

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
OA NO - 189/2025/EZ**

IN THE MATTER OF:

Saroj Kumar Patra Applicant

versus

State of Odisha &Ors Respondents

INDEX

SL No.	Description of Documents	Pages
1	Affidavit filed by Respondent No. 5	1-7
2	<u>ANNEXURE A/1</u> True copy of letter No.5555/4F(Misc), dtd. 29.09.2025 the of Divisional Forest Office, Jharsuguda.	8-9
3	<u>ANNEXURE A/2</u> True copy of Forest land schedules authenticated by Tahasildar, Jharsuguda Tahasil files in Forest Diversion Proposal.	10
4	<u>ANNEXURE A/3</u> True copy of satellite imagery for the years 2010,2016,2019,2024 & 2025	11-15
5	<u>ANNEXURE A/4</u> True copy of drone image	16-17

6	<u>ANNEXURE A/5</u> True copy of Memo No.31, dtd.20.01.2026, Joint verification report submitted by Range Officer, Jharsuguda	18-19
7	<u>ANNEXURE A/6</u> True copy of the complaint file before Divisional Forest Officer, Jharsuguda by respondent no. 8	20

DATE - 18.02.2026

PLACE - Jharsuguda

(H. B. S.)
Divisional Forest Officer
Jharsuguda Forest Division

FILED BY RESPONDENT NO. 5

× 70

BEFORE PRATAP KARAYAN TIWARI
NOTARY, JHARSUGUDA
REGD. No. - ON 01/13
SL. No. 0.5 DT. 1.2.26

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
OA NO - 189/2025/EZ

IN THE MATTER OF:

Saroj Kumar Patra Applicant

versus

State of Odisha & Ors Respondents

COUNTER AFFIDAVIT FILED BY RESPONDENT NO. 5

I, Manu Ashok Bhat, aged 32 years, S/o Sri Ashok Bhat, at present working as Divisional Forest Officer, Jharsuguda Forest Division, Jharsuguda, AT/PO/DIST: Jharsuguda-768202 do hereby solemnly affirm and state as follows: -

1. That, I have gone through the Original Application, relevant records and understood the contents thereof. I am well acquainted with the facts of the case and competent to swear this affidavit in my official capacity.
I have been duly authorised to swear this affidavit on behalf of Respondent No. 1, 2, 4 and 5.
2. That the applicant's assertion regarding alleged encroachment over the land in question is wholly false and unfounded. The claim that the said land constitutes forest land and has been subjected to encroachment is denied. The Jharsuguda Forest Range, Jharsuguda was instructed by Respondent No. 5 to conduct a joint verification with Revenue Officials on the said land.

Manu

PART OF AFFIDAVIT

P. N. TIWARI
NOTARY, JHARSUGUDA

True copy of letter No.5555/4F(Misc), dtd. 29.09.2025 of Divisional Forest Office, Jharsuguda is enclosed herewith as **Annexure A/1.**

3. That the applicant has mentioned that the Respondent No. 8 has illegally encroached forest land recorded under the Khata No.178 Plot No. 374,427,428,434 and 435 of Mouza Sripura, PS/Tahasil & Dist. Jharsuguda. It is submitted that the Respondent No. 8 had submitted a proposal vide Proposal No. FP/OR/OTHERS/550180/2025 through PARIVESH PORTAL 2.0 for forest diversion proposal over 4.0834 Ha Forest Land towards construction of approach road for transportation of materials to and from plant area in village Sripura under Jharsuguda Forest division in Jharsuguda District. The said Respondent No. 8 has also submitted Khata No. 178 Plot No. 374 (P),427(P),428(P), 434 (P), 455 (P), Kisam- Gramya Jungle, Village Sripura, which land schedules were authenticated by Respondent No. 4. It is further submitted that the interim period during which the forest diversion proposal concerning 4.0834 Ha Forest Land for construction of approach road for transportation was pending, Respondent No. 8 has been using temporarily the traditional road which is used by the local populace falling under Plot No. 455 for transportation of materials. The said road is situated on revenue forest land as per **Annexure A/2.**



Hbawal

PART OF AFFIDAVIT
P. N. Tivari
P. N. TIVARI
NOTARY, JHARSUGUDA

True copy of Forest land schedules authenticated by Tahasildar, Jharsuguda Tahasil files in Forest Diversion Proposal is enclosed herewith as **Annexure A/2**.

4. That the satellite imagery for the years 2010,2016,2019,2024 & 2025, demonstrating the existence and continued use of the said road, has been annexed herewith in **Annexure A/3**. It is further submitted that consequent to such usage, deposition of slag has taken place on the said traditional road, which is evident from the materials of **Annexure A/3**.

True copy of satellite imagery for the years 2010,2016,2019,2024 & 2025 is enclosed herewith as **Annexure A/3**



5. That the drone image has been captured that shows the deposition of slag has taken place on the said traditional road which falls in Plot no. 455 which is a revenue forest land.

True copy of drone image is enclosed herewith as **Annexure A/4**

6. That no instance of encroachment upon Plot Nos, 427(P) of Khata No. 178 *Gramya Jungle* has been noticed or has come to the knowledge of the Respondent No. 5 as per the joint verification report conducted by the Range officer, (Jharsuguda), Forester (Katikela Section), Revenue Official, (Badmal) and Tahasildar (Jharsuguda).

Hand

PART OF AFFIDAVIT

3

P. N. TIVARI
NOTARY, JHARSUGUDA

True copy of Memo No.31, dtd.20.01.2026, Joint verification report submitted by Range Officer, Jharsuguda is enclosed herewith as **Annexure A/5**

7. That the Respondent No. 8 has submitted a complaint before the Respondent No. 5, stating that in respect of Proposal No. FP/OR/OTHERS/550180/2025, which is presently pending for scrutiny, certain unknown persons have been accessing Plot No. 427 (part of the proposed diversion area) and undertaking tree plantation activities, and accordingly requested the Respondent No. 5 to verify the veracity and legality of such activities. Subsequently the Range officer, Jharsuguda Forest Range was instructed to conduct joint verification with Revenue Officials on the said land, it was also mentioned that no permission has been granted to any authority for plantation work on said forest land and to stop the unauthorised activities in the Forest land, the same was forwarded to the Respondent No. 4 to take necessary action for unauthorised use of forest land as annexed in **Annexure A/1**.

True copy of the complaint file before Divisional Forest Officer, Jharsuguda by Respondent no. 8 is enclosed herewith as **Annexure A/6**.

8. That the Range officer, Jharsuguda Forest Range was instructed to conduct joint verification with Revenue Officials on the said land, it was also mentioned that no permission has been granted to any authority for plantation work on said forest land and to stop the unauthorised activities in the Forest land,

Handwritten signature



Handwritten signature

the same was forwarded to the Respondent No. 4 to take necessary action for unauthorised use of forest land as per **Annexure A/1**.

9. That the land schedule in question in the present case has nowhere been mentioned or referred to in the representation submitted by the Sarpanch of Sripura before the Respondent No. 5.

10. That land schedule in question in the present case has nowhere been mentioned or referred to in the representation submitted by the Sarpanch of Sripura before the Respondent No. 5. The Respondent No. 5 gave direction to all range officers, Jharsuguda forest division to supply the required numbers of seedlings for plantation during 2025-26 under "Ek Ped Maa Ke Naam 2.0" programme. The seedlings are distributed strictly in accordance with the applicable policy, and there is no provision for control, or regulation regarding the place or manner in which such seedlings are ultimately planted.

How

11. That the averments made in Paragraph 7 of the application are wholly false, incorrect, and misleading. The allegation that the Environmental Clearance was obtained by suppressing the involvement of forest land, purportedly relating to the diversion of 10.09 acres of forest land, is entirely unfounded and contrary to record. Furthermore, the Environmental Clearance granted in favour of Respondent No. 8 pertains to a total area of 172.09 acres, comprising 31.52 acres of Government non-forest land and 140.57 acres of private land.



PART OF AFFIDAVIT

P. N.
P. N. TIWARI
NOTARY, JHARSUGUDA

The said Environmental Clearance does not include, relate to, or involve any forest land whatsoever, and specifically does not include the alleged 10.09 acres of forest land referred to in Paragraph 7 of the application.

12. That the averments made in Paragraph 8 of the application are false. In the Environmental Clearance, under the heading "Land requirement (in Ha) of the project or activity," it is specifically and unequivocally stated that 0 hectares of forest land are involved. This is so because the Environmental Clearance has been granted for a total area of 172.09 acres, comprising 31.52 acres of Government non-forest land and 140.57 acres of private land. No forest land whatsoever forms part of the project area covered under the said Environmental Clearance. Accordingly, the assertion made by the applicant regarding involvement of forest land is erroneous, contrary to the record.



Hbaw

13. That I have read over the content of the accompanying Reply, and the same has been drafted as per my instructions. The contents of the said Reply are true and correct to the best of my knowledge.

Identified by me

Amulya Pradhan
02/17/2022

ADVOCATE

Hbaw

DEPONENT

Divisional Forest Officer
Jharsuguda Forest Division

Amulya Pradhan
18.2.24.

PRATAP NARAYAN TIWARI
NOTARY, JHARSUGUDA
REGD. NO. ON-01/13
MOB. No. - 9437345380

X
76

VERIFICATION

Verified at Jharsuguda on the 18TH day of February 2026 that the contents of paragraph 1 to 13 of my above Affidavit are true and correct and no part of it is false and nothing material has been concealed therefrom.

W. S. W.
VERIFICANT
Divisional Forest Officer
Jharsuguda Forest Division

X
77

Annexure - I 1/1



ଜଙ୍ଗଲ, ପରିବେଶ ଓ ଜଳବାୟୁ ପରିବର୍ତ୍ତନ ବିଭାଗ, ଓଡ଼ିଶା ସରକାର
ଖଣ୍ଡୀୟ ବନାଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟ ଝାରସୁଗୁଡ଼ା ବନଖଣ୍ଡ ।
ଇମେଲ-dfo.jharsuguda@odisha.gov.in, ଦୂର ଭାଷ / ଫା.ନଂ-୦୭୭୪୫-୨୯୫୦୪୦ ।

No.5555 /4F (Misc.),
Dated Jharsuguda the 29th September, 2025.

To,

The Range Officer,
Jharsuguda Forest Range

Sub: - Regarding unauthorized used of forest land of plot No.427(P), khata No.178, kisam-Gramya Jungle in village Sripura.

Ref: - Letter No. ECAPL/JSG/24/2025-26, dt.27.09.2025 of the Location Head, M/s.Epsilon Carbon Ashoka Pvt. Ltd.,Mumbai.

With reference to the letter cited above on the captioned subject, this is to inform you that, the Location Head, M/s. Epsilon Carbon Ashoka Pvt. Ltd., Mumbai has intimated that, some unknown people has unauthorized use of plot No.427(P), khata No.178, kisam-Gramya Jungle and have disturbed the area. The plot No.427(P) is included in the proposed diversion proposal of 4.0834 ha of forest land for construction of approach road to M/s. Epsilon Carbon Ashoka Pvt. Ltd. in village Sripura by M/s. Epsilon Carbon Ashoka Pvt. Ltd. Further, no any permission has been granted to any authority for plantation work of the said forest land. Unauthorized use forest land without any prior approval from the competent authority is violation under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

In this regard, you are directed to conduct joint verification with Revenue Officials, User Agency of above land and stop the unauthorized activities over forest land with immediate effect.

This is for your information & necessary action.

Yours faithfully,


Divisional Forest Officer,
Jharsuguda Forest Division.

True copy attached


Divisional Forest Officer,
Jharsuguda Forest Division

X 78

Memo No.5556/Dated.29.09.2025.

Copy forwarded to the Tahasildar, Jharsuguda Tahasil for information & necessary action. He is requested to take necessary action in regard to unauthorized use of above forest land.

(Handwritten Signature)

Divisional Forest Officer,
Jharsuguda Forest Division.

Memo No.5557/Dated. 29.09.2025.

Copy forwarded to the Location Head, M/s. Epsilon Carbon Ashoka Pvt. Ltd., Mumbai for information & necessary action.

(Handwritten Signature)

Divisional Forest Officer,
Jharsuguda Forest Division.

True copy attested

(Handwritten Signature)
Divisional Forest Officer
Jharsuguda Forest Division

LAND SCHEDULE OF FOREST LAND INVOLVED FOR APPROACH ROAD & PARKING AREA TO PLANT OF M/s EPSILON CARBON ASHOKA PVT.LTD. JHARSUGUDA.

NAME OF THE VILLAGE : Sripura							
NAME OF THE THANA & No : Jharsuguda-38							
NAME OF THE TAHASIL : Jharsuguda							
NAME OF THE DISTRICT : Jharsuguda							
Sl. No.	Khata No	Plot No	Total Area In Ac.	Proposed area to be alienated in Ac.	Proposed area to be alienated in Ha.	Kissam	Name of the Land Owner
1	178	374(P)	3.560	0.270	0.1093	Gramya Jungle	Govt. of Odisha (Rakhita)
2	178	427(P)	10.000	8.060	3.2618	Gramya Jungle	
3	178	428(P)	6.140	0.730	0.2954	Gramya Jungle	
4	178	434(P)	8.860	0.100	0.0405	Gramya Jungle	
5	178	455(P)	17.550	0.930	0.3764	Gramya Jungle	
Total			46.110	10.090	4.0834		

"Certified that status of the total land involved in the project (both forest & non-forest) as given in the table is verified per the Govt. records as on 25.10.1980".

Chit
R-1



d
TAHASSIL DAR
JHARSUGUDA

H. B. S.
Divisional Forest Officer
Jharsuguda Forest Division

True copy attached

H. B. S.
Divisional Forest Officer
Jharsuguda Forest Division

ANNEXURE - III



Legend

Year 2025

Google Earth

Image © 2022 - 4-8-23

X 80

ANNEXURE - III
A/3

Sri Vinayak Power & Steel Limited

Office No. 111
Disaster Preparedness

Legend

81

1000 ft

3/20/24 11:25 AM 2025

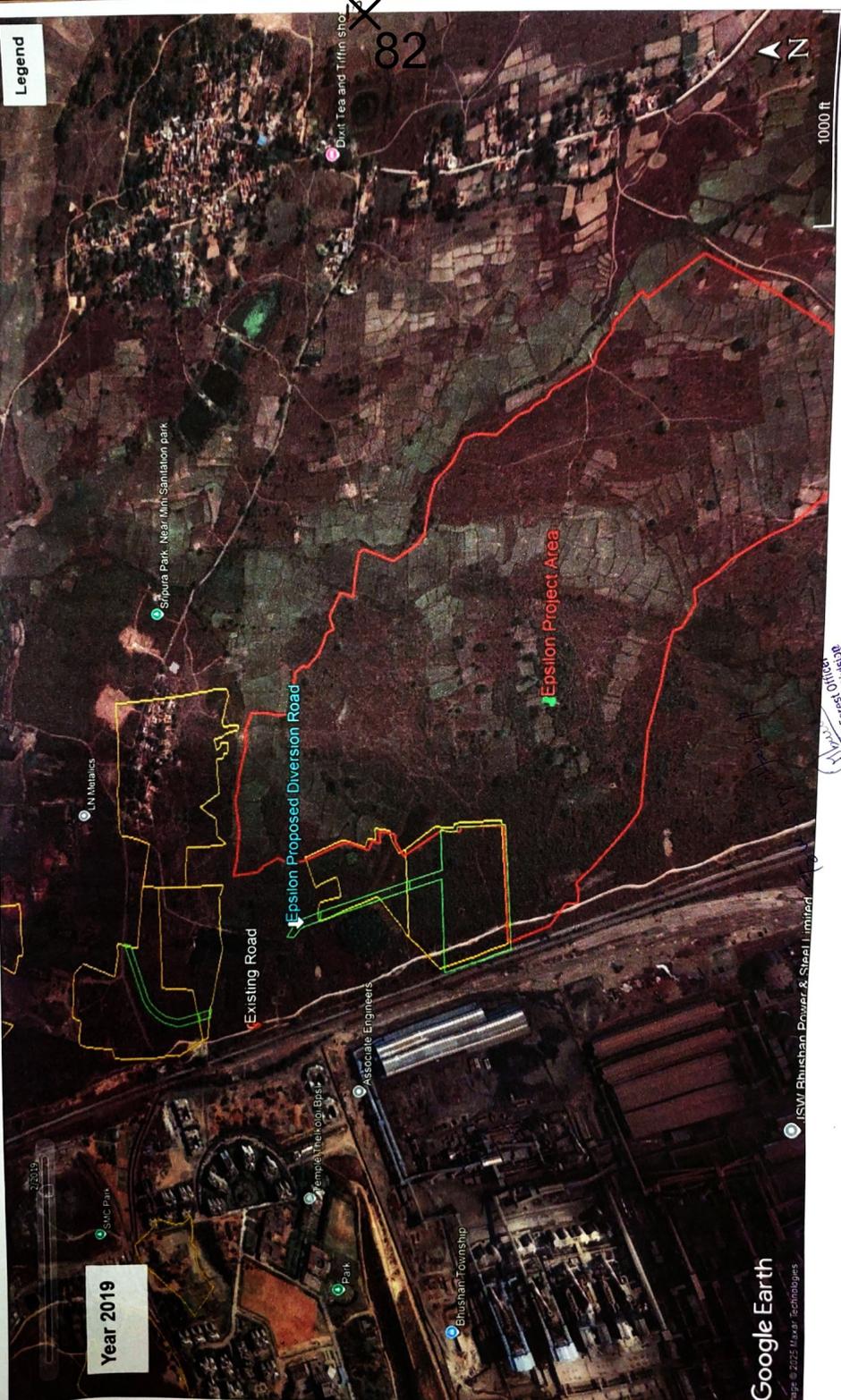
Year 2024



Google Earth

Image © 2025 Airbus

W.B. S.W. Shriyan Dwar & Steel Limited
 Bhushan Forest Division



Legend

Year 2019

2,301.9

82

Google Earth
maps © 2025 Maxar Technologies

Associate Engineers
J.S.W. Bhushan Power & Steel Limited

Prepared for District
Discharge Officer
Mysore

10000 ft



12/2016

Year 2016

Legend

SAC Park

Shreya Park Near Mini Samalloon park

JN Mahalics

Existing Road

Epsilon Proposed Diversion Road

Epsilon Project Area

Empire Technology Bldg

Associate Engineers

Bhushan Township

Dixie Tree and Triffin show

83



1000 ft

Google Earth

PROF © 2015 CIES / Airbus

© ISM, Bhushan Power & Steel Limited

© 2015 Google Earth
All rights reserved.

4/2010

Year 2010

Legend

84



1000 ft



Google Earth

USM, Bhuban, Dewar & Steel Limited

Handwritten notes: P1-11-12-13-14 and a circular stamp with text 'Diptansu Kumar Das' and 'District Forest Officer'.

85
Khata No-178
Plot No - 455



Khata No-178
Plot No - 434

Khata No-178
Plot No - 374

Khata No-178
Plot No - 428

Khata No-178
Plot No - 427

Towce Coy affected

(Signature)
Divisional Forest Officer
Jharsuguda Forest Division

Legend

-  Project Area
-  Forest Patch
-  Revenue Forest Boundary

86
Khata No-178
Plot No - 455



Khata No-178
Plot No - 434

Khata No-178
Plot No - 374

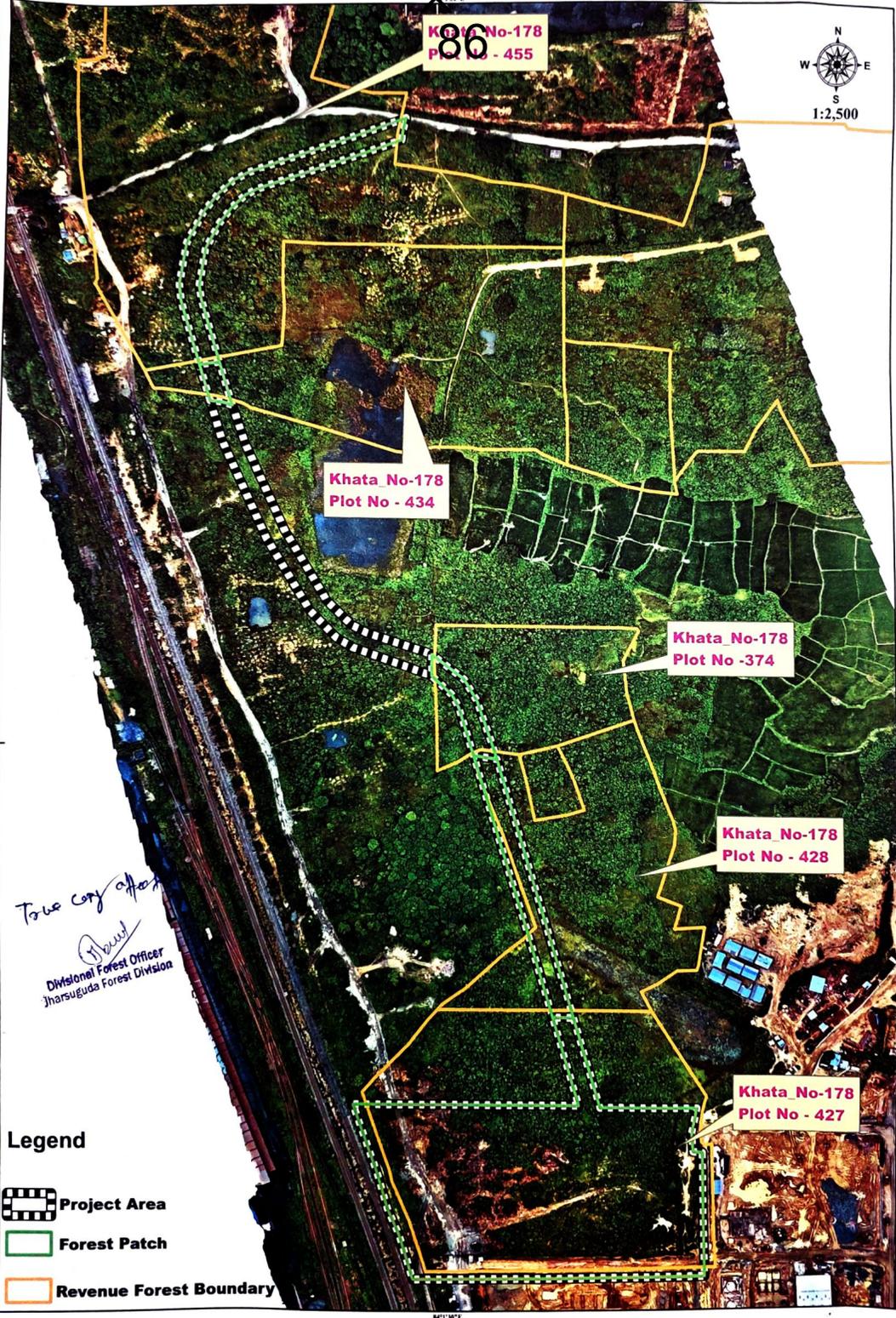
Khata No-178
Plot No - 428

Khata No-178
Plot No - 427

To be copy after
[Signature]
Divisional Forest Officer
Jharsuguda Forest Division

Legend

-  Project Area
-  Forest Patch
-  Revenue Forest Boundary



X



ଜଙ୍ଗଲ, ପରିବେଶ ଓ ଜଳବାୟୁ ପରିବର୍ତ୍ତନ ବିଭାଗ, ଓଡ଼ିଶା ସରକାର
 ବନାଞ୍ଚଳ ଅଧିକାରୀଙ୍କ କାର୍ଯ୍ୟାଳୟ, ଝାରସୁଗୁଡ଼ା ବନାଞ୍ଚଳ
 Email - jharsugudaforestrange@gmail.com, Ph - ୦୬୭୪୫ - ୨୯୫୪୧୧



ପତ୍ର ସଂଖ୍ୟା . ୫୩ /ତାରିଖ 17-02-2026

To

The Divisional Forest Officer
 Jharsuguda Forest Division
 Badmal, Jharsuguda.

Sub:- Re submission of letter Regarding unauthorized use of forest land of plot no. 427(P),
 Khata No. 178, Kisam- Gramya Jung'le in village Sripura after authentication by the
 Tahasildar, Jharsuguda.

Ref:- Your good office Memo no. 6744/4F(misc) Dated- 16-12-2025 and 523/ 4F (Misc)
 Dated- 31-01-2026.

Sir

With reference to the memo cited above and as per the direction of your good office,
 joint field verification was conducted on 19.01.2026 by the undersigned along with the
 Forester, Katikela Section, Revenue Official, Badmal, and the representative of the user
 agency to verify the status of forest land over Plot No. 427(P), Khata No. 178, Kisam-Gramya
 Jungle under village Sripura.

During the verification, it was observed that no unauthorized activity is being carried
 out over the said plot. Approximately 300 numbers of seedlings planted by the villagers were
 found over the land. It was further observed that a part of Plot No. 427(P) had been utilized
 by the user agency only for temporary vehicular movement and parking. No other
 unauthorized use was found over the said forest land.

The detailed Joint Verification Report, duly countersigned by the Forest Official and
 Revenue Official and authenticated by the Tahasildar, Jharsuguda, is submitted herewith in
 a separate sheet for your kind perusal.

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

True copy attached

Yours Faithfully

 Range Officer
 Jharsuguda Range


 Divisional Forest Officer
 Jharsuguda Forest Division

X
88
Joint Verification Report

As per Memo No. 6744/4F (Misc) dated 16-12-2025 of the Divisional Forester, Jharsuguda Forest Division, a joint verification was conducted on dated- 19-01-2026 over Plot Nos. **427(P)** of Khata No. **178**, Kissm- Gramya Jungle at Mauza **Sripura**, Jharsuguda.

The verification was carried out in the presence of the **User Agency representative, Revenue Official Shrikant Pradhan, R.I. Badmal, Sri Bijay Kumar Pradhan (Forest Range Officer, Jharsuguda Range), and Smt. Tilima Nayak (Forester, Katikela Section)** regarding unauthorized use of forest land of plot no. 427(P), Khata No. 178, Kisam- Gramya Jungle in village Sripura.

During the verification, it was observed that no unauthorized activity is being carried out over the said plot. Approximately 300 numbers of seedlings planted by the villagers were found over the land. It was further observed that a part of Plot No. 427(P) had been utilized by the user agency only for temporary vehicular movement and parking. No other unauthorized use was found over the said forest land.

rbh
**Range Officer
Jharsuguda Range**

Tilima
**Forester
Katikela Section**

Badmal
**Revenue Inspector
Badmal, Jharsuguda**

Tilima
**TAHASILDAR
JHARSUGUDA**

To be copy attached

Badmal
**Divisional Forest Officer
Jharsuguda Forest Division**

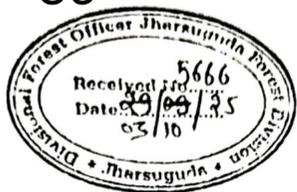
epsilon

4F

18 X 89

Abheer-VI 4/6

IF / 4F
Book
29/9/2025



Handwritten signature/initials.

Letter No: ECAPL/ISG/24/2025-26

4 - Check DES list
Date: 27-Sep-2025
- Check cum plantation list

To
The Divisional Forest Officer
Jharsuguda
Odisha

4F | Check FDP.
- Draft reply

Subject: Status of FDP Application and Unauthorized Activity on Plot No. 427

Respected Sir,

With due respect, we wish to bring to your attention that our Forest Diversion Proposal (Proposal No. FP/OR/OTHERS/550188/2025), submitted on 08/09/2025, is currently pending scrutiny and recommendation at your esteemed office.

Meanwhile, we noticed that some unknown people have been accessing Plot No. 427 (part of the proposed diversion area) and have disturbed the area. They are maintaining that they have permission from the DFO office to undertake tree planting activities. We kindly request you to verify the validity of these claims and take appropriate measures to prevent any unauthorized use of the land until the FDP application is duly processed.

Your support in resolving this matter will be sincerely appreciated.

Earnestly request you to do the needful towards our aforementioned FDP application too.

For Epsilon Carbon Ashoka Pvt Ltd,

Yours Sincerely,



True copy attached

Handwritten signature
Divisional Forest Officer
Jharsuguda Forest Division