

**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: 52/2026/EZ

Between:

Deba Prasad Sahoo

..... Applicant

And

Executive Officer, Talcher Municipality & others

..... Respondents

INDEX

Sl. No.	Description of Documents	Pages
1	Memo of Parties	1-2
2	Synopsis	3
3	List of Dates/Events	4
4	Original Application	5-11
5	Grounds	12-13
6	Limitation	14
7	Prayers	15-16
8	Verification	17
9	Affidavit	18
10	Annexure – 1 (Photographs of various location)	19-39

**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@od.gov.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: 17th February 2026
Talcher, Odisha

Deba Prasad Sahoo.

Applicant in Person

MOB - 9124404242

SYNOPSIS

The present Original Application is filed in public interest seeking urgent intervention against continuous violations of the Solid Waste Management Rules, 2016 within the jurisdiction of Talcher Municipality, District Angul, Odisha.

The grievance pertains to the main market stretch from Talcher Town to Handidhuan Chhak (approximately 5 km), where numerous commercial establishments routinely dump mixed solid waste on public roads after business hours. No segregation at source is practiced. Biodegradable, non-biodegradable and plastic wastes are indiscriminately disposed, and instances of open burning of waste, including plastic materials, are frequent.

There is a complete absence of adequate public dustbins and proper enforcement by the Municipality. Waste remains accumulated overnight, causing foul smell, public nuisance, and vector breeding and serious environmental and health hazards. Even after collection, no proper cleaning or disinfection is undertaken. Stray animals are seen ingesting plastic-contaminated waste, posing grave risks to animal life.

The conduct of waste generators violates Rule 4(1)b, 4(2) and 4(5) of the Solid Waste Management Rules, 2016, while the failure of Talcher Municipality to ensure segregation, prevent littering and open burning, and establish a proper collection and processing system constitutes violation of Rule 15(b), 15(g) and 15(k) of the said Rules.

The continuing dumping and mismanagement of waste has resulted in environmental degradation, threat to public health, and infringement of the fundamental right to a clean and healthy environment under Article 21 of the Constitution of India.

The cause of action is continuous in nature. Hence, the Applicant seeks appropriate directions from this Hon'ble Tribunal for strict enforcement of the Solid Waste Management Rules, 2016 and restoration of environmental compliance in the affected area.

LIST OF DATES/EVENTS

06/07/2025 – Witnessed garbage thrown on road side

28/10/2025 – Witnessed garbage thrown on road side

22/11/2025 – Witnessed garbage thrown on road side

06/01/2026 – Witnessed garbage thrown on road side

12/01/2026 – Witnessed garbage thrown on road side

21/01/2026 – Witnessed garbage thrown on road side

23/01/2026 – Witnessed garbage thrown on road side

26/01/2026 – Witnessed garbage thrown on road side

31/01/2026 – Witnessed garbage thrown on road side

07/02/2026 – Witnessed garbage thrown on road side

12/02/2026 – Witnessed garbage thrown on road side

14/02/2026 – Witnessed garbage thrown on road side

15/02/2026 – Witnessed garbage thrown on road side

16/02/2026 – Witnessed garbage thrown on road side

17/02/2026 – Filed this 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 SHOWEATH:

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. The present application is being filed in public interest seeking urgent intervention of this Hon'ble Tribunal against the continuous and gross violation of the Solid Waste Management Rules, 2016 within the jurisdiction of Talcher Municipality in District Angul, Odisha.
5. The grievance relates to indiscriminate dumping, non-segregation, open burning and improper handling of solid waste in the main market area stretching from Talcher Town to Handidhuan Chhak covering approximately five kilometers.
6. It is respectfully submitted that on this stretch and adjacent nearby area, numerous market complexes, standalone shops, medicine stores, mobile shops, flower shops, vegetable and fruit vendors, saloons, eateries and fast-food stalls operate throughout the day for their livelihood. While the Constitution of India guarantees the right to livelihood, no person has any right to pollute public places or violate environmental laws in the name of business. Every shop owner and commercial establishment is bound to comply with statutory environmental norms and discharge their duties responsibly to protect public health and the environment.
7. However, in the present case, the majority of commercial establishments habitually dump solid waste on the roadside at the time of closing their shops. The waste includes biodegradable materials such as vegetable residues and leftover food, as well as

non-biodegradable and hazardous materials such as plastic plates, cups, polythene bags, packaging materials and other refuse. Fast-food vendors particularly discard used plates, egg shells and plastic materials directly onto public roads. Such dumping continues on a daily basis without any fear of penalty or regulatory action.

(Photographs are attached as Annexure – 1)

8. It is further submitted that stray animals are frequently seen consuming food waste wrapped in polythene and plastic materials. The Applicant has personally witnessed cattle ingesting plastic-covered waste, which poses severe risk of internal injury, blockage and eventual death. Such incidents highlight the grave environmental and animal welfare consequences arising from negligent waste disposal practices.
9. It is further submitted that the majority of shops in the said area do not maintain proper dustbins for collection of waste. Moreover, there is a complete absence of public dustbins along the stretch, leaving residents, customers, and commercial establishments with no designated facility for lawful disposal of the waste generated. This lack of basic infrastructure has significantly contributed to indiscriminate dumping and unhygienic conditions in the locality.
10. The municipal sanitation workers usually collect the accumulated garbage in the morning around 9:00 AM. However, until such time, the area emits unbearable foul smell making it impossible for residents to stand nearby even for a few seconds.

- 11.** Morning walkers, local residents and devotees visiting temples in the early hours are compelled to witness heaps of garbage and inhale polluted air, causing both environmental degradation and public discomfort.
- 12.** Even after removal of waste, the affected areas are not properly cleaned, washed or disinfected. No bleaching powder or sanitizing agents are regularly applied. The repeated dumping at the same locations has effectively converted such areas into breeding grounds for mosquitoes, flies and other disease-carrying insects.
- 13.** The situation constitutes a blatant violation of the Solid Waste Management Rules, 2016, particularly the mandatory requirement of segregation of waste at source. Under the Rules, waste generators are required to segregate waste into biodegradable, non-biodegradable and domestic hazardous categories before disposal. In the present case, no segregation is practiced at source. All categories of waste are dumped together at common roadside locations. The sanitation workers collect such mixed waste without ensuring segregation, thereby defeating the very object and purpose of the Rules. The complete absence of source segregation raises serious concerns regarding scientific processing and final disposal of waste.
- 14.** The failure of Talcher Municipality to enforce compliance and prevent roadside dumping amounts to a serious dereliction of its statutory duties under the Solid Waste Management Rules, 2016. The local authority is obligated to ensure door-to-door collection, prevent

littering, enforce segregation at source, prohibit open burning of waste and maintain sanitation standards. Despite occasional inspection drives, there is no effective or sustained enforcement mechanism in place. The violations continue unabated.

- 15.** It is also submitted that many shopkeepers resort to open burning of waste, including plastic materials, which releases toxic pollutants into the atmosphere. Burning of plastic generates harmful substances such as dioxins and furans, causing respiratory ailments and long-term health risks to the public. Such acts further aggravate air pollution and violate environmental norms.
- 16.** It is further submitted that municipal sweepers, instead of ensuring scientific collection and disposal of waste, also set fire to the accumulated garbage at several locations, thereby perpetuating the practice of open burning and compounding the adverse impact on public health and the environment.
- 17.** Another serious concern relates to rampant use of single-use plastics and polythene carry bags in the market area despite regulatory restrictions under Plastic Waste Management Rules. While stricter implementation is visible in major cities of Odisha, enforcement within Talcher Municipality remains ineffective and inadequate.
- 18.** The continuous dumping of mixed waste on public roads leads to soil and groundwater contamination due to leachate seepage, blockage of drainage systems, spread of vector-borne diseases such as dengue and malaria, and deterioration of overall public hygiene.

19. The above conduct constitutes direct violation of Rule 4(1)(b) of the Solid Waste Management Rules, 2016, which mandates every waste generator to segregate waste at source into biodegradable, non-biodegradable and domestic hazardous waste. There is also violation of Rule 4(2), which requires waste generators not to litter or throw waste in public places and to hand over segregated waste to authorized collectors. Further, Rule 4(5) requires commercial establishments and institutions to store segregated waste in separate bins and facilitate its collection. In the present case, these mandatory duties are being openly flouted on a daily basis.

20. The Respondent Municipality has equally failed to discharge its statutory obligations under Rule 15 of the Solid Waste Management Rules, 2016. Rule 15(b) casts a duty upon the local authority to arrange for door-to-door collection of segregated solid waste and ensure its proper transportation. However, the collection system presently in place allows accumulation of mixed waste on public roads throughout the night. Rule 15(g) mandates the local authority to prevent littering and open burning of waste. Despite this, open dumping and burning of garbage, including plastic materials, continues without any deterrent action. Rule 15(k) requires the local authority to ensure processing and disposal of solid waste in a scientific manner and to set up adequate infrastructure for segregation and processing.

21. The failure also violates citizens' fundamental right to live in a clean and healthy environment under Article 21 of the Constitution.

22. 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: 17th February 2026

Talcher, Odisha

Deba Prasad Sahoo.

Signature of Applicant



Kumuda
Kumuda Ranjan Mishra
Notary, Talcher
Govt. of Odisha
Regd. No ON-37/2004

GROUNDS

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

1. Because the acts and omissions of the Talcher Municipality and the waste generators constitute clear and continuing violations of the provisions of the Solid Waste Management Rules, 2016, particularly Rule 4(1)(b), Rule 4(2), Rule 4(5), Rule 15(b), Rule 15(g) and Rule 15(k), which mandate segregation at source, prohibition of littering, prevention of open burning, and scientific collection and disposal of waste.
2. Because indiscriminate dumping of biodegradable, non-biodegradable and hazardous waste in public places results in soil and groundwater contamination through leachate seepage, blockage of drains, and environmental degradation.
3. Because open burning of solid waste, including plastic materials, releases toxic pollutants such as dioxins and furans into the atmosphere, contributing to air pollution and causing serious respiratory and other health hazards to the local population, in violation of environmental norms and statutory prohibitions.
4. Because the continued inaction and regulatory failure of the Talcher Municipality amount to dereliction of statutory duties cast upon it under Rule 15 of the Solid Waste Management Rules, 2016, which obligates the local authority to ensure door-to-door collection, prevent littering and open burning, and establish infrastructure for segregation and scientific processing of waste.

5. Because the absence of public dustbins and lack of enforcement against commercial establishments for maintaining separate bins demonstrate systemic administrative failure and non-compliance with mandatory statutory requirements.
6. Because the repeated dumping of waste at the same locations has created unhygienic conditions, foul smell, and breeding grounds for mosquitoes and disease-carrying vectors, posing serious threats of vector-borne diseases such as dengue and malaria, thereby affecting public health and sanitation.
7. Because the rampant use of single-use plastics and polythene carry bags in the market area, despite regulatory restrictions under the Plastic Waste Management Rules, reflects ineffective enforcement and contributes to environmental pollution and harm to stray animals.
8. Because the acts complained of violate the fundamental right to life guaranteed under Article 21 of the Constitution of India, which includes the right to live in a clean, healthy and pollution-free environment as recognized by various judicial pronouncements.
9. Because authorities failed to take appropriate action to prevent environment pollution 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”.

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. Issue appropriate directions to the Talcher Municipality to strictly enforce the provisions of the Solid Waste Management Rules, 2016, particularly Rule 4 and Rule 15, within its jurisdiction and to immediately stop indiscriminate dumping of solid waste along the stretch from Talcher Town to Handidhuan Chhak on Talcher–Angul Road.
2. Direct the Talcher Municipality to ensure compulsory segregation of waste at source by all commercial establishments, vendors and households, and to take penal action against violators in accordance with law.
3. Direct the Talcher Municipality to install adequate number of dustbins at prominent places and ensure that all shops and commercial establishments maintain separate bins for biodegradable, non-biodegradable and hazardous waste in compliance with statutory provisions.
4. Issue directions prohibiting open burning of waste, particularly plastic and other hazardous materials, and to initiate prosecution and levy environmental compensation against persons found violating such prohibition.
5. Direct the Talcher Municipality to implement an effective door-to-door collection mechanism for segregated waste and to ensure that no garbage remains accumulated on public roads overnight.

6. Direct the Talcher Municipality to undertake regular cleaning, washing and disinfection of affected areas, including application of bleaching powder or other sanitizing agents, so as to prevent breeding of mosquitoes and spread of diseases.
7. Direct strict enforcement of the Plastic Waste Management Rules within the market area and to take action against use of banned single-use plastics and polythene carry bags.
8. Direct the Talcher Municipality to undertake effective public awareness and sensitization programmes in strict compliance with Rule 15(zg) of the Solid Waste Management Rules, so as to educate residents, shopkeepers, and other stakeholders about proper waste segregation, collection, and disposal practices.
9. Pass any other order or direction which this Hon'ble Tribunal may deem fit and proper in the interest of justice, environmental protection and public health.



473 Dt 18/2/2026
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: 17th February 2026
Talcher, Odisha

Deba prasad Sahoo.

Signature of Applicant

Kumuda Ranjan Mishra
Kumuda Ranjan Mishra
Notary, Talcher
Govt. of Odisha
Regd. No. ON-37/2004

**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 18th 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:

Deba Prasad Sahoo

DEPONENT

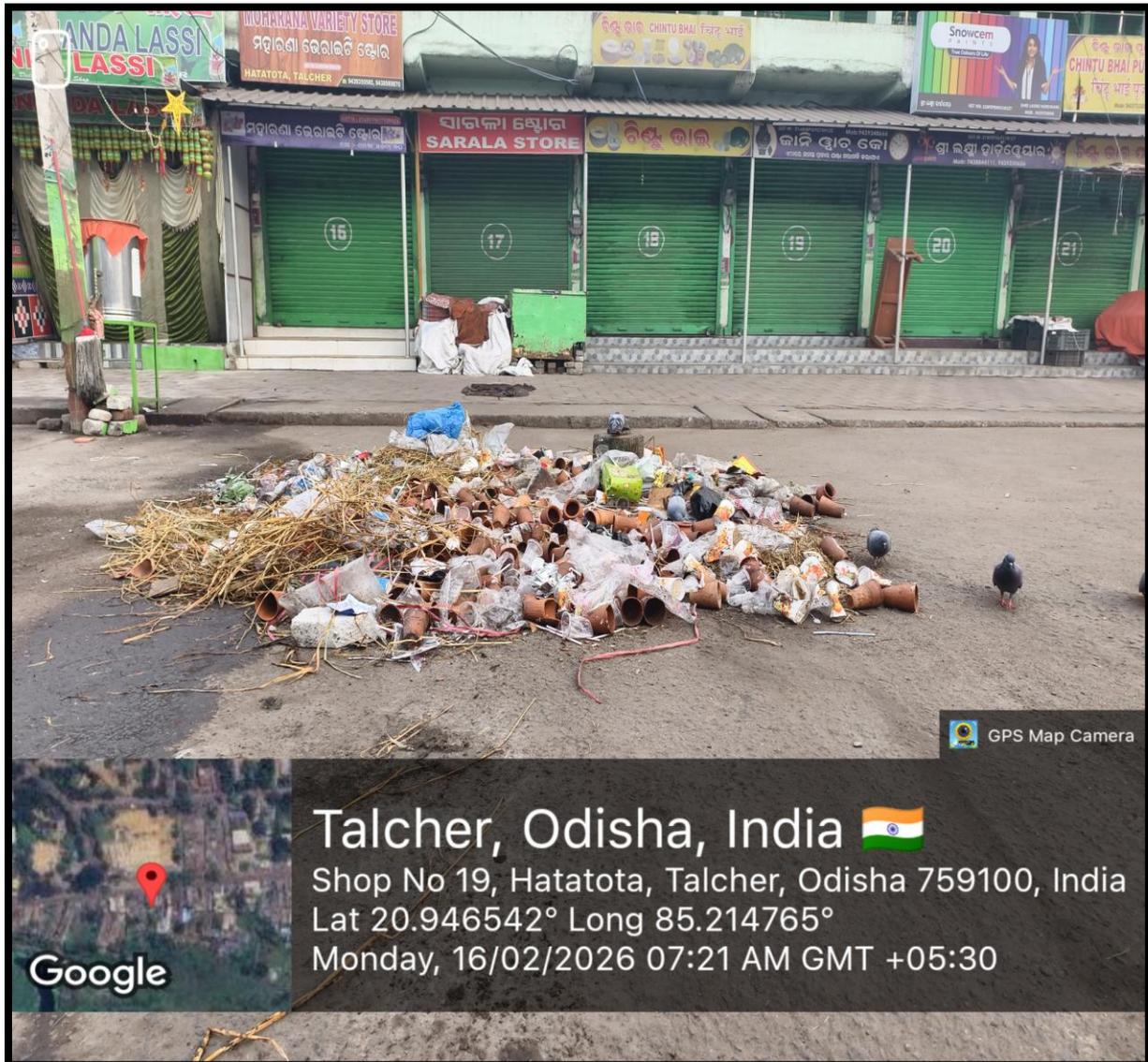
Kumuda Ranjan Mishra
Kumuda Ranjan Mishra
Notary, Talcher
Govt. of Odisha
Regd. No ON-37/2004



ANNEXURE - 1

Pictures taken on 16/02/2026 (In front of Municipality Market)

Lassi Shops throwing garbage on public place which cause foul smell as well as littering by stray animals



*True Copy
Attested
Bela Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 15/02/2026 (Near SBI Talcher)

Grocery shops, Hotels and Tea Shops throwing garbage on public place which cause foul smell as well as littering by stray animals

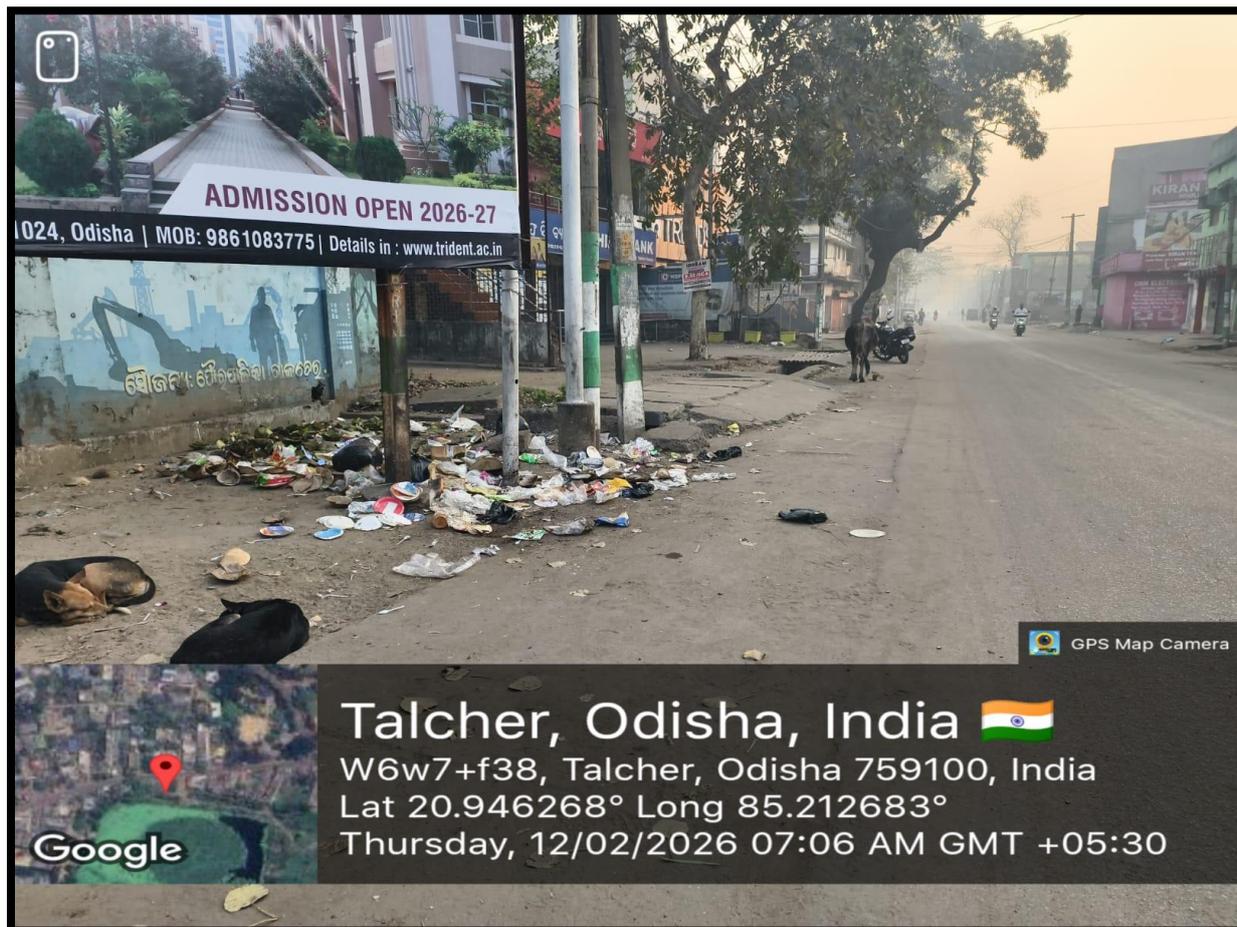


*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 12/02/2026 (In front of Kali Mandir)

Fast food shops throwing garbage on public place which cause foul smell as well as littering by stray animals

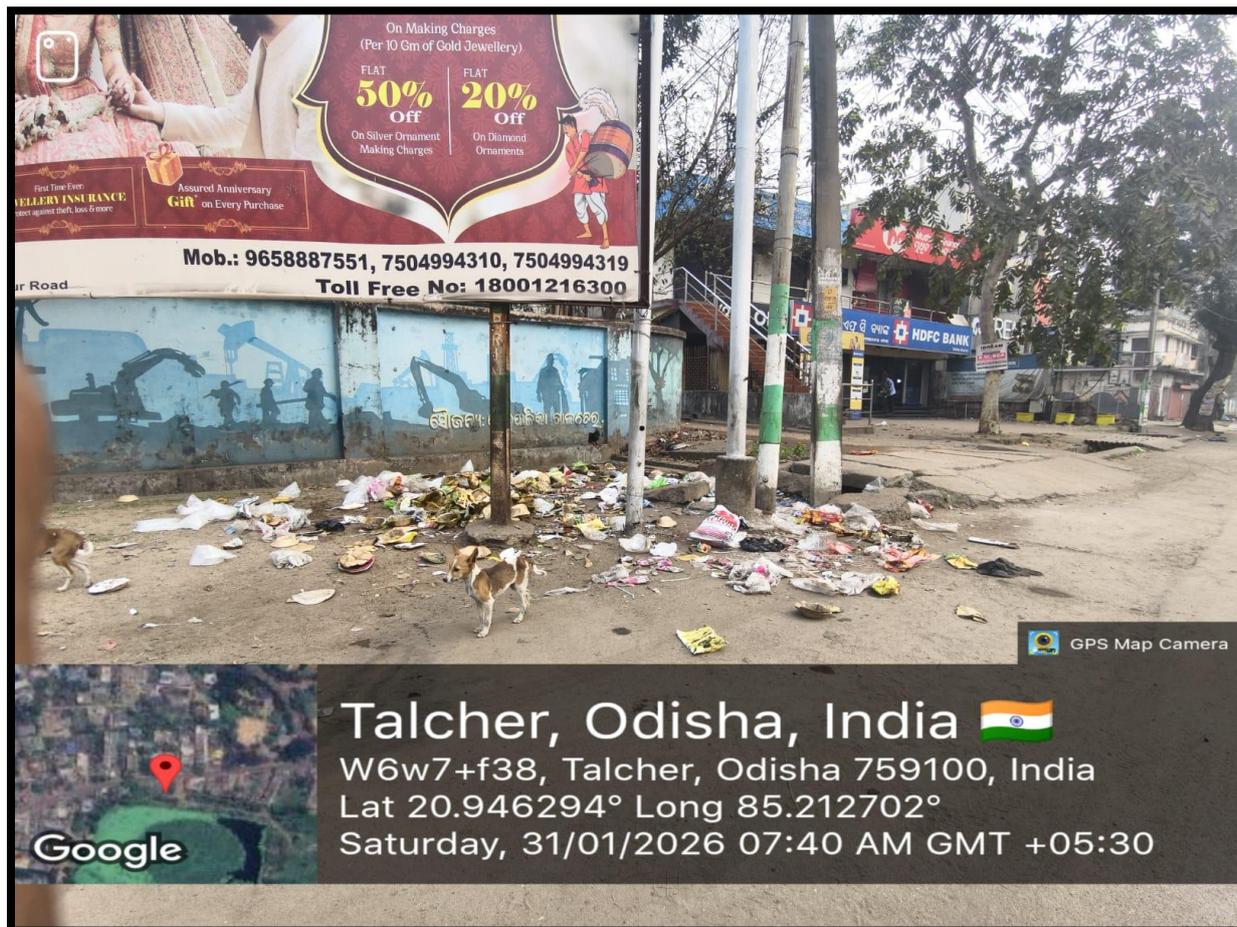


*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 31/01/2026 (In front of Kali Mandir)

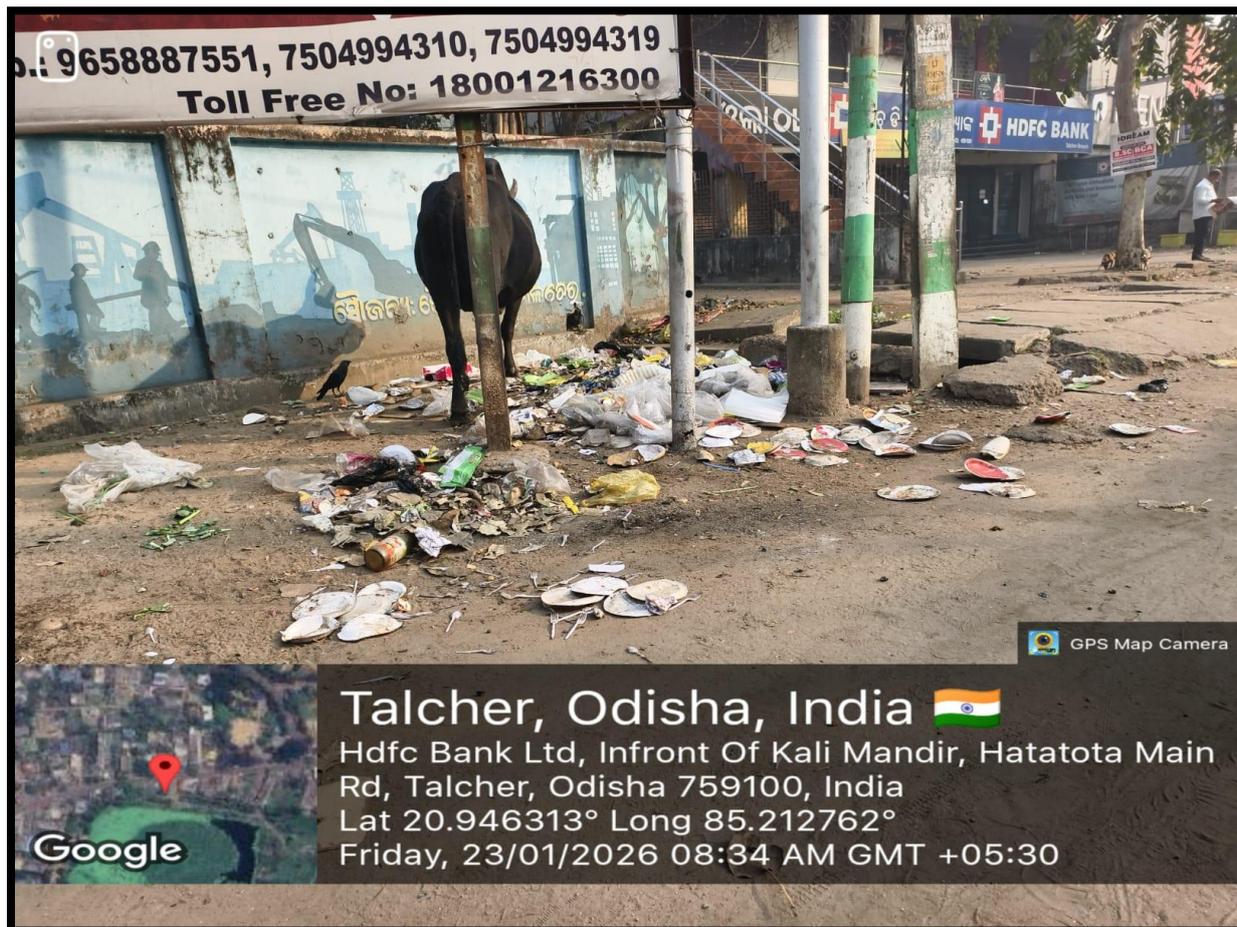
Fast food shops throwing garbage on public place which cause foul smell as well as littering by stray animals



*Tour Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1**Pictures taken on 23/01/2026 (In front of Kali Mandir)**

Fast food shops throwing garbage on public place which cause foul smell as well as littering by stray animals



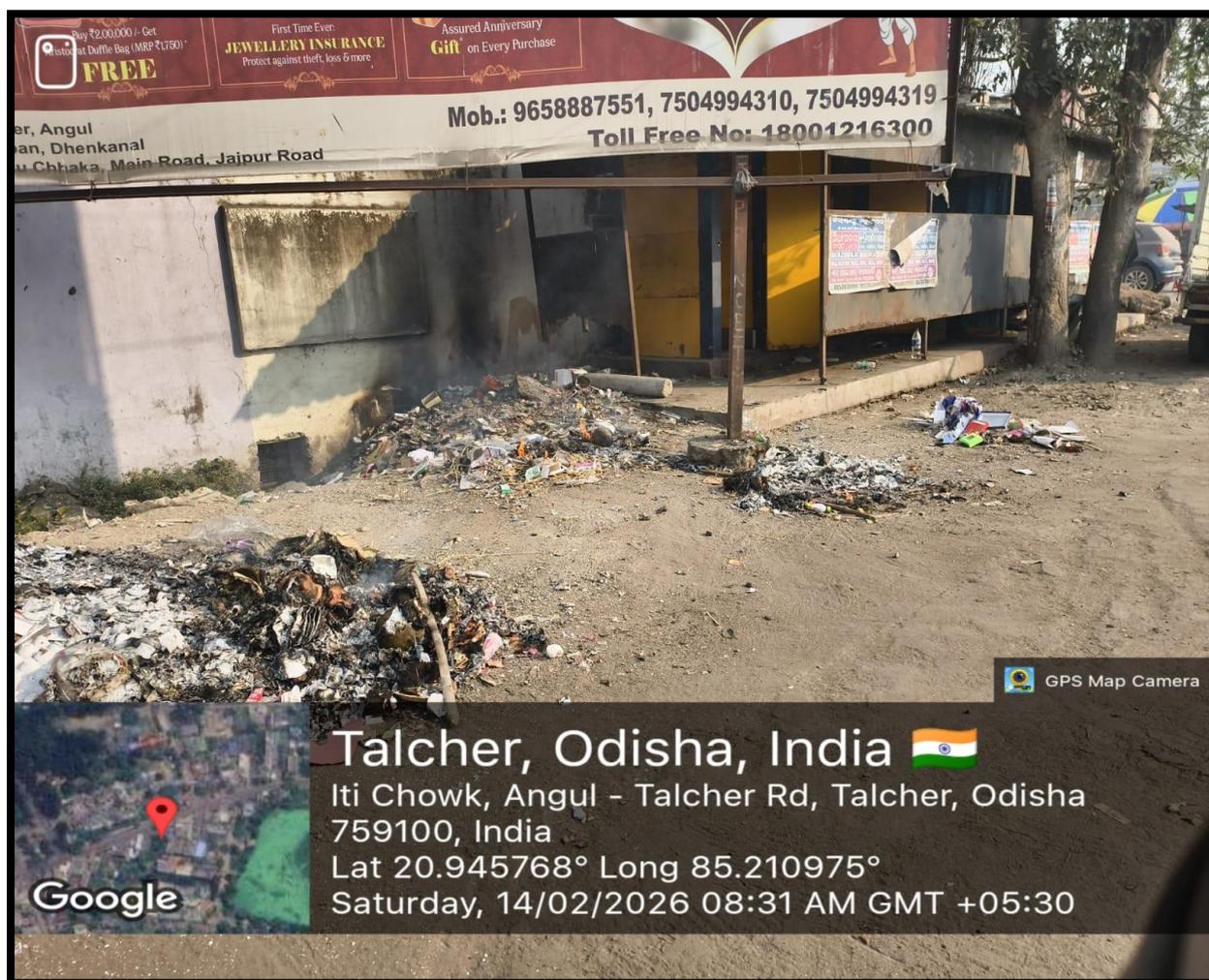
*Tone Copy
Attested
Bela Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 14/02/2026 (ITI Chowk, Talcher)

Fast food shops, medicine shops, hotels throwing garbage on public place which cause foul smell as well as littering by stray animals

More important fact is sweepers burn these waste which cause air pollution

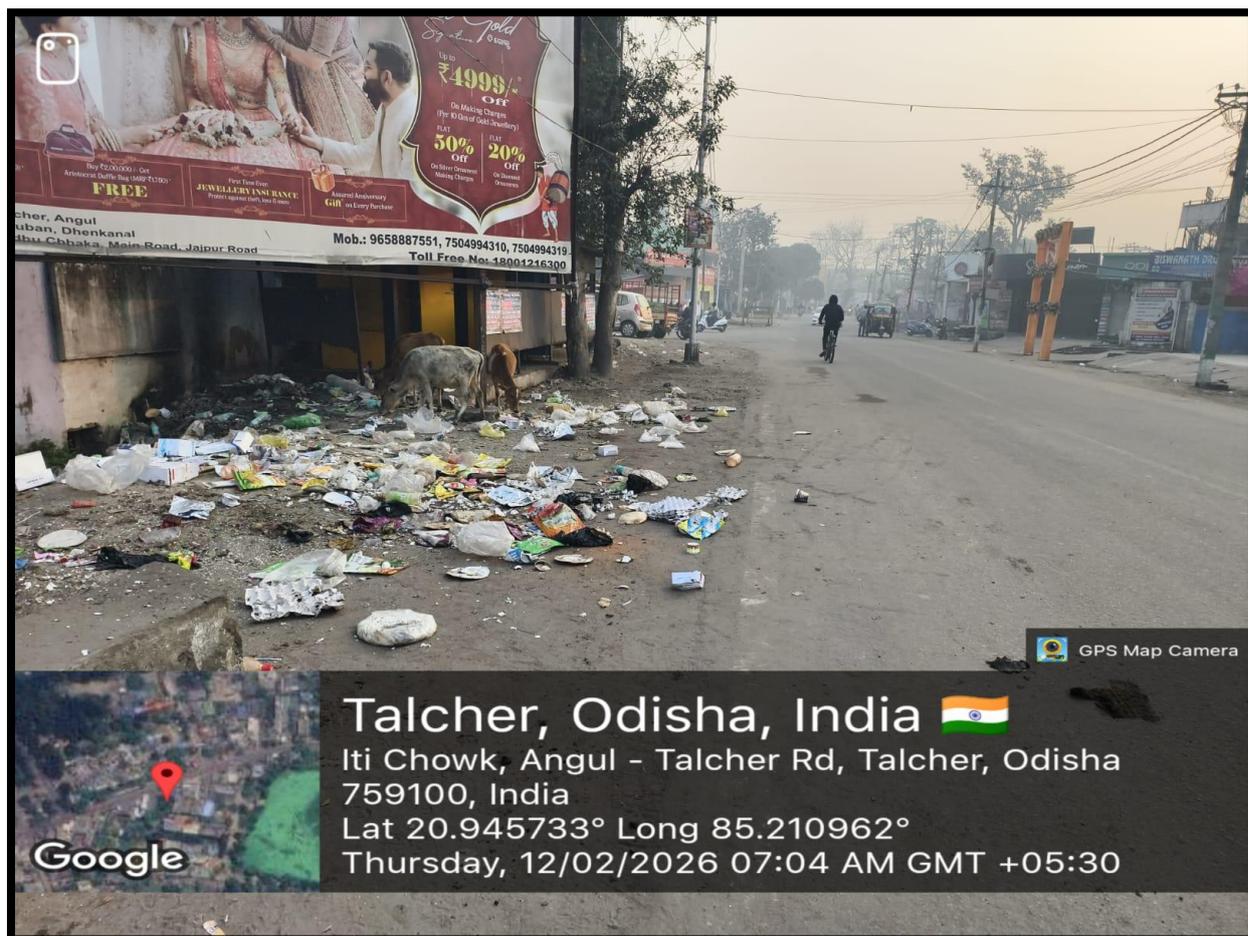


*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 12/02/2026 (ITI Chowk, Talcher)

Fast food shops, medicine shops, hotels throwing garbage on public place which cause foul smell as well as littering by stray animals



*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 07/02/2026 (ITI Chowk, Talcher)

Fast food shops, medicine shops, hotels throwing garbage on public place which cause foul smell as well as littering by stray animals



ANNEXURE - 1

Pictures taken on 12/02/2026 (Sharma Chowk, Talcher)

Shops throwing garbage on public place which cause foul smell as well as littering by stray animals



*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 07/02/2026 (Hatatota Main Road, Talcher)

Shops throwing garbage on public place which cause foul smell as well as littering by stray animals

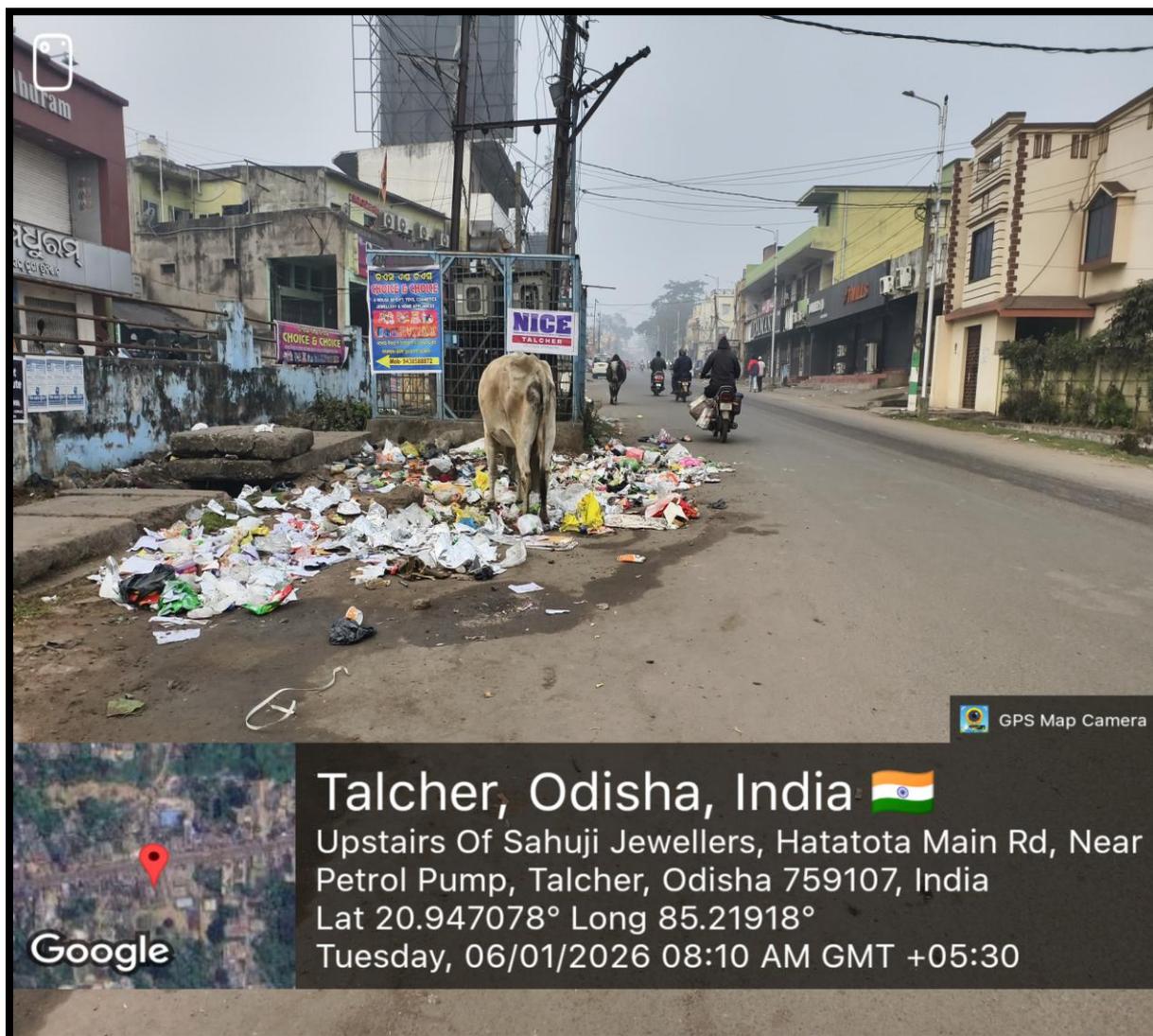


*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 06/01/2026 (Hatatota Main Road, Talcher)

Shops throwing garbage on public place which cause foul smell as well as littering by stray animals



*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1**Pictures taken on 07/02/2026 (Hatatota Main Road, Talcher)**

Shops throwing garbage on public place which cause foul smell as well as littering by stray animals



*Tone Copy
Attested
Bela Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 12/01/2026 (Handidhuan Chhak, Talcher)

Shops throwing garbage on public place which cause foul smell as well as littering by stray animals



*True Copy
Attested
Bela Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 24/01/2026 (Hatatota Main Road, Talcher)

Shops throwing garbage on public place which cause foul smell as well as littering by stray animals



*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1**Pictures taken on 07/02/2026 (Hatatota Main Road, Talcher)**

Medicine Shops thrown garbage on the road



*True Copy
Attested
Bela Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 21/01/2026 (Hatatota Main Road, Talcher)

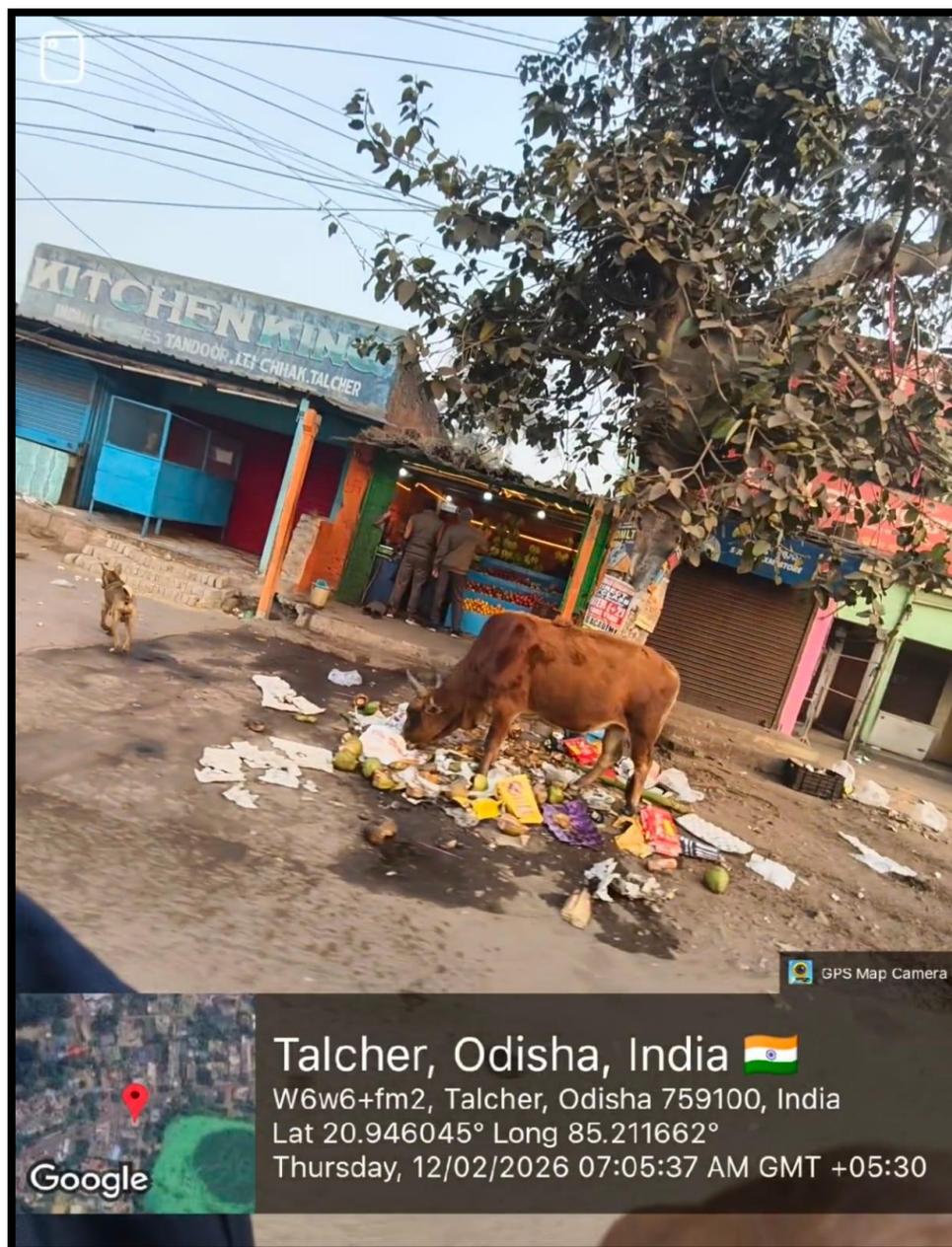
Fruit shop thrown garbage on the road



*True Copy
Attested
Baba Prasad Sahoo*

ANNEXURE - 1**Pictures taken on 12/02/2026 (Hatatota Main Road, Talcher)**

Fruit shop thrown garbage on the road

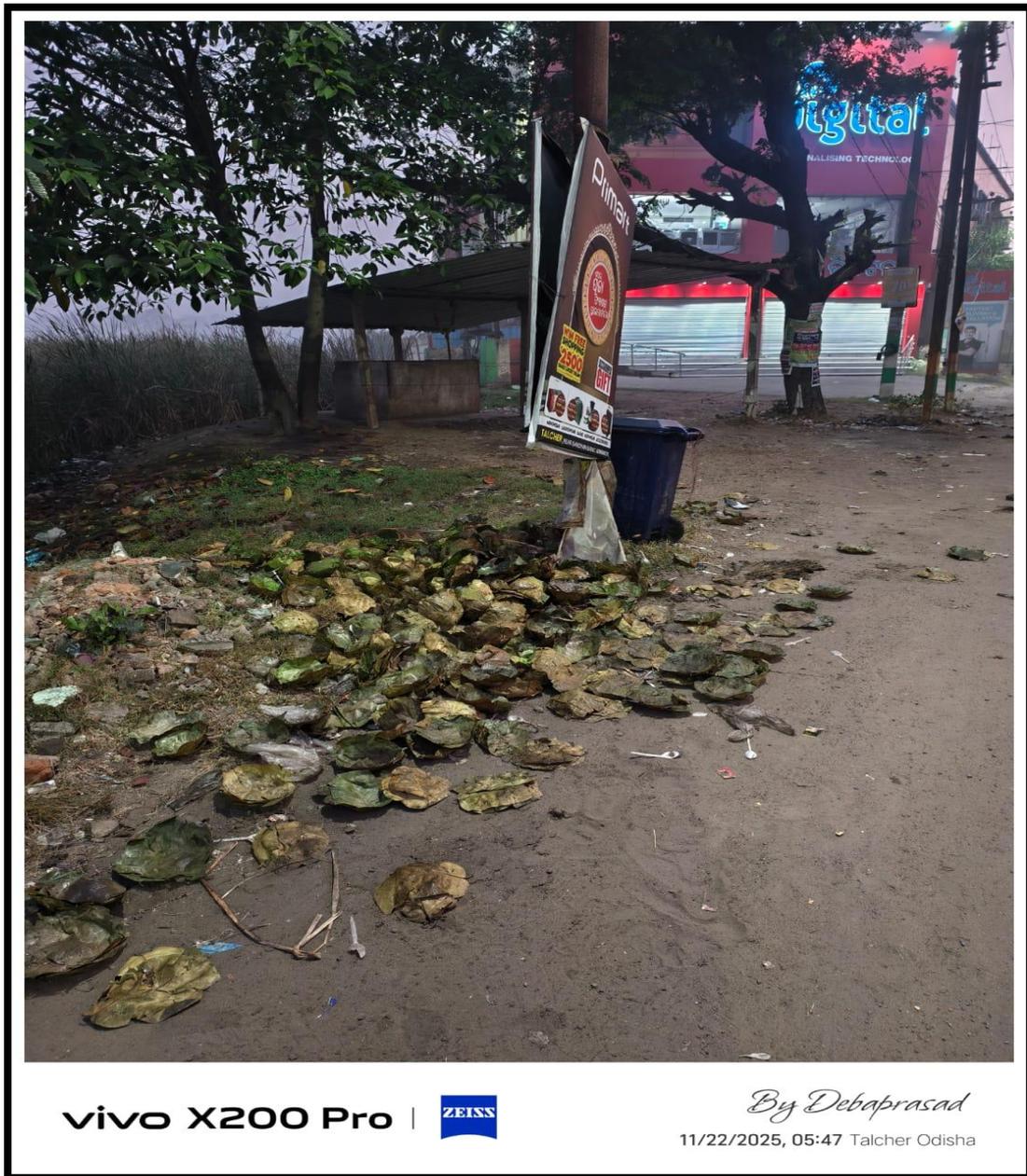


*Tour Copy
Attested
Baba Prasad Sahar*

ANNEXURE - 1

Pictures taken on 22/11/2025 (Near Reliance Digital, Talcher)

Food shop thrown garbage on the road



*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1

Pictures taken on 22/11/2025 (ITI Chhak, Talcher)

Medicine shop thrown garbage on the road and put it into fire



*True Copy
Attested
Deba Prasad Sahoo*

ANNEXURE - 1**Pictures taken on 06/07/2025 (Near Tahasil Office, Talcher)**

Grocery and Vegetable shop thrown garbage on the road

Saloon thrown human hairs on the road



*True Copy
Attested
Deba Prasad Sahoo*