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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.- 135 OF 2025

I.A NO.- 43 OF 2026IN THE MATTER OF

ALAKA MISHRA AND OTHERS

APPLICANTS

Versus

STATE OF ODISHA AND OTHERS

RESPONDENTS

INDEX

| SI NO | PARTICULARS   | PAGE NO |
|-------|---|---------|
| 1     | MEMORANDUM OF APPLICATION                                 | 1-7     |
| 2     | Copy of the tender notice dated 30/03/2026 as ANNEXURE-1. | 8-12    |

PLACE: Bhubaneswar

SANKAR PRASAD PANI

*S.Pani*

DATE: 07/04/2026

ASHUTOSH PADHY

*A.Padhy*

Plot 2132/4814, Nageswar Tangi, Bhubaneswar 751002 Cell-9437279278,

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA**

*(Under Section 19(4) (i), (j), (k) read with 18(1) of National Green Tribunal Act, 2010)*

**ORIGINAL APPLICATION NO.- 135 OF 2025**

**I.A NO.- \_\_\_\_\_ OF 2026**

**IN THE MATTER OF:**

1. Alaka Mishra, W/o- Harekrushna Mishra, aged about 75 years,
2. Ashis Narayan Mishra, S/o-Harekrishna Mishra, Aged about 43 years,
3. Shanti Swarup Purohit, S/o- Mayadhar Purohit, aged about 70 years,
4. Hrusikesh Meher, S/o- Damodar Meher, aged about 51 years,
5. Dolamani Purohit, S/o- Mayadhar Purohit, aged about- aged about 63 years
6. Jharana Meher, aged about 51 years
7. Kunja Bihari Sahu, S/o Muralidhar Sahu, aged about 76 years,
8. Santilata Sahu, D/o- Dwaru Sahu, aged about 60 years
9. Rudramani Meher, S/o Ananta Rama Meher, aged about- 66 years

Applicant 1-9 all are residents of At/Po/Ps- Rajborasambar, Padampur,  
Dist- Bargarh, Pin-768036 .....**APPLICANTS**

**VERSUS**

1. **State of Odisha**, Additional Chief Secretary, Revenue and disaster management department, Govt. of Odisha, Kharavela Bhawan, Bhubaneswar, Odisha, 751001, Email: [revsec.od@nic.in](mailto:revsec.od@nic.in)
2. **Principal Secretary**, Commerce & Transport Department, Government of Odisha, At/po- Kharavela Bhawan, Bhubaneswar-751001, E-mail: [ctsec.or@od.gov.in](mailto:ctsec.or@od.gov.in)



**3. District Collector, BARGARH**

At/Po/Dist- BARGARH, Odisha, 768028, [dm-bargarh@nic.in](mailto:dm-bargarh@nic.in)

**4. The Tahasildar, Padampur, At/po/Ps/- 2327+84Q, Padampur, Padampur Town, Odisha 768036, Email: [tah.padmap-od@nic.in](mailto:tah.padmap-od@nic.in)**

**5. Regional Transport Officer, Bargarh, At/Po- 8JVF+34C, RTO Off, Old National Highway 6, Bargarh, Odisha 768028, Email- [rtobgh@yahoo.co.in](mailto:rtobgh@yahoo.co.in)**

**6. Revenue Divisional Commission Northern Division, Sambalpur, Represented through its Commissioner, At/Po- FX4G+X98, Hans Nagar, Sambalpur, Odisha 768001, Email- [rdcsbp@nic.in](mailto:rdcsbp@nic.in)**

**7. Padampur Notified Area Council, Represented through its Executive Officer, At/Po- X3X7+X3H, Padampur, Padampur Town, Odisha 768036, Email- [nac.padampur@gmail.com](mailto:nac.padampur@gmail.com)**

.....RESPONDENTS

**IA ONBEHALF OF APPLICANT TO STAY THE TENDER NOTICE DATED 30/03/2026 ISSUED FOR CONSTRUCTION OF ATAL BUS STAND (B-TYPE) AT PADAMPUR UNDER RAJBORASAMBAR BLOCK, BARGARH.**

**MOST RESPECTFULLY SHOWETH**

1. That the Original Application has been filed by the Applicants challenging the Diversion/Alienation of Water body for the purpose of construction of a Bus-stand by the State Transport Department without considering the available alternative land, impact of filling the water body on environment and local residents, future inundation of the local area as the storm water could no more be discharged.

2. That in the Original Application Applicants have prayed for the following reliefs,



- I. *Call upon the Respondents to show cause as to why the prayers made here under shall not be allowed and after perusing the causes, if any, shown made the said rule absolute and further be pleased to direct the Respondents as prayed herein under.*
- II. *Direct to the State respondents to prepare the action plan for protection, preservation of the water body with reference to the Hon'ble Apex Court observations made in the matter of Jitendra Singh ( Supra) and Hinchlal Tiwari (Supra).*
- III. *And upon causes shown, if any, or upon insufficient causes shown make the said Rule absolute.*
- IV. *And may pass any appropriate order/orders as deemed just and proper.*

3. That the Hon'ble Tribunal on dated 12/08/2025 issued notice to all the Respondents and directed to file their response/reply by way of affidavit before the Eastern Zonal Bench of the Tribunal at least one week before the next date of hearing through e-filing and the next date for hearing is fixed on 19/09/2025.

4. That on dated 19/09/2025 considering the facts and circumstances of the matter Hon'ble Tribunal pleased to direct the Respondents to maintain status quo over the site in question. Relevant portion of the Order dated 19/09/2025 is reproduced as follows,

***“7. In view of the averments made in the Original Application, attaining facts and circumstances of the case and precautionary principle embodied in Section 20 of the National Green Tribunal Act, 2010, the respondents are directed to maintain status-quo as prevailing today with respect to the nature and further construction over the above-mentioned land claimed to be water body/pond.”***



5. That the main O.A. challenges the illegal diversion/alienation of a vital water body at Padampur for the construction of the Atal Bus Stand. The project is being pursued without considering alternative non-forest/non-water body land and without assessing the ecological impact.
6. That during the pendency of this matter, the Respondents have issued a **Tender Notice dated 30/03/2026** (Estimated cost: ₹28,75,31,067.00) for the commencement of construction. This indicates an intent to fill the water body immediately, which would render the main O.A. infructuous. Copy of the tender notice dated 30/03/2026 is annexed here unto as **ANNEXURE-1**.
7. That the subject pond serves as a natural catchment for rainwater and a vital recharge point for the groundwater table. In the water-scarce region of Padampur, its destruction will lead to the depletion of surrounding wells and farmlands.
8. That the issuance of the tender while the legality of the project is sub-judice before this Hon'ble Tribunal is a blatant attempt to create third-party rights and present a *fait accompli* situation, thereby undermining the judicial process.
9. That the Applicant has a strong *prima facie* case on merits. The balance of convenience lies in favor of staying the tender, as the commencement of construction would cause irreparable loss to the environment which cannot be compensated.
10. That the tender process is moving swiftly, and unless stayed, the Respondents may finalize the bidder and commence work on-site, rendering the main O.A. infructuous.
11. That the issuance of the Tender Notice dated 30/03/2026, in the face of this Hon'ble Tribunal's **status-quo order** dated 19/09/2025, is a direct contravention of judicial orders. This willful disobedience by the Respondents amounts to **contempt**, as it demonstrates a complete



disregard for the pending proceedings and the environmental concerns raised herein.

**PRAYER**

That in view of the above mentioned paragraphs it is most humbly prayed before this Hon'ble Tribunal to,

- I. Stay the operation and execution of the Tender Notice dated 30/03/2026 for the construction of Atal Bus Stand (B-Type) at Padampur (mentioned at serial No.2 of the tender notice).
- II. Pass any other order as this Hon'ble Tribunal deems fit in the interest of the environment and justice.

And for this act of kindness, the Applicants shall, as in duty bound, ever pray.

BY THE APPLICANTS

THROUGH ADVOCATE

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

ORIGINAL APPLICATION NO.- 135 OF 2025

IN THE MATTER OF:

ALAKA MISHRA AND OTHERS

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STATE OF ODISHA AND OTHERS

RESPONDENTS

AFFIDAVIT

I, Hrusikesh Meher, S/o- Damodar Meher, aged about 51 years resident of Rajborasambar, Padampur, Dist- Bargarh, Pin-768036, do hereby solemnly affirm, and declare as under:

1. That I am one of the applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That I am authorized by other applicants to swear this affidavit.
3. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

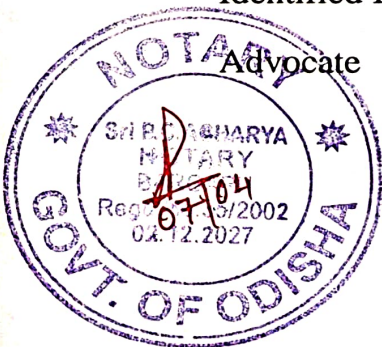
*Hrusikesh Meher*  
DEPONENT

VERIFICATION

Verified on this 7th day of April...2026 at Bargarh, that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By

*Hrusikesh Meher*  
DEPONENT



*Sri P. C. Acharya*  
NOTARY  
Bargarh, Orissa



**Tender Call Notice No.****31/OPHWC/2025-26****BID DOCUMENT****FOR  
COMPOSITE TENDER OF BUILDING WORKS****NAME OF THE WORK:  
DIFFERENT WORKS****CHIEF ENGINEER****The Odisha State Police Housing & Welfare Corporation Ltd., Janpath,  
Bhoi Nagar, Bhubaneswar – 22.**

INDEX

| <b>SL.NO</b> | <b>PARTICULARS</b>                        | <b>PAGES</b> |
|--------------|---|--------------|
| <b>01.</b>   | <b>INVITATION FOR BID</b>                 | <b>3-7</b>   |
| <b>02.</b>   | <b>INSTRUCTION TO BIDDERS</b>             | <b>8-27</b>  |
| <b>03.</b>   | <b>CHECK LIST FOR REFERENCE OF BIDDER</b> | <b>28-31</b> |
| <b>04.</b>   | <b>CONTRACT DATA</b>                      | <b>32</b>    |
| <b>05.</b>   | <b>DTCN</b>                               | <b>33-87</b> |

**COVER-I****TECHNICAL BID DOCUMENTS**

The Odisha State Police Housing & Welfare Corporation Ltd., Bhubaneswar  
INVITATION FOR BIDS (IFB)

**Tender Call Notice No.- 31/OPHWC/2025-26.**

1. The Chief Engineer, The Odisha State Police Housing & Welfare Corporation Ltd., Bhubaneswar on behalf of “ **Odisha State Road Transport Corporation, Bhubaneswar**” invites **Percentage Rate bids** in **double cover** system in **online mode** for the construction of works as detailed in the table, from the class of eligible contractors as mentioned in column - 7(seven) registered with the State Governments and contractors of equivalent Grade/ Class Registered with Central Government/ MES/ Railways/CPWD for execution of civil works. The proof of registration from the appropriate authority shall be enclosed along with the Bid. If successful, the bidder who has not registered under State Government has to register under the appropriate registering authority of the State Government of Odisha in appropriate class of eligibility before award of the work as per prevalent registration norms of the state.

2. The bidders may submit bids for the following works.

| Sl. No  | Name of the work  | Approximate Estimated Cost(Rs.) | EMD/Bid Security (Rs.) (online mode) | Cost of Bid document Inclusive of 18% towards GST (online mode) (Rs.) | Period of completion | Class of Contractor      |
|---|---|---------------------------------|--------------------------------------|---|----------------------|--------------------------|
| 1   | 2   | 3                               | 4                                    | 5   | 6                    | 7                        |
| <b>Double Cover (NOTICE NO. 31/OPHWC/2025-26)</b> |   |                                 |                                      |   |                      |                          |
| 1   | Construction of Atal Bus Stand (A-Type) at Nuagaon under Deogarh Block, Deogarh.  | ₹ 38,23,39,783.00               | ₹ 38,23,400.00                       | ₹ 11,800.00   | 24 Months            | Spl. Class & Super Class |
| 2   | Construction of Atal Bus Stand (B-Type) at Padampur Under Rajborasambar Block, Bargarh.   | ₹ 28,75,31,067.00               | ₹ 28,75,300.00                       | ₹ 11,800.00   | 18 Months            | Spl. Class & Super Class |
| 3   | Construction of Atal Bus Stand (B-Type) at Andhia Under Nimapara NAC Block, Puri.   | ₹ 28,24,27,405.00               | ₹ 28,24,300.00                       | ₹ 11,800.00   | 18 Months            | Spl. Class & Super Class |
| 4   | Construction of Atal Bus Stand (C-Type) at Chandahandi, Nowrangpur.   | ₹ 9,72,54,855.00                | ₹ 9,72,500.00                        | ₹ 11,800.00   | 15 Months            | A Class & Spl. Class     |
| 5   | Construction of Atal Bus Stand (C-Type) at Kunchanapalli under Podia Block, Malkangiri.   | ₹ 9,71,43,590.00                | ₹ 9,71,400.00                        | ₹ 11,800.00   | 15 Months            | A Class & Spl. Class     |
| 6   | Const. of Atal Bus Stand (C Type) at Sunalarambha Under Bheden Block, Bargarh.  | ₹ 7,72,10,496.00                | ₹ 7,72,100.00                        | ₹ 11,800.00   | 15 Months            | A Class & Spl. Class     |
| 7   | Cluster for 1. Construction of 12 Nos. E Type Qtr. & 2. Construction of 4 Nos. D Type Qtr. For Staff at RTO Baripada, Mayurbhanj. | ₹ 5,46,26,699.00                | ₹ 5,46,300.00                        | ₹ 11,800.00   | 12 Months            | A Class                  |

|    |   |                     |                  |                |              |                         |
|----|---|---------------------|------------------|----------------|--------------|-------------------------|
| 8  | Cluster for 1. Construction of 6 Nos. F Type Qtr. (S+3) of Sambalpur-I, 2. Construction of 6 Nos. F Type Qtr. (S+3) of Sambalpur-II & 3. Construction of 3 Nos. E Type Qtr. With Stilt of Sambalpur-II Excise Station at Kainsir under Sambalpur Tahasil. | ₹<br>5,44,39,721.00 | ₹<br>5,44,400.00 | ₹<br>11,800.00 | 12<br>Months | A Class                 |
| 9  | Construction for Upgradation of Swimming Pool of Odisha Maritime Academy at Paradip, Jagatsinghpur.   | ₹<br>3,32,35,038.00 | ₹<br>3,32,400.00 | ₹<br>11,800.00 | 10<br>Months | A Class                 |
| 10 | Cluster for 1. Construction of Office Cum Residence of DSE & 2. Construction of 2 Nos. E Type Qtr. (S+2 with Stilt Floor) at R.Udayagiri, Gajapati.   | ₹<br>3,04,68,907.00 | ₹<br>3,04,700.00 | ₹<br>11,800.00 | 10<br>Months | A Class                 |
| 11 | Construction of 2 Nos. E Type Qtr. (S+2 with Stilt Floor) for Inspector & Sub-Inspector of Dist. Excise Mobile Unit at Gajapati.  | ₹<br>77,82,770.00   | ₹<br>77,800.00   | ₹<br>11,800.00 | 10<br>Months | B Class<br>& A<br>Class |

**N.B. - The quoted rate should be all inclusive but Excluding G.S.T. as applicable Under works contract.**

Requirements under Goods & Service Tax Act.

i. The supplier of goods or service or both shall submit the tax invoice for release of payment and the tax invoice should include all the particulars and contents as required under section-31 of the CGST/SGST/IGST/UTST Act, 2017 read with rules made there under, including the followings:

- a. Correct Name, Address & GST No. of both the Supplier and recipient.
  - b. "Tax Invoice" should be clearly mentioned on the invoice copy.
  - c. GST should be clearly mentioned separately.
  - d. Correct classification of supply of goods, services or both should be made.
  - e. Nature of supply whether it is interstate or intra state should be mentioned.
  - f. Place of supply should be mentioned.
  - g. Prevailing rate of tax should be clearly mentioned.
  - h. Levy of Tax whether as forward charge or reverse charge should be mentioned.
  - i. The supplier shall submit a original copy of Tax Invoice to the Corporation (OSPHWC).
- A. The supplier shall declare that the tax so collected from the Corporation will be duly discharged either by using input tax credit or paid as per provisions under GST Act.
  - B. The supplier shall declare that the supply date as mentioned in the invoice will be disclosed correctly in the relevant monthly return (such as GSTR-1, GSTR-2, GSTR-3, GSTR-3B and other relevant forms).
  - C. Corporation is a registered dealer/assesse under GST Act and having GST No- 21AABCT7853N2ZZ . It has to claim Input tax credit for GST paid to the contractors/vendors against its output tax liability. Therefore, respective GST returns should be filed under B2B Category.
  - D. The supplier shall also agree that he will compensate for input tax credit if not allowed to Corporation due to non-disclosure or improper disclosure in the aforesaid returns as required under GST Act.
  - E. If the supplier is unregistered under GST Act., in that case the supplier should submit an undertaking that his turnover is within the threshold limit.
  - F. Anti-profiteering clause. : The supplier should declare that the benefit on account of change of rate of GST and input tax credit will be passed on to Corporation by way of reducing the contact prices and there shall not be any double taxation.
  - G. As and when GST Law requires deduction of withholding tax i.e., TDS under section 51 of GST Law, Corporation shall deduct such tax as per prevailed provisions.
  - H. Supplier of goods shall issue way bill as and when required as per provisions of GST law for supply of goods.

3. Bid documents consisting of plans, specifications, the schedule of quantities and the set of terms and conditions of contract and other necessary documents can be seen in the website: [www.tendersodisha.gov.in](http://www.tendersodisha.gov.in).

4. The cost of bid document and EMD/Bid Security as specified for the work in col. No.- 4 & 5 above shall be deposited in online as per instruction in the portal.

5. The Bid documents will be available in the website: [www.tendersodisha.gov.in](http://www.tendersodisha.gov.in) from **Dt.30/03/2026 to Dt.16/04/2026** up to **5.00 P.M** for online bidding.

6. The bidder must possess compatible Digital Signature Certificate (DSC) of Class-II or Class-III.
7. Bids shall be received only “on line” on or before **Dt.16/04/2026 up to 5.00 P.M.**
8. Bids received on line shall be opened at **10:30 A.M. on Dt.17/04/2026** in the office of the **Chief Engineer**, OSPH&WC in the presence of the bidders who wish to attend. Bidders who participated in the bid can witness the opening of bids after logging on to the site through their DSC. If the office happens to be closed on the last date of opening of the bids as specified, the bids will be opened on the next working day at the same time and venue.
9. After opening of the Financial bid, the original documents of the successful lowest bidder as per requirement of the DTCN will be verified at the offices of the undersigned within 5 (five) working days of opening of the bid.
10. Other details can be seen in the bidding documents.
11. The authority will not be held responsible for any technical snag or network failure during on-line bidding.
12. The bidder may ask questions in our e-mail Id- [ophwc.od@od.nic.in](mailto:ophwc.od@od.nic.in) related to the tender for clarification.
13. The authority reserves the right to cancel any or all bids without assigning any reason. An affidavit is to be furnished by the contractor/bidder at the time of submitting bid document that he is not blacklisted/defaulted contractor. The authority reserves the right to reject any or all bids without assigning any reason thereof & can impose any conditions as deemed proper before finalization of tender.
14. **The provision of chowkhats & shutters if any shall be procured as per size and specification from nearest Panchayat Industries Office.**
15. **All future correspondence with the bidder are to be made through his/her/their registered email Id only.**
16. **Critical data sheet:-**
  1. **Published date. - Dt.30.03.2026.**
  2. **Bid document Download/Start sale date: - Dt.30.03.2026.**
  3. **Bid Submission End date and time:-Dt.16.04.2026 up to 5:00 P.M.**
  4. **Bid opening Date and time: - Dt.17.04.2026 at 10.30 A.M.**
  5. **Technical Presentation among qualified bidders as per stipulations made in DTCN Clause no-110 (m) will be conducted on Date and time: - **Date & Time will be notified after opening of the Technical Bid.****
17. The addendum / Corrigendum, if any, will be hosted in the website only.



Sankar Pani &lt;sankarprasadpani@gmail.com&gt;

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**IA FILED ONBEHALF OF APPLICANT IN THE MATTER OF OA 135 OF 2025,  
NGT/EZ.**

1 message

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**Sankar Pani** <sankarprasadpani@gmail.com>  
To: office@padmeshmishra.com, nac.padampur@gmail.com

Thu, Apr 9, 2026 at 8:27 PM

Dear Sir/Madam, please find copy of the IA filed on behalf of Applicant to stay the tender notice dated 30/03/2026.

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Sankar Prasad Pani, Environment Lawyer  
National Green Tribunal Kolkata & Orissa Highcourt  
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