



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

**ORIGINAL APPLICATION NO.104 OF 2025**

IN THE MATTER OF :

Pradeep Kumar Das and others ...Applicants

*Versus*

State of Odisha and others ... Respondents.

**COUNTER-AFFIDAVIT ON BEHALF OF  
RESPONDENT NO. 8.**

**MOST RESPECTFULLY SHEWTH**

I , Ram Pratap Kheria, aged about 80 years S/o- Late N. M . Kheria, resident of A-33, At./Po- Saheed Nagar, Bhubaneswar, Dist- Khurda, PIN- 751007, presently working as Managing Director, M/s. OSC Steel Pvt. Ltd. Respondent No.8, do solemnly affirm and state as follows :

1. I am the authorized representative of Respondent No. 8 and I am also working as the Managing Director of Respondent No. 8 company, hence duly competent to swear this affidavit.
2. That the present original application has been filed by the petitioner challenging the transfer of forest land for non-forest activities for the establishment of a fabrication and agricultural equipment unit. Prayer to restrain the private respondents and respondent number five from assessing and using the forest land for the non-forest activity until approval of the Central Government is obtained under Van (Sanrakshan

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Managing Director

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Evam Samvardhan) Adhinyam 2023. Further it has been prayed that the alienation of the scheduled property be declared as illegal.

3. That, at the outset it is humbly submitted for the appreciation of this honourable tribunal that, the present answering respondent is not making any endeavour to have any kind of non-forest activity in the said land in any manner whatsoever.

4. That the original application is filed with an ulterior motive, without any cause of action and without any justification or justifiable grounds and hence liable to be dismissed.

5. The present answering respondent has been allotted the scheduled land by the respondent No. 5 by way of a duly registered agreement on payment of the consideration amount as the fees or the land cost. The said amount has been duly received by the respondent No. 5. Apart from the above land cost the answering respondent is also paying maintenance charges every year. The said charges are also being duly received by the Respondent No. 5.

6. That it is humbly submitted for the kind appreciation of this honourable tribunal that the Government of Odisha has vested the land in question in favour of the Responder Number 5. Thereafter the Responder No.5 has been the lawful owner of the settled property. Being the owner of the said property, the Respondent No. 5 has duly allotted the said land in favour of the present answering respondent.

7. That as per the grounds taken in the original application with respect to the violation of Section 2 of the Forest Conservation Act, 1980, which speaks about restriction on the reservation of the forest or use of forest lands for non-forest purposes. It may be noted that, the said provision under Section 2 in the Forest Conservation Act, 1980, was

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inserted in the year 1988 by way of an amendment. But as mentioned above the land in question was vested with the respondent No. 5 much prior to such amendment, i.e. in the year 1983. Thus the embargo or restriction of the above provision of law will not apply to respondent No. 5 nor would affect the rights of the Respondent No. 8 in any manner whatsoever.

8. The facts and averments in the original application, which are not specifically denied, are hereby denied.

9. That in view of the direction of the State Government, more particularly the Divisional Forest Officer -Cum-Wildlife Warden, Rourkela Forest Division, wherein the present answering respondent is not making any construction or has not started any activities in the scheduled land. In order to honour the present proceeding as well as to comply with the direction of the DFO-cum- Wildlife Warden the status of the schedule property is not being affected in any manner whatsoever.

10. That the answering respondent also submits that the answering respondent will not make any activity which is not permissible under the law.

11. That the answering respondent most humbly reserves the right to file additional documents and additional counter-affidavit if so required for the effective adjudication of the present original application.

12. That the facts stated above are true to the best of my knowledge and belief.

Identified by  
*Abhijeet Das*  
Advocate  
Cuttack

OSC Steel Private Limited  
*N. S. Kumar*  
Managing Director

Date : 10.05.2026

DEPONENT

Being identified by... *S. Das (Adv)*  
\* Cuttack on 10.05.2026  
*D. Das*  
*10.05.2026*  
Cuttack

