

**BEFORE HONBLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA.**

**O.A NO.- 42 OF 2024/EZ**

**I.A No.-45 OF 2026**

**IN THE MATTER OF:**

**BIMAL HEMBRAM AND ANOTHER**

**APPLICANTS**

**VERSUS**

**STATE OF ODISHA AND OTHERS**

**RESPONDENTS**

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PLACE: Bhubaneswar

DATE: 15/04/2026



**SANKAR PRASAD PANI**

**ASHUTOSH PADHY**

**ADVOCATE**

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-9437279278, Email: [sankarprasadpani@gmail.com](mailto:sankarprasadpani@gmail.com)

**BEFORE HONBLE NATIONAL GREEN TRIBUNAL**

**EASTERN ZONE BENCH, KOLKATA.**

**Original Application No-42 of 2024**

**I.A. No.-\_\_\_\_\_ of 2026**

**IN THE MATTER OF:-**

1. Bimal Hembram, S/o Nanda Hembram, Aged about 34 years  
Resident of Jhatiapada, Byree, Jajpur, Odisha . 754082
2. Biswajit Mohanty, S/o Late Anant Charan Mohanty, Aged about  
40 years Resident of Byree, Jajpur, Odisha.  
754082...APPLICANT

**VERSUS**

1. Chief Secretary, LokSeva Bhawan, Sachivalaya Marg, At:  
Bhubaneswar, Dist.: Khurda, Odisha, Pin: 751001. E-mail ID :  
csori@nic.in
2. The Member Secretary, Central Pollution Control Board, Parivesh  
Bhawan, East Arjun Nagar, Delhi - 110032 Email:  
mscb.cpcb@nic.in, [ccb.cpcb@nic.in](mailto:ccb.cpcb@nic.in)
3. Deputy Director General of Forests (C), Ministry of Environment,  
Forest and Climate Change, Regional Office (EZ),A/3,  
Chandersekharpur, Bhubaneswar – 751023, Email: [roez.bsr-mef@nic.in](mailto:roez.bsr-mef@nic.in)
4. District Collector, Jajpur, At/PO/Dist-  
Jajpur759001,Email:dm-jajpur@nic.in

### 3

5. Member Secretary, State Environment Impact Assessment Authority, Odisha, QR No- 5RF-2/1, Unit IX, Bhubaneswar Odisha, 751022 Email: [seiaaorissa@gmail.com](mailto:seiaaorissa@gmail.com)
6. Member Secretary, Odisha State Pollution Control Board, Unit-VIII, Nilakanthanaga, Bhubaneswar, 751016, Odisha, Email: [paribesh1@ospcb.org](mailto:paribesh1@ospcb.org)
7. **Orissa Industrial Infrastructure Development Corporation (IDCO)**, Represented by its Managing Director, At/p-IDCO Tower, Janpath, Bhubaneswar-751022, Email: [cmd@idco.in](mailto:cmd@idco.in)
8. Divisional Forest Officer, Cuttack Division CWQ3+9RH, Balisahi, Government Press Employee Quarters, Cuttack, Odisha 753012, [dfo.cuttack@odisha.gov.in](mailto:dfo.cuttack@odisha.gov.in) ,
9. M/s. My Home Industries Pvt. Ltd. represented by SrDGM Environment (Green field Project) At: Rajoli Mul , Chandrapur, Telengana, Pin-441212 Email: [ogu@myhomegroup.in](mailto:ogu@myhomegroup.in)

#### **Respondents.**

#### **Interlocutory Application on behalf of Applicants for stay of further constructions.**

I, Bimal Hembram, S/o Nanda Hembram, Aged about 34 years Resident of Jhatiapada, Byree, Jajpur, Odisha . 751082, do hereby solemnly affirm, and declare as under, That I am one of the Applicants in the abovementioned application and authorized by other co-applicants to swear this affidavit,

1. That the original application has been filed by the Applicants challenging the illegal diversion of forest land for industrialization by IDCO Odisha without following the process laid down under Forest Conservation Act 1980.
2. That the original Application has been filed by the Applicants praying for the following reliefs,

## 4

- a. Restrain the Private respondents and IDCO from accessing and using the forest land for industrial activity until approval of central government is obtained under Forest Conservation Act of 1980.
  - b. Hold and Declare that the conversion of Sabik forest land to non-forest kism is contrary to law and there by illegal
  - c. Hold and declare that lease granted in favor of IDCO and subsequent transfer to the project proponent as illegal and void for want of forest clearance.
  - d. Pass any other order(s)/direction(s) that Your Lordships may deem fit and proper in the interest of justice, equity and good conscience.
3. That while the matter is pending before this Hon'ble Tribunal for adjudication, the Private Respondent has started construction of project work.
4. It is pertinent to mention here that the Final ROR of the land in question was finally published on 22/04/1998, pursuant to the Amin report prepared in 1997 wherein it is mentioned *“Sabik Khata No.610 is Anabadi Khata During field enquiry, it is found that the area of the concerned plot is not matched with map and submitted trace of area of Ac.220.97 dec. The Kissam of the said plot is ‘Pathuria Jungle’ and there is nobody in possession of the said plot. Hence, Hal Plot No.3854, area of Ac:220.97 recorded under Abada Ajogya Anabadi Khata”*. *Abad Ajogya Anabadi Khata is Uncultivable Waste land.*
5. It is not out of place to mention here that the affidavit of Chief Secretary Govt. of Odisha in paragraph 23, **it is admitted that there exist wild Elephant and other wild animals namely Monkey, Rabbit, Mongoose, Common Myna, Crow, Cobra, Python, Rat snake,**

## 5

**Monitor Lizard in nearby surrounding area of the project.** Hence any kind of **construction activity will destroy their habitation.**

6. It is further submitted that the Applicants on dated 30/10/2025 made a representation before the DM Jajpur and DFO Cuttack to stop the ongoing construction till disposal of the matter, however the concerned authorities did nothing on the representation made by the Applicants. Copy of the representation dated 30/10/2025 is annexed here unto as **ANNEXURE-1.**
7. That the photographs dated 31/10/2025 of the site in question also suggests the Private Respondent has started construction over the site in question. Copy of the photographs dated 31/10/2025 is annexed here unto as **ANNEXURE-2.**
8. It is further submitted that Private respondent has **illegally felled 33 numbers of Teak Trees, 104 number of cashew trees and 9 number of Sal trees from the site in question and illegally extracting morrums from the site in question.** Photographs showing large scale of tree felling has been done by the Private Respondent is annexed here unto as **ANNEXURE-3.**
9. It is not out of place to mention here that the Private Respondent after illegally felling the trees from the site in question, illegally excavated morrums and now engaged in leveling of the ground for construction activity. Copy of the photographs suggesting morrums have been extracted from the site in question and leveling of the ground is annexed here unto as **ANNEXURE-4.**
10. **It is further submitted that Trees have been felled from two different patches( one is 27.89 and 11.6Acre) inside the Boundary Wall of the Pvt Respondent Unit has been cleared and full fledged construction is ongoing while the matter is still pending before the Honble**

## 6

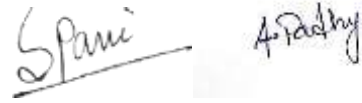
**Tribunal. The google earth images of different time span suggest the land use change made by the project proponent. Google Earth Image dated 6<sup>th</sup> Dec2022, 21 April 2025 and 27<sup>th</sup> December 2025 are annexed here with as ANNEXURE-5.**

### **PRAYER**

That in view of the above mentioned paragraphs it is most humbly prayed before the Hon'ble Tribunal to direct the District Magistrate Jajpur to stop the further construction activities over the land in question i.e. Hal plot no.4368, Khata No 1246, Mouza-Bayree relates to temporary plot No.3854, which relates to Sabik plot No.2024, till final disposal of the Original Application.

DATE-15/04/2026

APPLICANTS THROUGH



ADVOCATE

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL EASTER  
ZONE BENCH, KOLAKATA

ORIGINAL APPLICATION NO. 42 OF 2024 <sup>15 APR 2026</sup>

IN THE MATTER OF:

BIMAL HEMBRAM & OTHERS

APPLICANTS

VERSUS

STATE OF ODISHA AND OTHERS...

RESPONDENTS

AFFIDAVIT

<sup>15 APR 2026</sup>

I Biswajit Mohanty, S/o Late Ananta Charan Mohanty, Aged about 40 years Resident of Byree, Jajpur, Odisha . 754082, do hereby solemnly affirm, and declare as under:

1. That I am one of the Applicants in the abovementioned application and authorized by other co-applicants to swear this affidavit
2. I am fully conversant with the facts and circumstances of the case and therefore competent 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.

*Biswajit Mohanty*  
DEPONENT

**VERIFICATION**

Verified on this the 15 APR 2026 day of April 2024 at Bhubaneswar..... 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.

The above named deponent(s) being duly identified by Sri..... Advocate, Bhubaneswar appears before me on 15 APR 2026 at..... A.M./P.M. on oath the contents of his affidavit are true to the best of his / her / their knowledge and belief

*Biswajit Mohanty*  
DEPONENT  
**JANMEJAYA RAUTRAY**  
NOTARY, GOVT. OF ODISHA  
BHUBANESWAR  
REGD. NO. ON-86/2012  
Mob No.-7978581217



Identified By  
*[Signature]*  
Advocate

Deponent(s) Notary, Bhubaneswar

To,

Date- 30/10/2025

The Collector, Jajpur

Sub- Ongoing illegal construction on forest land by M/s. My Home Industries Pvt. Ltd., Byree, Jajpur.

Dear Sir,

I would like to bring your kind attention to the following few lines regarding the construction by M/s. My Home Industries Pvt. Ltd. on the land which has been subject of a dispute before the Hon'ble National Green Tribunal, Kolkata in OA No. 42 of 2024.

1. In the said matter notice was issued to the private company and all other state respondents on dated 29/04/2024. That in the said case matter the pleadings have been completed and it has been posted for final hearing on 20/11/2025. Copy of the order dated 01/09/2025 is attached for your kind reference.
2. That the Final ROR of the land in question was finally published on 22/04/1998, pursuant to the Amin report prepared in 1997 wherein it is mentioned "**Sabik Khata No.610 is Anabadi Khata During field enquiry, it is found that the area of the concerned plot is not matched with map and submitted trace of area of Ac.220.97 dec. The Kissam of the said plot is 'Pathuria Jungle' and there is nobody in possession of the said plot. Hence, Hal Plot No.3854, area of Ac:220.97 recorded under Abadha Jogya Anabadi Khata**"
3. It is important to bring to your notice that, in the affidavit of Chief Secretary Govt. of Odisha in paragraph 23 it is admitted that there exist wild Elephant and other wild animals namely Monkey, Rabbit, Mongoose, Common Myna, Crow, Cobra, Python, Rat snake, Monitor

Received  
copy.  
mm  
01/11/25

Received  
PR Section  
Collector, Jajpur

Lizard in nearby surrounding area of the project.

4. That in the affidavit dated 13/02/2025 filed by MoEFCC in paragraph No. 16 it is clear that the user agency has erected 15 No. of 33KV electric poles under Byree PF without any prior approval from the competent authority. That the Applicant on dated 03/03/2025 made a representation to all the concerned authorities regarding the uprooting of unauthorized 33kv power transmission line erected by the Private Respondent. Unfortunately as of now no action has been taken to remove the electric poles from forest land.
5. Needless to say that it is the Amin report which has been filed by the applicant as well as the State Govt. corroborate the claim of the applicant that the land in question is Pathuria Jungle and the same has been deleted only in the year 1998 which is much after than the commencement of Forest Conservation Act 1980 and the same is not permissible in law.
6. While the matter is pending for final adjudication before Hon'ble NGT the private company has started construction work on forest as well as non-forest land from 13/09/2025 onwards by engaging large number of vehicles, earth movers and heavy machines. Copy of photographs are attached for your kind reference.
7. In view of the pendency of the petition we request your good office to intervene in the matter and stop construction activities on the disputed land in question.

Sincerely

Bimal Hembram

Biswajit Mohanty

Copy To

DFO Cuttack, for necessary action.

1 - Bimal Hembram  
2 - Biswajit Mohanty

THAT THE BELOW ATTACHED PHOTOGRAPHS DATED 31/10/2025 SUGGESTS THE PRIVATE RESPONDENT HAS STARTED CONSTRUCTION ACTIVITY OVER THE LAND IN QUESTION





GPS Map Camera

**Mania, Odisha, India** 

J266+p24 Surendra Bahalia, Mania, Odisha  
754022, India


Lat 20.613362° Long 86.012317°

31/10/2025 12:40 PM GMT +05:30



GPS Map Camera



Mania, Odisha, India 

J266+p24 Surendra Bahalia, Mania, Odisha  
754022, India

Lat 20.613362° Long 86.012317°

31/10/2025 12:41 PM GMT +05:30

BELOW ATTACHED PHOTOGRAPH SUGGESTS THE PRIVATE RESPONDENT HAS ILLEGALLY FELLED LARGE NUMBER OF MATURE TREES EXISTING OVER THE LAND IN QUESTION



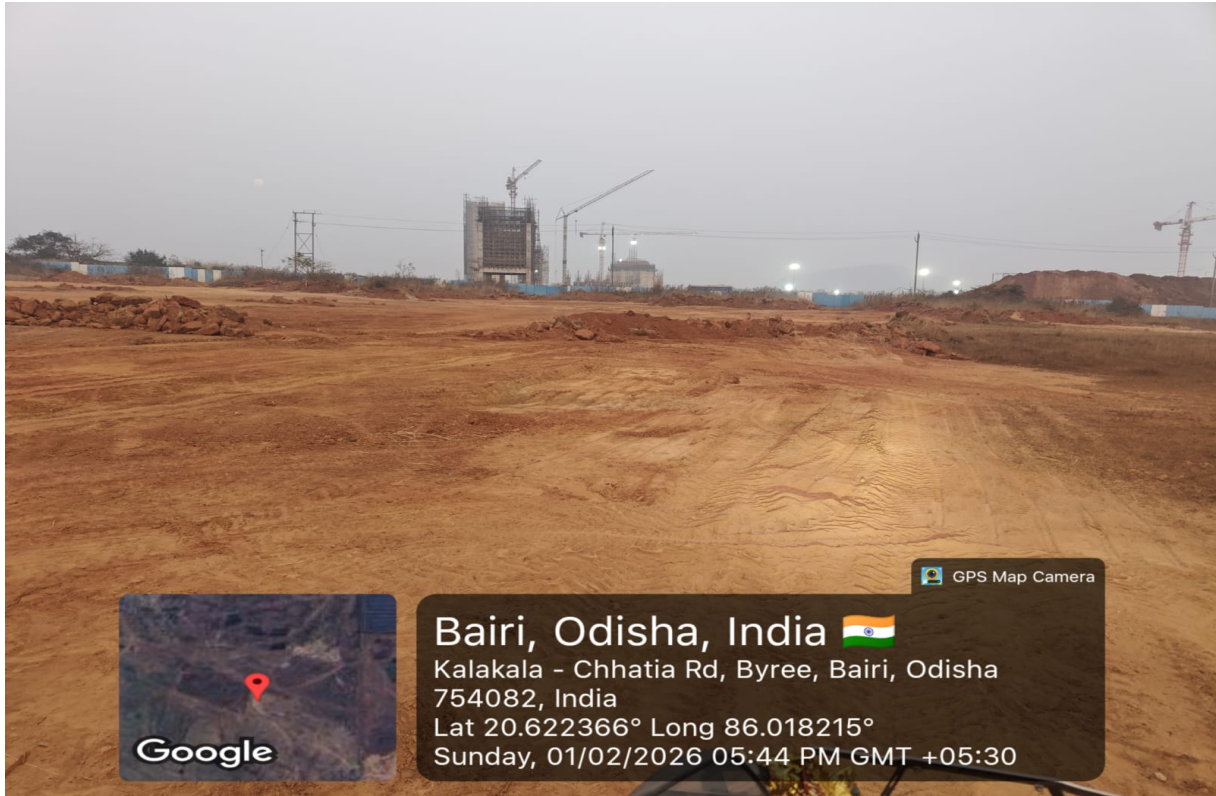
BELOW ATTACHED PHOTOGRAPH SUGGESTS THE PRIVATE RESPONDENT HAS ILLEGALLY FELLED LARGE NUMBER OF MATURE TREES EXISTING OVER THE LAND IN QUESTION



BELOW ATTACHED PHOTOGRAPH SUGGESTS THE PRIVATE RESPONDENT HAS ILLEGALLY FELLED LARGE NUMBER OF MATURE TREES EXISTING OVER THE LAND IN QUESTION



BELOW ATTACHED PHOTOGRAPH DATED 01/02/2026 SUGGESTS THE PRIVATE RESPONDENT HAS CLEARED THE LAND IN QUESTION BY FELLING LARGE NUMBER OF TREES AND ILLEGALLY EXTRACTING MORRUMS



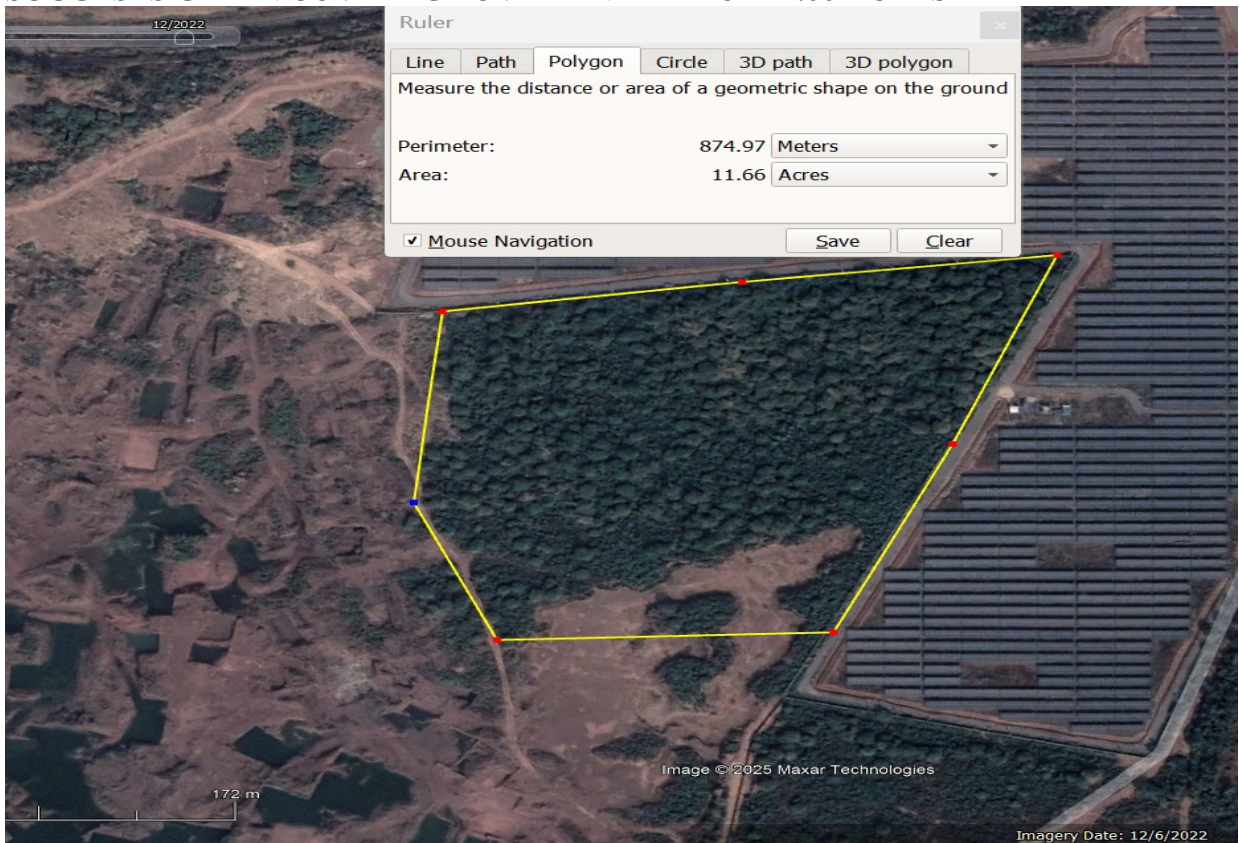
BELOW ATTACHED GOOGLE EARTH IMAGE DATED 29/12/2025 CLEARLY SUGGESTS THE ONGOING CONSTRUCTION OVER THE LAND IN QUESTION BY FELLING LARGE NUMBER OF TREES



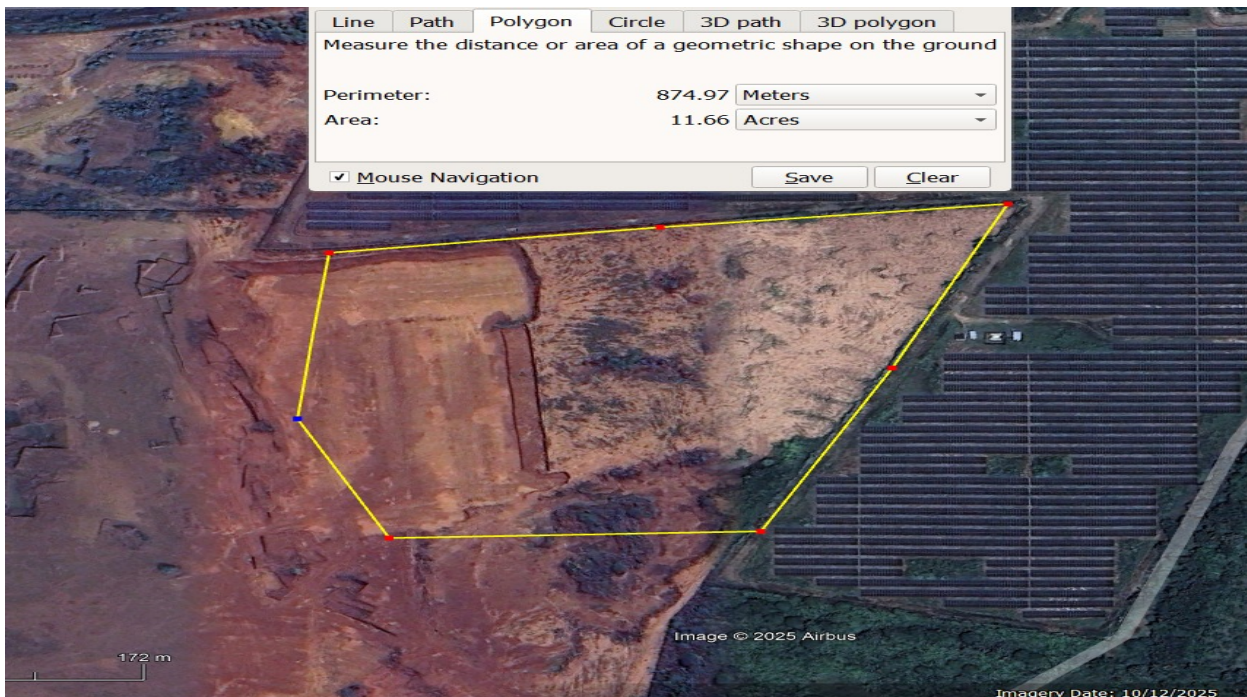
BELOW ATTACHED GOOGLE EARTH IMAGE DATED 21/04/2025 CLEARLY SUGGESTS GREEN COVER OVER THE LAND IN QUESTION



BELOW ATTACHED GOOGLE EARTH IMAGE DATED 06/12/2022 CLEARLY SUGGESTS GREEN COVERAGE OVER AN AREA OF 11.66 ACRES



BELOW ATTACHED GOOGLE EARTH IMAGE DATED 12/10/2025 CLEARLY SUGGESTS NO GREEN COVERAGE OVER AN AREA OF 11.66 ACRES AND THE PRIVATE RESPONDENT HAS ILLEGALLY FELLED THE TREES EXISTING OVER THE LAND IN QUESTION





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

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**IA FILED ON BEHALF OF APPLICANT IN OA 42 OF 2024.**

1 message

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**Sankar Pani** <sankarprasadpani@gmail.com>

Wed, Apr 15, 2026 at 2:48 PM

To: Aishwarya Dash <aishwaryadash010@gmail.com>, "Rajib Ray, Advocate" <rajib.ray.official23@gmail.com>, Dn Ray <raydnr@gmail.com>, apurba ghosh <apu7law@gmail.com>, Dipanjan Ghosh <dpnjnghsh0@gmail.com>, Pronoy Mohanty <pronoymohanty@gmail.com>, "Lalit K. Maharana" <lalitikumarana@gmail.com>

Dear Sir/Madam, please find the attachment.

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Sankar Prasad Pani, Environment Lawyer  
National Green Tribunal Kolkata & Orissa Highcourt  
Res-Plot No 2132/4814(B), Nageswar Tangi,  
Bhubaneswar, 751002  
Cell- 9437279278  
Skype- sankar.pani

**IA IN OA 42 OF 2024.pdf**

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