negligent municipal officials.

✚ **Enclosure : Photos attached for kind reference (5 pages)**

*True Copy
Attested
Deba Prasad Sahoo*

With Best Regards

Deba Prasad Sahoo.

Deba Prasad Sahoo

Talcher, Odisha

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**ODISHA HUMAN RIGHTS COMMISSION
ORDER SHEET**

Case No. 4146 of 20 2025
Deba Prasad Sahoo

Name of the Complainant _____

Sl. No.	Date	Order passed by the Commission	Office action taken with date
10.11.25		<p>This complaint is being filed by Shri Deba Prasad Sahoo, wherein he alleges that the Talcher Municipality engaging the sweepers, who are in cleaning duty to burn the collected waste, including leaves, plastics and other refuse in public places causing serious air pollution affecting the health of the public in general. The complainant has enclosed some photographs in support of his assertion. Hence, intervention of the Commission has been sought for.</p> <p>Since the compliant involves public interest, the Commission takes cognizance of the matter.</p> <p>Accordingly, a copy of the complaint and enclosures be sent to the Collector & District Magistrate, Angul and Executive Officer, Talcher Municipality, Talcher to submit their reports in the matter by the next date positively.</p> <p>Put up on 27.01.2026 awaiting the report.</p> <p>Communicate the order by e-mail/speed post.</p> <p style="text-align: center;"> JUSTICE S.PUJAHARI CHAIRPERSON</p>	

True Copy
Attested
Deba Prasad Sahoo

ANNEXURE - 5

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**ODISHA HUMAN RIGHTS COMMISSION
ORDER SHEET**

Case No. **4146** OF **2025**

Name of the Complainant **Deba Prasad Sahoo**
4225 OF 2025

Sl. No.	Date	Order passed by the Commission	Office action taken with date
02.	27.01.2026	<p>Bauri Bandhu Bej</p> <p>As called for, no report has been received from the Collector & District Magistrate, Angul so also from the Executive Officer, Talcher Municipality.</p> <p>Issue reminders to the Collector & District Magistrate, Angul and the Executive Officer, Talcher Municipality to comply the order dtd.10.11.2025 and submit their respective reports by the next date.</p> <p>Put up on 24.04.2026.</p> <p> JUSTICE S. PUJAHARI CHAIRPERSON</p>	

*True Copy
Attested
Deba Prasad Sahoo*