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Ram Chandra Majhi

Executive Officer
N.A.C, Padampur

filed by me
A.P. Banerjee
Adv.

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

OA 135 OF 2025

IN THE MATTER OF

ALAKA MISHRA AND ORS

... **APPLICANTS**

Versus

State of Odisha & Ors.

... **RESPONDENTS**

COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NO.

7. RUNS AS FOLLOWS:

I, Ram Chandra Majhi, aged about 44 years, S/o Maniram Majhi, R/o Latkanpad, P.O Kurumpuri, Dist- Nuapada, State -Odisha, Pin- 766105, at present working as Executive officer NAC, Padampur, do hereby solemnly affirm and state as follows:

1. That I am duly authorised by the Respondent No. 7, and I am acquainted with the facts of the case and competent to swear the affidavit. I have gone through the content of the Original Application filled by the Applicants and having understood the same, I am filing this counter affidavit, which is necessary for just and effective adjudication of the case.

18 MAY 2026



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Rameshchandra Chhaya

Executive Officer
N.A.C, Padampur

*Filed by me
A.P. Banerjee
Adv.*

aesthetic and recreational purposes. Further the construction of Bus stand will not block any natural water course or drainage and the plots are not listed in DLC forest land nor in HT line about the plots and no underground cable is there.

20. That, the averment stated in para 24, of the OA is not a fact.
21. That, the averment stated in para 24, of the OA is denied. As per the field visit memorandum and enquiry reports submitted in Alienation Case No. 07 / 2022 and Revenue Misc. Case No. 01 /2023 it was found that, (i) the said "Kata" has lost its character and no longer useful for irrigation, fishery, bathing, aesthetic and recreational purposes. (ii) The plots were not listed in DLC forest land and (iii) No tree growth / forest growth over the case land and the case land not coming under the Odisha Forest (Conservation) Act, 1980.
22. That, in regards to averments made in para 26 -29, of the OA, the respondent has no comments to offer.
23. That, the Respondent craves the leave of this Hon'ble Court to file additional affidavits, documents, if necessary.
24. That, all the facts stated above are true to the best of my knowledge and belief and are based on records available.

18 MAY 2026



Ramchandra Chy Tu

Executive Officer
N.A.C, Padampur

Filed by me

H. P. Banerjee

Adv.

norms prescribed in the Govt. guidelines in the meeting held on Dt. 27.05.2023 at 10.00 AM through virtual mode. Also by exercising power conferred under Rule-II read with Schedule-II of OGLS Rules, 1983, the alienation proposal has been approved by the R.D.C.(N.D.), Sambalpur on Dt. 26.12.2023.

16. That, in regards to averments made in para 13, of the OA, the respondent has no comments to offer.

17. That, in regards to averments made in para 14, of the OA is denied. The Padampur NAC has taken steps to restore and repair the water bodies i.e tanks and katas like Badabandha, Brahmanibandha, Kataandha(Mehepada) and other ponds will be renovated in 2nd phase.

18. That, in regards to averments made in parad 15-22, of the OA the petitioner has no comments to offer.

19. That, the averments made in para 23, of the OA is denied. That the aforesaid plot was dry and filled with debris and filthy material. There was no water in the kata and the water retention capacity has been drastically reduced over the years. Further there was no inlet to the water body and the kata had lost its character and no longer useful for irrigation, fishery, bathing,

18 MAY 2026



Ramchandra Mishra

Executive Officer
N.A.C, Padampur

Filed by me.

H. P. Barman

Adv.

bodies. Padampur NA C has seven number of water bodies located in NAC jurisdiction. These are i. Badabandh, ii. Brahmanibandh, iii. Ranibandh, iv. Danibandh, v. Khajuribandh, vi. Kantabandha, vii. Maneger kanta. Padampur NAC has already renovated one pond Badabandh during 2022-23 and this year Padampur NAC has started the renovation and beautification of Brahamani Bandha. In later phase, Padampur NAC has decided to renovate the other 5 no. of ponds. Already the drone survey and Bathymetric Survey work has conducted to prepare details estimate of the above said pond for the same.

14. That, in regards to the averments stated in para 11, of the OA , it is admitted, but the tank over Plot NO. 1892 and 1893 of M.S.R.O.R No. 1318 of Mouza Pdampur has not been handed over by the Authority in favour of the NAC, Padampur.

15. That, the averments in para 12, of the OA is denied. Bargarh District is under the administrative control of Revenue Divisional Commissioner of Northern Division, Sambalpur. Accordingly, the proposal for change of Jalasaya Kisam i.e. kata has been unanimously approved by the committee for "safeguard of Jalasaya Kisam of land in urban area" under the chairmanship of R.D.C.(N.D), Sambalpur after observing all formalities and

18 MAY 2026



Ramchandra Myta

Executive Officer
N.A.C, Padampur

Filed by me

A.P. - Barerisee
Adv.

Govt. amount spend on the said infrastructural development project can be utilized in a utmost way.

11. That, the averments made in para 8, of the OA is denied. As the said land was required to be alienated for a developmental purpose for larger interest of the general public and the suitability of the location / local areas, the kism was changed to a leasable kism i.e. Patit from Kism "Kata", as the kism "Kata" had already lost its basic / Physical characteristics and was not in use for the purpose since long. As the said land located in a prominent area everyone can get easy access to the bus stand. Near to the said land, the main chowk of Padampur Sub-Division is located and different Govt. offices including Block, Tahasil, NAC, school, Colleges with Sub-divisional level offices and hospitals are there. Accordingly, the general public will get benefitted from this project. So, in absence of any other suitable area and leasable land in Padampur NAC Area, the said land was selected.

12. That, in regards to the averments made in para 9, of the OA, the respondent has no comments to offer.

13. That, averments in para 10, of the OA, is denied. The urban local bodies has taken steps for restoration and repair of the water

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Ramchandra Majhi

Executive Officer
N.A.C, Padampur

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A. P. Baroikia

Adv.

kisam, the kisam of land was changed for different developmental projects for the larger interest of the public.

8. That, the averments made in para 5, of the OA is denied. By change in kisam and construction of a Block Level Bus stand at Padampur on the said land will not only give a better transport facility to the public but also help in infrastructural development of Padampur and its future generation. In Adjacent to the said land, there is a Canal of MI Division for better irrigation facilities and drainage of rain water. So, there is no question of risk of severe water logging in adjoining low- lying areas.

9. That, the in regards to averments made in para 6, of the OA, the respondent has no comments to offer.

10. That, the averments made in para 7, of the OA is denied. The suit land is situated in a prominent location of Padampur NAC area well connected with Govt. road and near to the main chowk (I.e. Bheunria Chowk) i.e. the center point of Padampur from where different roots from Padampur can be accessed easily. By establishing a Block Level Bus Stand at Padampur in the said prominent location not only the public get benefitted but also the

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Ramchandra Mishra

Executive Officer
N.A.C., Padampur

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Adv.

| Kh No | Plot No | Area | Kisam |
|-----------|--------------|------|-------|
| 1309/5740 | 1892 / 11846 | 0.48 | Patit |
| | 1892 / 11845 | 1.44 | Patit |
| | 1893 | 0.08 | Patit |
| | TOTAL: - | 2.00 | |

6. That, averments made in para 3 of the OA is denied. The respondent most humbly submits that the said land has not been used for any purpose and it's kisam 'KATA' specified since long also the land had already lost its basic characteristics. Hence, for the development, better communication facilities & for larger public interest the kisam of the land i.e. kata was changed.

The construction of the new bus stand is not a threat to the sustainability and water security in Padampur as there is a canal of MI Division adjacent to the said land for better irrigation facilities and drainage of rain water

7. That, the averments made in para 4, of the OA is denied. As per the Hal-Sabik the M.S. Plots correspondence of H.S. Plot No. 678, Ac 4.44, Kisam - Dani Kata, but as the said land had lost its basic characteristics and not been used for the purpose of that

18 MAY 2026



Ramesh Chandra Singh

Executive Officer
N.A.C, Padampur

Filed by me

H. P. Banerjee
Adv.

| Khata No | Plot No | Area | Kisam |
|--------------|----------|------|-------|
| 1320/3 (AJA) | 1892 (P) | 1.44 | Patit |
| | 1893 | 0.08 | Patit |

After correction of RoR, the alienation case bearing No. 07/2022 was processed as per below mentioned land schedule which is reserved in category 3 (iii) Sarbasadharan as per approved Urban Master Plan of Padampur NAC.

| Kh No | Plot No | Area | Kisam |
|--------------|-----------------|------|-------|
| 1320/3 (AJA) | 1892 (P) | 1.44 | Patit |
| | 1893 | 0.08 | Patit |
| | 1892 / 8668 (p) | 0.48 | Patit |
| | | 2.00 | |

After observing all formalities, the RDC(ND), Sambalpur by exercising the power under Rule - ii read with Schedule - ii of OGLS Rules, 1983 approved the alienation proposal and accordingly record was corrected and separate RoR was created in favour of Regional Transport Department for Construction of Block Level Bus stand at Padampur as per below land Schedule for larger interest of the general public.

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Ramchandra Chyoti

Executive Officer
N.A.C, Padampur

*Filed by me
A.P. Banerjee
Adv.*

Alienation case No 7/2022 was initiated by the Tahasildar, Padampur and the R.I., Padampur was directed to enquire and submit field verification report. As per R.I. report, the land vide Khata No. 1318, Plot No 1892 of total area Ac 1.44 Kisam - Badikata, & Plot No 1893 of total area Ac 0.08 Kisam- Danikata recorded in Rakhit Khata (Govt. land). Both the plots are " kata " in kisam but has not been used for that purpose and the land has lost its basic characteristics as per kisam.

Accordingly, a Revenue Misc Case No 1/2023 as per section-34(e) was instituted for change of kisam from Kata to Patit in Mouza-Padampur for making the leasable land kisam. And after observing all formalities, the committee for safeguard of Jalasaya kisam of land in urban area held on 27.05.2023 under the chairmanship of R.D.C. (N.D.), Sambalpur unanimously approved the proposal for change of Kisam from Kata to Patit as the land had already lost its characteristics and for developmental purpose taking into consideration, the absolute necessity of the public for construction of Block Level Bus stand at Padampur.

And accordingly RoR has been corrected as per below land schedule of Mouza- Padampur.

18 MAY 2026



Ramchandra Mishra

Executive Officer
N.A.C, Padampur

Filed by me.

A. P. Baranisee
Adv.

2. That the averment/allegations made in the Original Application (hereinafter "OA"), which are not specifically admitted by the deponent may kindly be deemed to have been denied. .

3. That, at the outset, it is most humbly submitted that the present OA, is neither maintainable in the eye of law nor in facts, and is liable to be dismissed.

4. That, in regards to the averments made in para 1 of the OA, the respondent has no comments to offer.

5. That, the averment made in the para 2 of the OA, is denied. The respondent No. 7, most humbly submits that on verification of document, it is found that on receiving of proposal from RTO, Bargarh for construction of Block Level Bus Stand at Padampur of below mention land scheduled i.e.

| Mouza | Kh No | Plot No | Kisam | Area |
|----------|------------------|------------------|-------|---------|
| Padampur | 1318 (Rakhit) | 1892 (P) | 1.44 | Kata |
| | | 1893 | 0.08 | Kata |
| | 1320/3 (AJA) | 1892/8668 (P) | 0.48 | Patit |
| | | | | Ac 2.00 |

18 MAY 2026

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SL. NO. 1492 DT. 18.05.26

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BEFORE THE NOTARY PUBLIC
AT BIDHANNAGAR
DIST. NORTH 24 PARGANAS

DECLARATION

I, Ram Chandra Majhi, aged about 44 years, S/o Maniram Majhi, R/o Latkanpad, P.O Kurumpuri, Dist- Nuapada, State -Odisha, Pin- 766105, at present working as Executive officer NAC, Padampur do hereby solemnly affirm that facts stated in Paragraphs 1 to 22 to 24 are true to my own knowledge and in paragraphs 5 to 21 are true to the best of my information which I obtained from the official records and documents available.

I believe the information to be true as they have been extracted from the records available with the Petitioner.

Solemnly declared on _____ day of May, 2026.

Ramchandra Majhi

IDENTIFIED BY

Aishwarya Pathak Bamerjee
ADVOCATE

DEPONENT

Executive Officer
N.A.C, Padampur

Solemnly affirmed before me by _____ who is identified before me by _____ whom I personally know.

This the _____ day of May, 2026. *Solemnly Affirm & Declared Before me on Identification of Ld. Advocate*

Bose

SAMRAT BOSE
NOTARY GOVT. OF INDIA
REGN NO. 53925/26
BIDHANNAGAR COURT

SIGNATURE OF THE OATH
COMMISSIONER/ NOTARY

ISD

18 MAY 2026

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

Original Application No. 135 of 2025

Alaka Mishra and Others.....Applicants

VERSUS

State of Odisha.....Respondents

KNOW ALL to whom these present shall come that I, Ram Chandra Majhi, authorized officer of Padampur Notified Area Council, aged about 44 years, S/o Maniram Majhi, R/o Latkanpad, P.O Kurumpuri, Dist-Nuapada, State -Odisha, Pin- 766105, at present working as Executive officer NAC, Padampur,

The abovenamedRESPONDENT do hereby appoint (herein after called the advocate/s) to be myAdvocate in the above noted case authorized him-Biswajit Ranjan Tripathy, AddressPlot No. C/1188,SECTOR-6, CDA, CUTTACK,

ODISHA, PIN -753014,ENROLMENT NO D/1460/2013 Email-biswajit41@gmail.com and Aishwarya Pathak Bamerjee. Address - 479 Boshumagan Det. No.2, Kolkata - 700129. (Advocate)

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. And I/We the undersigned do hereby agree to ratify and confirm and confirm all acts done by the Advocate or his de or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I/We or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called. And I/we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I/we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/ We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this ..19... day of ...25..(May) 2026

Accepted subject to the terms of fees.

Advocate

Aishwarya Pathak Bamerjee
(Advocate)

WB 2882/2018

M-No - 7044577579

Ramchandra Majhi

Client

Executive Officer
N.A.C, Padampur



**Counter Affidavit filed on behalf of Respondent No. 7 (Padmapur Notified Area Council)
in OA 135 of 2025 (Alaka Mishra Vs State of Odisha)**

1 message


Aishwarya Banerjee <aishwarya12banerjee@gmail.com>
To: Sankar Pani <sankarprasadpani@gmail.com>

Mon, 18 May 2026 at 23:45

Dear Sir/Madam,

Please find attached herewith the Counter Affidavit filed on behalf of Respondent No. 7, served upon you through email for your kind information and record.

Regards,
Aishwarya Pathak Banerjee
Advocate

 **Counter Affidavit Filed on behalf of Respondent No 7 (Padampur Notified Area Council) in OA 135 of 2025 (Alaka Mishra vs State of Odisha).pdf**
3.5 MB



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Counter Affidavit on Behalf on Respondent No 7(Padampur Notified Area Council)in OA 135 of 2025(Alaka Mishra vs State of Odisha)

1message

Aishwarya Banerjee <aishwarya12banerjee@gmail.com>

Tue, 19 May 2026 at 00:54

To: tah.padmap-od@nic.in

Dear Sir/Madam,

Please find attached herewith the Counter Affidavit filed on behalf of Respondent No. 7, served upon you through email for your kind information and record.

Regards,

Aishwarya Pathak Banerjee
(Advocate)



CounterAffidavit Filed on behalf of Respondent No 7 (Padampur Notified Area Council) in OA 135 of 2025 (Alaka Mishra vs State of Odisha) (2).pdf
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Counter Affidavit filed on behalf of Respondent No 7(Padampur Notified Area Council)in OA 135 of 2025(Alaka Mishra Vs State of

Odisha

1 message

Aishwarya Banerjee <aishwarya12banerjee@gmail.com>

Tue, 19 May 2026 at 01:05

To: rdcsbp@nic.in


Dear Sir/Madam,

Please find attached herewith the Counter Affidavit filed on behalf of Respondent No. 7, served upon you through email for your kind information and record.

Regards,

Aishwarya Pathak Banerjee

(Advocate)

 CounterAffidavit Filed on behalf of Respondent No 7 (Padampur Notified Area Council) in OA 135 of 2025 (Alaka Mishra vs State of Odisha) (2).pdf
3.5 MB



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Counter Affidavit filed on behalf of Respondent No 7 , (Padampur Notified Area Council) in OA 135 of 2025 (Alaka Mishra Vs State of Odisha)
1 message

Aishwarya Banerjee <aishwarya12banerjee@gmail.com>
To: revsec.od@nic.in

Mon, 18 May 2026 at 23:55

Dear Sir/Madam,

Please find attached herewith the Counter Affidavit filed on behalf of Respondent No. 7, served upon you through email for your kind information and record.

Regards,
Aishwarya Pathak Banerjee
Advocate

 CounterAffidavit Filed on behalf of Respondent No 7 (Padampur Notified Area Council) in OA 135 of 2025 (Alaka Mishra vs State of Odisha).pdf
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Counter Affidavit on behalf of Respondent No 7(Padampur Notified Area Council)in OA 135 of 2025(Alaka Mishra Vs State Of Odisha)

1 message

Aishwarya Banerjee <aishwarya12banerjee@gmail.com>
To: rtobgh@yahoo.co.in <rtobgh@yahoo.co.in>

Tue, 19 May 2026 at 01:00

Dear Sir/Madam,

Please find attached herewith the Counter Affidavit filed on behalf of Respondent No. 7, served upon you through email for your kind information and record.

Regards,
Aishwarya Pathak Banerjee
(Advocate)

 **Counter Affidavit Filed on behalf of Respondent No 7 (Padampur Notified Area Council) in OA 135 of 2025 (Alaka Mishra vs State of Odisha) (2).pdf**
3.5 MB



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Counter Affidavit filed on behalf of Respondent No 7(Padampur Notified Area Council in OA 135 of 2025(Alaka Mishra Vs State of Odisha

1 message

Aishwarya Banerjee <aishwarya12banerjee@gmail.com>

Tue, 19 May 2026 at 00:51

To: dm-bargarh@nic.in

Dear Sir/Madam,

Please find attached herewith the Counter Affidavit filed on behalf of Respondent No. 7, served upon you through email for your kind information and record.

Regards,
Aishwarya Pathak Banerjee
(Advocate)

 **Counter Affidavit Filed on behalf of Respondent No 7 (Padampur Notified Area Council) in OA 135 of 2025 (Alaka Mishra vs State of Odisha) (2).pdf**
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Counter Affidavit on behalf of Respondent No 7(Padampur Notified Area Council) in OA 135 of 2025(Alaka Mishra vs State of Odisha)

1 message

Aishwarya Banerjee <aishwarya12banerjee@gmail.com>

Tue, 19 May 2026 at 00:42

To: ctsec.or@od.gov.in

Dear Sir/Madam,

Please find attached herewith the Counter Affidavit filed on behalf of Respondent No. 7, served upon you through email for your kind information and record.

Regards,

Aishwarya Pathak Banerjee
(Advocate)



CounterAffidavit Filed on behalf of Respondent No 7 (Padampur Notified Area Council) in OA 135 of 2025 (Alaka Mishra vs State of Odisha) (2).pdf
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