

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

IN THE MATTER OF:

Saroj Kumar Patra
versus
State of Odisha & Ors

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IN THE MATTER OF:

Saroj Kumar Patra
 versus
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COUNTER AFFIDAVIT FILED ON BEHALF OF
RESPONDENT NOS. 2 AND 4

I, **Sadakar Kumbhar**, aged about 55 years, S/o- **Balamani Kumbhar**, presently serving as Tahsildar, Jharsuguda, being Respondent No. 4 in the present matter and also being the authorized and competent officer to swear this affidavit on behalf of Respondent No. 2, the District Collector, Jharsuguda, do hereby solemnly affirm and state as follows:

1. That I am the Tahsildar, Jharsuguda (i.e. Respondent No. 4), in the captioned Original Application and have gone through the contents and purport thereof and have filed this Counter Affidavit for the proper and effective adjudication of this case. The present counter affidavit is also being filed on behalf of **Respondent No. 2** in the above-captioned Original Application. The deponent is well conversant with the facts and records of the

Sadakar Kumbhar
 Tahsildar
 JHARSUGUDA

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 P. N. TIWARI
 NOTARY, JHARSUGUDA

case, and the statements made herein are based on official records, field inspections, revenue records, and reports prepared in the discharge of statutory duties under applicable revenue and land laws.

2. 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.
3. 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 was instructed by DFO, Jharsuguda to conduct joint verification with Revenue Officials on the said land.

True copy of letter No. 6744/4F (Misc) dtd 16.12.2025 of Divisional Forest Office, Jharsuguda is enclosed herewith as **Annexure A/1**.

4. That the applicant has mentioned That the respondent Unit 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 vide Proposal No. FP/OR/OTHERS/550180/2025 through PARIVESH PORTAL



Sadakar Kumbhar

Tahasildar
JHARSUGUDA

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2.0 for forest diversion proposal over 4.0834 Ha Forest Land for construction of approach road for transportation of materials to and from plant area in village Sripura under Jharsuguda Forest division in Jharsuguda District. Respondent No.8 has 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 Tahasildar, Jharsuguda Tahasil. 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 is 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.



True copy of land schedules authenticated by Tahasildar, Jharsuguda Tahasil vide is enclosed herewith as **Annexure A/2**.

5. That It is a fact that the villagers filed a Grievance petition before the Collector, Jharsuguda on dtd. **13.10.2025** regarding illegal encroachment of the case land. Pursuant to the said petition, the **Revenue Inspector, Badmal** conducted a field enquiry and submitted his report vide **Letter No. 347** dated **12.12.2025**. The report reveals that the road in question has presently been widened to approximately **25-30 feet**. It has also been reported that slag materials have been dumped by the company on the

Sadalkari Kumbhar

Tahasildar
JHARSUGUDA

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adjoining field, as stated during local enquiry and verified from the statements of the local public (copy enclosed). Further, the report clarifies that although the road presently exists in widened form, it is not recorded as a public road in the revenue records; however, public easementary rights over the said pathway are in existence. **Annexure A/3**

6. Nothing to Comment.
7. Nothing to Comment.
8. Nothing to Comment.
9. Nothing to Comment.
10. Nothing to Comment.
11. Nothing to Comment.
12. Nothing to Comment.
13. Nothing to Comment.
14. Nothing to Comment.
15. Nothing to Comment.
16. Nothing to Comment.
17. Nothing to Comment.



Sadakar Kumbhar
Tahasildar
JHARSUGUDA

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P. N. TIWARI
NOTARY, JHARSUGUDA

18. 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

Advocate

Adv. 0.18/24

Sadakar Kumbhar
Tahasildar
DEPONENT
JHARSUGUDA

VERIFICATION

Verified at Jharsuguda on the 20th day of 2026 that the contents of paragraph 1 to 18 of my above Affidavit are true and correct and no part of it is false and nothing material has been concealed therefrom.

Sadakar Kumbhar
Tahasildar
DEPONENT
JHARSUGUDA

AFFIDAVIT

The above deponent being personally known to me appears before me on 20th Feb - 2026 and states on oath that the contents of the affidavit are true to the best of his knowledge based on official records.

Sadakar Kumbhar
DEPONENT
Tahasildar
JHARSUGUDA



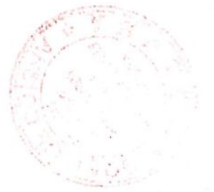
20.02.24

PRATAP NARAYAN TIWARI
NOTARY, JHARSUGUDA
REGD. NO. ON-01/13
MOB. No.- 9437345300



Section 13(1)(b)

Section 13(1)(b)



DIST. BAR ASSOCIATION
32 JHARSUGUDA
 SI.No. **616**
 Date **20-02-2025**



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Approved

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

THE VILLAGE : Sripura
 THE THANA & No : Jharsuguda-38
 THE TAHASIL : Jharsuguda
 THE DISTRICT : Jharsuguda

Khata No	Plot No	Total Area In Ac.	Proposed area to be allotted In Ac.	Proposed area to be allotted In Ha.	Klissam	Name of the Land Owner
	374(P)	3.560	0.270	0.1093	Gramya Jungle	Govt. of Odisha (Rakhita)
	427(P)	10.000	8.060	3.2618	Gramya Jungle	
	428(P)	6.140	0.730	0.2954	Gramya Jungle	
	434(P)	8.860	0.100	0.0405	Gramya Jungle	
	455(P)	17.550	0.930	0.3764	Gramya Jungle	
Total		46.110	10.090	4.0834		

*True copy
attached*

Signature
 Tahasildar
 JHARSUGUDA

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

Signature
 TAHASILDAR
 JHARSUGUDA

ENGLISH TRANSLATION OF ANNEXURE-A/2

Office of the Revenue Inspector, Badmal
Letter Number: 347 Date: 12.12.2025

To,
The Tehsildar, Jharsuguda.

Subject: Regarding the inquiry on the complaint filed by the villagers of Sripura against "Epsilon Carbon Ashoka Pvt. Ltd" for constructing a boundary wall by occupying government land.

Reference: Tehsildar Office Letter No: 6644 Date: 14.10.2025 & Tehsildar Office, Jharsuguda Letter No: 6791 Date: 27.10.2025

Sir,

In accordance with the order of the Tehsildar Jharsuguda on dated 19.11.2024, Case No: DM 2024/3533/17 Date: 12.09.2024, I reached the spot and conducted an inquiry regarding the complaint filed by the villagers of Sripura against the company "M/s- Epsilon Carbon Ashoka Pvt. Ltd, Sripura" for occupying the village road and the consequent construction. During the inquiry, it was observed that the road being used by the villagers is Khata No: 902 (Rakhita), Plot No: 441, Kisam: Jala-2, Area: 3.31, Kisam: Gochar, Plot No: 266, Kisam: Gramya Jungle, Area: 1.83 (untranslated word), Plot No: 363, Kisam: Taila-2, and Khata No: 994 (R.T:- [illegible], [illegible] Padhi etc.) Plot No: 265, Kisam: [illegible] the company is occupying the main road.

The said road currently does not exist on the spot and is merged with the company's premises. Since the villagers have complained, during the inquiry, the villagers and the company representatives were present. The company has occupied the road and constructed a wall. The villagers have expressed that because of the blockage of this road, they are facing great difficulty in commuting.

This report is submitted for your kind information and necessary action.

Yours faithfully,

-Sd/-

Revenue Inspector
Badmal, Jharsuguda



REMINDER

Forest, Environment and Climate Change Department, Odisha
 OFFICE OF THE DIVISIONAL FOREST OFFICER
 JHARSUGUDA FOREST DIVISION
 Email - dfo.jharsuguda@odisha.gov.in
 Ph - 06645 - 295040

Memo No.6744 /4F (Misc), Dated.16/12/2025

To: The Range Officer,
 Jharsuguda Forest Range

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

Ref: - This office memo No.5555/4F(Misc.), Dated.29.09.2025

With reference to this office memo cited above, you were directed to conduct a joint verification with Revenue Officials and the User Agency over Plot No. 427(P), Khata No. 178, Kisan-Gramya Jungle, included in the diversion proposal of 4,0834 ha. of forest land for construction of an approach road to M/s. Epsilon Carbon Ashoka Pvt. Ltd. in Village Sripura, to stop unauthorized activities by some unknown persons over forest land with immediate effect, as requested by the Location Head, M/s. Epsilon Carbon Ashoka Pvt. Ltd., Mumbai. However, till date, no inquiry report has been received in this office.

Hence, you are once again directed to conduct a joint verification with Revenue Officials and the User Agency over the above-mentioned land and stop the unauthorized activities over forest land with immediate effect.

This is for your information & necessary action.

[Signature]
 Divisional Forest Officer,
 Jharsuguda Forest Division

Memo No.6745/ Dated.16.12.2025

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

[Signature]
 Divisional Forest Officer,
 Jharsuguda Forest Division

Memo No. 206 Dt. 13/01/26
 Forwarded to R.O. [Signature]
 For enquiry and Report.

[Signature]
 Tahasildar,
 Jharsuguda
 13.1.2026

True Copy
 attached

[Signature]
 Tahasildar
 JHARSUGUDA