

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

Original Application No.158/2025/EZ

Surendra Tapasu & Others ... Applicant

-Versus-


Union of India & Others ... Respondents

I N D E X

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Cuttack By The Respondent Nos. 2 & 7 through

Date: 23.03.2026


**ADDL. STANDING COUNSEL
AISHWARYA DASH
E. NO. D/2372/2017
MOB. NO. 9583615112
E-mail: aishwaryadash010@gmail.com**

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA.

Original Application No.158/2025/EZ



Surendra Tapasu & Others ... Applicant

-Versus-

Union of India & Others ... Respondents

**REPLY ON BEHALF OF THE OPP. PARTY NOS. 02
AND 07 TO SUPPLEMENTARY AFFIDAVIT FILED
BY APPLICANT ON 19.02.2026**

I, Sri Ashok Kumar Behera, aged about 39 years, S/o
Dwijabar Behera, presently working as Asst. Conservator of
Forest, Puri, At./P.O./Dist.- Puri, do hereby solemnly affirm
and state as follows:-

1. That, I am presently working as above. I have gone
through the Original Application, Supplementary Affidavit
filed by the Applicant on 19.02.2026 including the
documents annexed thereto and understood the contents
thereof. I am otherwise also well acquainted with the facts
of the present case and competent to swear this affidavit by
virtue of my office and also being authorized to file the
present affidavit on behalf of Opp. Party No. 02 & 07.

Ashok Kumar Behera

22/3/2026
Surendra Prasad Dhal
Advocate
NOTARY, CUTTACK

A. D. S.

2. That before adverting to the reply to the supplementary affidavit, it is humbly submitted that all averments, contentions or statements made in the supplementary affidavit which are not specifically admitted or traversed herein shall be deemed to have been specifically denied. Any such assertions which are inconsistent with or contrary to the official records and the position of Opposite Parties shall not be deemed to have been admitted merely for want of specific denial and the petitioner is put to strict proof thereof.

3. That, in reply to the averments made in Paragraph No. 01 of the Supplementary Affidavit, it is humbly submitted that Puri being a coastal district and prone to coastal erosion, coastal shelter belt plantation is being taken up in different years by Puri (WL) Division. Further it can be mentioned here that as per the Van (Sanrakshan Evam Samvardhan) Rules, 2023, Compensatory Afforestation will be taken up against the diversion of forest land for non-forestry activity as per the approved SSWCP (Site Specific Wildlife Conservation Plan) which can also be used as a barrier against the cyclone and coastal erosion. Further it is

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Asad Kumar Singh

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Surendra Prasad Dha
Advocate
NOTARY, CUTTACK

humbly submitted that as per the request of the project proponent vide letter No. TRN-AV-GEN-0001-2021, 378/T dated 18.03.2025, a team of scientists and experts from ZSI, WII, Regional Office, Gopalpur visited the project site on 20.07.2025 and 21.07.2025 to study about the migratory birds and Central Asian Fly Way and the impact of the project on the birds and submitted an interim report. Further, as advised by the FAC the suggestions from the experts/scientists are being duly incorporated in the SSWCP.

Copy of the Letter No. TRN-AV-GEN-0001-2021, 378/T dated 18.03.2025 is annexed herewith and marked as **Annexure-F/2.**

4. That, in response to Paragraph No. 02 of the Supplementary Affidavit, being the matter of record, the same needs no comments.

5. That, in reply to the averments made in Paragraph No. 03 of the Supplementary Affidavit, it is humbly submitted that as per the compliance report submitted by the Commerce & Transport Department vide letter No. 4226

4226-3
Surentra Prasad Dhas
Advocate
NOTARY, CUTTACK

As per letter No. 4226

As per

dated 28.03.2025 to the EDS raised by FAC, MoEF & CC dated 10.12.2024, the boundary wall constructed over the project area was temporary one and the same was executed to prevent encroachment of the land by the local people. Further, it is pertinent to mention that the Divisional Forest Officer (DFO), Puri (WL) Division in his compliance letter vide Memo No.6283 dated 14.10.2024 mentioned that the boundary wall constructed over that the same boundary wall on the DLC Land has already been dismantled. In this regard DFO Puri, WL Division has already communicated the fact to District Collector, Puri vide his letter No 2000/3F-18/2025 dated 12.03.2025 to take necessary action at his end under appropriate revenue law. Further, on 10.03.2026 a team consisting of ACF(Enforcement), Puri (WL) Division, Range Officer, Bramahgir (WL) Range, Konark (WL) Range Tahsildar, Bramhgiri Tahsil and other Revenue officials inspected the site and submitted the field verification report which also corroborated with the above fact. Further D.F.O., Puri Wild Life Division has also reported vide memo No.6283 dated 14.10.2024 that there is no damage to any vegetation due to the construction of the boundary wall. The

As per letter sent

Adm

Surendra Prasad Dhal
Advocate
NOTARY, CUTTACK

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main allegation of the Applicant in the original application is construction of boundary wall in the DLC forest and it is humbly submitted that the said wall was dismantled before the filing of the present original application. Further, construction of boundary wall in other area (apart from DLC forest area) in the government land is not violative of any provision of law and is for prevention of encroachment. The above information was submitted in the counter affidavit filed by Opposite party no. 2 and 7.

Copy of the Memo No.6283 dated 14.10.2024, letter No 2000/3F-18/2025 dated 12.03.2025 & copy of the Verification Report are annexed herewith and marked as **Annexure-G/2, H/2 & I/2 respectively.**

6. That, in reply to the averments made in Paragraph Nos. 04 to 07 of the Supplementary Affidavit is related to the Respondent No. 03. Hence, there is no reply required.

7. That, in reply to the Paragraph No. 08 has already been replied as above. Hence, no further reply is required.

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Asoka Kumar Singh

Surendra Prasad Dhanu
Advocate
NOTARY, CUTTACK

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8. That, in reply to the averments made in Paragraph Nos. 09 & 10 of the Supplementary Affidavit is related to the Respondent No. 03. Hence, there is no reply required.

9. That, in reply to the averments made in Paragraph No. 11 of the Supplementary Affidavit, it is humbly submitted that the DFO, Puri WL Division has already communicated the fact of construction of a boundary wall by the user agency to Collector, Puri vide his Letter No. 2000/3F-18/2025 dt.12.03.2025 to take necessary action at his end under appropriate revenue law. Further, it is pertinent to mention that DFO Puri WL Division has not suppressed any information regarding Olive Ridley Turtle nesting, Dolphin sighting and presence of Central Asian Flyway in and around the project site. DFO, Puri WL Division vide his Memo No. 380 dated 13.01.2025 and 6352 dated 18.10.2024 has already intimated to higher quarters in different instances with factual data regarding presence of dolphin and Olive Ridley turtles in the project site.

10. That, in reply to the Paragraph Nos. 12 to 14 has already been replied as above. Hence, no further reply is required.

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Surendra Prasad Dhas
Advoc
NOTARY, CUTTACK

Asst. Secy. Revenue

Asst. Secy.

11. That, all the allegations, averments contentions and / or statement as contained in the Supplementary Affidavit which may not have been specifically denied or traversed here in but are in essence, contrary to the substance of this affidavit should not be deemed to be admitted by reason of mere non-traverse, but should be treated as expressly denied and the petitioner should be put to strict proof in respect thereof.

That, the contents of the above paragraphs are true and correct to the best of my knowledge and based on official records.

Identified by



Adan

Advocate

As per below order
DEPONENT
ACP, Puri (SC) division

CERTIFICATE

Certificate that due to non availability of cartridge papers, white papers are used.

CUTTACK

Dt.-23.03.2026

Adan
**ADDL. STANDING COUNSEL
AISHWARYA DASH
E. NO. D/2372/2017
MOB. NO. 9583615112**

E-mail: aishwaryadash010@gmail.com

The above named Deponent
Solemnly affirm on *23.3.2026*
A. D. Dash Being Identified
by *A. Dash (ACP)*

23.3.2026
Surendra Prasad Dhas
Advocate
NOTARY, CUTTACK

Government of Odisha
Commerce & Transport (Transport) Department

ANNEXURE - 'F/2'
Annex - II

No. TRN-AV-GEN-0001-2021 3787 / T, Bhubaneswar Dated 18.03.2025

From

Debadutta Suranjita Jena, OAS (SAG)
Additional Secretary to Government

The Officer-in-Charge
Estuarine Biology Regional Centre
Zoological Survey of India
MoEFCC, Government of India,
Hilltop, Gopalpur-on-Sea, Ganjam, Odisha, 761002

Sub: Request for conducting studies on effect of the proposed Shree Jagannath International Airport (SJIA) at Puri

Sir,

In inviting a reference to the subject cited above, I am directed to say that Commerce & Transport (Transport) Department desires to hire you as Consultant on the following works.

- (1) *To conduct study on effect of the above Project on migratory birds of the Central Asian Fly way in Chilika Lake, Odisha to scientifically assess the potential adverse effects of the airport development on bird populations, their migration patterns, and associated habitats.*
- (2) *To conduct study on Dolphins habitats, Irrawaddy Dolphins and Olive Ridley Turtles in the coast of Puri, Odisha which aims to assess the population, habitat, threats, and conservation needs of these dolphins to support sustainable management and protection efforts.*

'Site Clearance Certificate' has been issued by Government of India to the State Government for the Project and NOC has been obtained from Ministry of Defence for setting up of International Greenfield Airport at Puri. Commerce & Transport Department as Project Proponent has filed Environment Clearance and Forest Clearance respectively for Shree Jagannath International Airport (SJIA) at Puri through Consultants engaged i.e. Forest Clearance by SPARC and Environment Clearance by EIL.

A line of confirmation may be submitted with detailed scope of work and estimates for payment by the Department for conducting the above studies. Details may be chalked out in consultation with IDCO/SPARC.

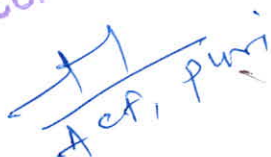
Yours sincerely,


18.03.25

Additional Secretary to Government

(P.T.O)

TRUE COPY ATTESTED


Acf, Puri

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Memo No. 3788 /T dated 18.03.2025


Copy forwarded to CGM (P&C), IDCO/Forest Consultant, SPARC for information and necessary follow up action.


18.03.25

Additional Secretary to Government

Memo No. 3788(1) /T dated 18.03.2025

Copy forwarded to CGM (Env.), IDCO for information and necessary follow up action.


18.03.25

Additional Secretary to Government

TRUE COPY ATTESTED


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OFFICE OF THE DIVISIONAL FOREST OFFICER: PURI WILDLIF DIVISION:
CHAKRATIRTHA ROAD: PURI - 752002
E-Mail:- dfo.puriwl@odisha.gov.in, Tel-06752-228281

Letter No. 6283/3F-05/2024.
Dated, Puri, the 14th October' 2024.

To

The Principal Chief Conservator of Forests (Forest Diversion & Nodal Officer),
O/o the Principal Chief Conservator of Forests Odisha,
Bhubaneswar.

Sub:- Compliance to the EDS raised by the Nodal Officer at Parivesh Portal related to application for Forest Land diversion for Shree Jagannath International Airport at Mouza Sipasarubali in Brahmagiri Tahasil of Puri District - reg.

- Ref:-**
1. Proposal Number: FP/OR/Airport/426096/2023.
 2. Reply to EDS raised by DFO Puri WL by your office vide Letter No. 10688 dated 07.10.2024 of Additional Secretary to Government of Odisha Commerce & Transport Department.

Sir,

I am to inform you that one of the two EDS raised by the Nodal Officer to DFO, Puri pertains to Violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. DFO Puri has been directed to submit necessary compliance to the EDS raised by the IRO Head.

EDS Raised by the Nodal Officer and its compliances:-

EDS No. 2:

Query Title:- Violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980
Query Description-Examination of the area proposed for diversion using DSS tools and Google Satellite Imagery revealed that the user agency seems to has already started the construction of boundary wall in the forest as well as in the non-forest land which is a violations of the provisions of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980.

The State Government may therefore submit the following:-

(a) Name of the erring officers responsible for allowing or not stopping the unauthorized construction in the forest land and status of action taken against the erring officials.

Compliance to Query 2(a):-

In compliance to the above, it is to intimate that Project proponent vide their letter under reference 2 has submitted that no construction work/project activities had been carried out over the DLC forest land except boundary wall. A temporary fence was constructed over the non-forest area to demarcate the land for identification and inspection purpose only. As the area was encroached by the local peoples, in order to protect the project area from encroachment the temporary fence has been constructed. The contractor without knowing the status of the land has constructed temporary fence over the DLC forest land.

A FIR had also been lodged against the local villagers vide IDCO letter No. 602 dtd. 22.03.2024 to the IIC Sadar Police Station. Out of the total 13.3 KM length of the project boundary, a length of 1370 Meters of temporary fence has been constructed over the DLC forest land and about 9950 Meters over the non-forest land through removable materials and the work was left incomplete over 2001 meter.

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The DFO Puri (WL) Division has made the site visit along with revenue authority and project proponent on 13 August, 2024. Boundary wall which was created using the removable pillars and slabs have been dismantled by the project proponent. Being a DLC forest land under the administrative and management control of the revenue department, necessary action will be taken to ensure the removal of encroachment by the concerned revenue authority after inquiry. No action has been taken over the person and inquiry is under process.

- (b) **A detail violation report indicating the date and time of the commencement of construction of boundary wall along with present status of work of the construction of boundary wall along with efforts by the officers concerned in the State Government to stop the work relating to construction of boundary wall.**

Compliance to Query 2(b):-

Details of violation:-

- (i) Out of the total 13.3 KM length of the project boundary, a length of 1370 Meters of temporary fence has been constructed over the DLC forest land and about 9950 Meters over the non-forest land through removable materials and the work was left incomplete over 2001 meter.
- (ii) No tree felling has been done over the forest as well as non-forest area. No damage has been done to the existing flora and fauna and also the vegetation has not been disturbed.
- (iii) The work had started since June 2023 and stopped since Sept 2023. After getting the information regarding the violation over the forest land, the temporary fence has been removed. Photographs of dismantled compound wall are enclosed herewith for your kind reference.
- (iv) There is no obstruction to access the forest area.

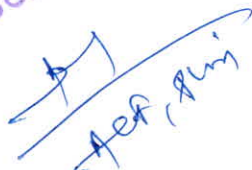
Present Status of the Work:- As per the site inspection on 13.08.2024, boundary wall has been removed by the Project Proponent from the boundary of DLC Forest land.

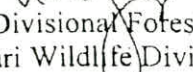
Action taken to stop the work:- It has been informed by the project proponent that PP has instructed the contractor not to do any further boundary construction work on the site. No ongoing construction was found during the site inspection.

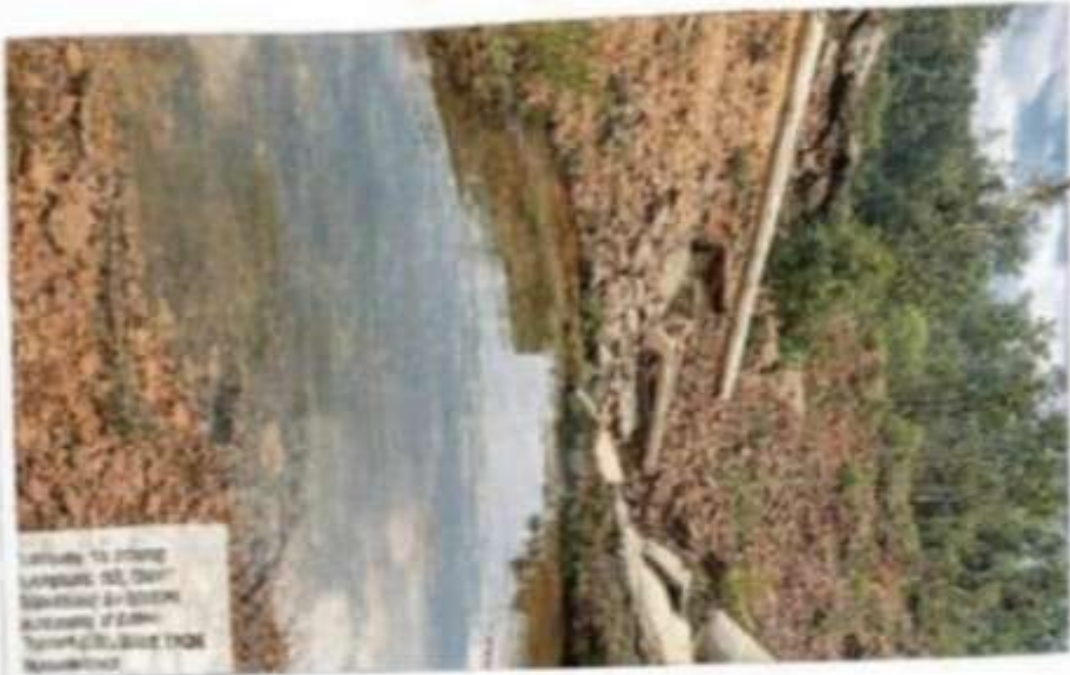
- (c) **Details of the authority/agency issuing work order for construction of boundary wall and the entity bearing the expenditure incurred on the said alleged construction**
Compliance to Query 2(c):-

The letter of acceptance was issued by Chief General Manager (P&C), IDCO and the Divisional Head BCD-II, IDCO had issued the work order for the temporary fence construction over the non-forest land in year 2023.

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Aef, Puri


Divisional Forest Officer,
Puri Wildlife Division, Puri



JAA
 District Forest Officer,
 Port Wildlife Division, Port

THE CROWN TRAIL

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10/10/10

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OFFICE OF THE DIVISIONAL FOREST OFFICER: PURI WILDLIFE DIVISION:
CHAKRATIRTHA ROAD: PURI - 752002.

E-Mail - dfo.puriwl@odisha.gov.in Tel/Fax - 06752 228281.

Letter No. 2000 / 3F-18 / 2025.
Dated, Puri, 12th March' 2025.

To

The Collector-Cum-District Magistrate,
Puri.

Sub:-

Status of Action Taken against the erring officials regarding violations of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 by constructing a boundary wall over the Forest and Non-Forest land of Sri Jagannath International Airport at Puri.

Sir,

This is to inform you that Forest Advisory Committee (FAC) has passed certain observations regarding violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 by constructing the boundary wall over the Forest and Non-Forest land of Sri Jagannath International Airport project at Puri.

The observation of the FAC is mentioned below:-

"Violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 - Examination of the areas proposed for diversion using DSS tools and Google Satellite imagery revealed that the user agency seems to have already started the construction of the boundary wall in the forest as well as in the non-forest land which is a violation of the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The State Government may therefore submit the following:-

- (a) Name of the erring officers responsible for allowing or not stopping the unauthorized construction on the forest land and status of action taken against the erring officials.
- (b) A detail violation report indicating the date and time of the commencement of construction of boundary wall along with present status of the construction of boundary wall along with efforts by the officers concerned on the State Government to stop the work relating to construction of boundary wall.
- (c) Details of the authority/agency issuing work order for construction of boundary wall and the entity bearing the expenditure incurred on the said alleged construction."

In this regard, the project proponent i.e., Govt. of Odisha, Commerce and Transport Department vide its letter no. 10688/T dated 07.10.2024 (enclosed) has submitted its reply. Details of the work undertaken and of supervising officers have been provided in the said letter. As the concerned violation relates to the Forest land under the administrative and management control of the Revenue Department, you are requested to direct the concerned Tahasildar to cause an enquiry and take necessary actions under relevant revenue laws at his end.

This is for your kind information and necessary action.

Yours faithfully'


Divisional Forest Officer,
Puri Wildlife Division, Puri

Letter No. 2001 / Dt. 12-03-2025.
Copy forwarded to the Tahasildar, Brahmagiri for favour of information and necessary action.


Divisional Forest Officer,
Puri Wildlife Division, Puri

Letter No. 2001(A) / Dt. 12-03-2025.
Copy forwarded to the Additional Secretary to Government, Commerce and Transport Department (C&T) Government of Odisha, Bhubaneswar for favour of information and necessary action.


Divisional Forest Officer,
Puri Wildlife Division, Puri

TRUE COPY ATTESTED

Aes, Puri


JOINT FIELD VERIFICATION REPORT ON DLC STATUS OF PROPOSED AIRPORT BRAHMAGIRI

In compliance with the instruction issued by the Office of the Divisional Forest Officer, Puri Wildlife Division regarding verification of the above-mentioned land in connection with the Original Application NO 158/2025/EZ pending before the Hon'ble National Green Tribunal, a joint field verification was conducted by the undersigned officers to ascertain the actual status of the land, its present utilization, and whether the land falls under any notified forest category.

The joint field verification was conducted by the Assistant Conservator of Forests, Puri Wildlife Division, Tahsildar, Brahmagiri Tahasil; the Range Officer Brahmagiri and Konark WL Range; and the Revenue Inspector, Gorual on dt 10.03.2026.

During the course of the field inspection, proper demarcation of the land for DLC forest was carried out with reference to the map, field measurement records, and the Record of Rights. The boundaries of DLC forest were physically identified on the ground with the assistance of the Revenue field staff to confirm the exact location and extent of the land. It is also observed that the boundary wall of Proposed Sri Jagannath international airport on the DLC land as shown in the map from point 31 to point 38 and point 1 was dismantled in the ground. The details GPS location of Dismantled boundary wall as furnished below for reference. (Map and photographs enclosed).

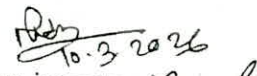
SLNO	Pillar No.	GPS Location
1	1	N19 46 23.5 E85 43 28.9
2	31	N19 45 52.5 E85 43 15.5
3	32	N19 45 52.9 E85 43 15.1
4	33	N19 45 58.4 E85 43 21.9
5	34	N19 46 03.7 E85 43 28.4
6	35	N19 46 08.2 E85 43 34.0
7	36	N19 46 11.9 E85 43 38.6
8	37	N19 46 15.2 E85 43 35.8
9	38	N19 46 19.4 E85 43 32.3



10.3.26
ACP (Enforcement) Puri Wildlife Division


10.03.26
Tahsildar, Brahmagiri Tahsil


10.3.26
Forest Range Officer,
Konark W.L. Range


10.03.26
Forest Range Officer, Brahmagiri
Brahmagiri Wildlife Range


10.3.2026
Revenue Inspector,
Gorual

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Acf, Puri

TAHASILDAR,
BRAHMAGIRI

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[Signature]
Per, km.