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

APPLICATION No.- 97 of 2026

I.A. No.- 76 OF 2026

IN THE MATTER OF

PRATAP CHANDRA MOHANTY

.....Applicant

Versus

STATE OF ODISHA & Ors

...Respondents

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PLACE: Bhubaneswar

ADVOCATE

DATE: 27/05/2026

SANKAR PRASAD PANI

ASHUTOSH PADHY

S.Pani A.Padhy

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002Cell-
9437279278,Email:sankarprasadpani@gmail.com



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

Original Application No.- 97 OF 2026/EZ

I.A No.-_____of 2026

IN THE MATTER OF:

Pratap Chandra Mohanty, aged about 46 years, S/o-Sunakar Mohanty,
At/Po- Talasanga, Patkura, Dist- Kendrapara, Pin- 754213.....**Applicant**

Versus

1. **State of Odisha** represented through Additional Chief Secretary, Forest and Environment Dept, Govt. of Odisha, Kharavela Bhawan, Bhubaneswar, Odisha, 751001, Email: fesec.or@nic.in
2. **Department of Housing & Urban Development**, Government of Odisha, represented through Additional Chief Secretary, At/Po- 3rd Floor, Kharvel Bhavan, West Wing, Room No.- 302, Bhubaneswar - 751001 Email- hudsec.or@od.gov.in
3. **District Collector**, Mayurbhanj, At/Po/Ps- Baripada, Dist-Mayurbhanj. PIN-757001, Email- dm-mayurbhanj@nic.in
4. **Divisional Forest Officer (DFO), Baripada**, At/Po- Baripada, Dist. Mayurbhanj, PIN-757001. Email- dfo-baripada@odisha.gov.in
5. **Member Secretary, Odisha Biodiversity Board**, Regional Plant Resource Centre, Ekamrakanan, Nayapalli, Bhubaneswar, 751015 , msobb@rediffmail.com
6. **Baripada Municipality**, represented through its Executive Officer, At/Po- Infront of Collector Office, Ghiajodi, Meher Colony, Baripada, Odisha 757001, Email- baripadam.hud@nic.in
7. **Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change**, Government of India, Integrated Regional Office A/3, Chandersekharapur, Bhubaneswar 751023, email- roez.bsr-



mef@nic.in

8. **National Federation of Farmers' Procurement, Processing and Retailing Cooperatives of India Ltd, (NACOF), At/po- Flat Nos. 101-116, 1st Floor, 6, Devika Towers, Nehru Place, New Dehli-110019, Email- nacof.ltd@gmail.comRespondents**

**IA FOR STAY OF THE ONGOING PERMANENT CONSTRUCTION
OVER FOREST LAND**

MOST RESPECTFULLY SHOWETH:

1. That the original application has been filed by the Applicant challenging the illegal felling of trees for a purported construction and beautification of **Jublee Park and Jhinjiri Pond** at a cost of Rupees **28 Cr.** The site on which trees have been felled is a forest land classified as Jungle-1 and no permission for felling of trees or the project activity has been taken under forest conservation Act 1980 Van Sanrakshan Evam Samvardhan Adhiniyam **2023** or any permission from DFO Baripada. Needless to say when both forest and non-forest land involved then no construction activity can be permitted even on non-forest land until the approval is granted under Forest Conservation Act.
2. That the Original application has been filed by the Applicant praying for the following reliefs,
 - i. *“Hold and declare that the felling of trees and clearing the land without approval from central government under **Van Sanrakshan Evam Samvardhan Adhiniyam 2023** is illegal*
 - ii. *Direct the state respondents to restore the land to its pristine condition*
 - iii. *That the Hon’ble Tribunal may call for a report from State Biodiversity Board regarding the status of Biodiversity Management*



Committee and People's Biodiversity Register (PBR) in Baripada Municipality Area where the present site is located".

3. That on dated 30/04/2026, the OA 97/2026 was placed before the Hon'ble Tribunal for admission and after hearing the case Hon'ble tribunal observed that *"Prima facie the averments made in the application raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010."*
4. Further the hon'ble Tribunal directed the registry to issue notice to all the Respondents and directed **to file their responses within one month.**
5. It is pertinent to mention here that while the matter is pending before this Hon'ble Tribunal the State Respondents are going ahead with the construction activities over the forest kissam land and same is in violation of the Forest conservation Act 1980 and **Van Sanrakshan Evam Samvardhan Adhiniyam 2023.** Copy of the photographs suggesting the ongoing construction is annexed here unto as **ANNEXURE-1.**
6. That the below mentioned plots are involved in the proposed Development of Infrastructure of Jublee Park, Land Scaping, Island, Boating with amenities in Jubilee Park and Electrical Installation with Children Amenities in jubilee park under Baripada Municipality.

Sl No.	Khata No	Plot No.	Mouza/Ward	Kissam	Recorded Tenant	Area in Acres
1	74	213	Baripada Municipality Ward No.-5	Jungle-1	Municipality department	2.280
2	74	230	Baripada	Jalasaya-1	Municipality	5.590



			Municipality Ward No.-5		department	
3	71	203	Baripada Municipality No.-5	Jalasaya-1	Municipality department	0.400
4	74	218	Baripada Municipality No.-5	Patita	Municipality department	1.430

Copy of the Record of Rights suggesting the Plot No. 213 of Khata No.- 74 is recorded under Jungle kissam is annexed here unto as **ANNEXURE-2**.

7. That it is a settled position of law that no non-forest activity, including permanent or temporary civil construction, can be permitted on forest land without a formal, rigorous evaluation and subsequent clearance by the Central Government. However in the present case the Respondent No.-8 has already started construction activity over the forest land without any permission from the competent authority.
8. It is further submitted that on dated 21/05/2026 Applicant has approached all the concerned authorities stating that the matter is pending before this Hon'ble Tribunal for adjudication and requested to take necessary steps to stop the further construction activity on the site in question. However the concerned authorities have not stopped the construction work. Copy of the representation dated 21/05/2026 is annexed here unto as **ANNEXURE-3**.
9. That the ongoing construction poses an imminent threat of irreversible damage to the local ecosystem, biodiversity, and forest cover.
10. That the Precautionary Principle, which is an integral part of the sustainable development paradigm under Article 21 of the Constitution of

X

India and Section 20 of the National Green Tribunal Act, 2010, mandates that where there are threats of serious or irreversible damage, lack of full scientific certainty or pending administrative clearances shall not be used as a reason for postponing measures to prevent environmental degradation.

PRAAYER

Honble NGT may be pleased to pass the directions,

- I. Pass an ex-parte, interim order staying any further construction, clearing, or non-forest activities by the Respondents, their agents, or contractors on the subject forest land situated at plot No.- 213, Khata No.-74, pending the final disposal of the Original Application;
- II. Direct the District administration/forest department to ensure strict compliance with the stay order and file a status/compliance report before this Hon'ble Court;

Pass such other orders/directions as may be deemed fit and proper (including appropriately moulding the reliefs) in the bonafide interests of justice.

27TH May 2026

Applicant Through

 

Advocate's

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO.-97 OF 2026

IN THE MATTER OF:

PRATAP CHANDRA MOHANTY ... APPLICANT

VERSUS

STATE OF ODISHA AND OTHERS.... RESPONDENTS

AFFIDAVIT 21 MAY 2026

I, Pratap Chandra Mohanty, aged about 46 years, S/o-Sunakar Mohanty, At/Po- Talasanga, Patkura, Dist- Kendrapara, Pin- 754213, do hereby solemnly affirm, and declare as under:

1. That I am the Applicant in the above mentioned Original Application and I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
2. That I have read over the contents of the accompanying affidavit and the same is true and correct and is drafted on my instruction.

Pratap Chandra Mohanty
DEPONENT

VERIFICATION

Verified on this 27 day of May 2026 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.

Identified By

Advocate 27/5/23

Pratap Chandra Mohanty
DEPONENT

The above named deponent(s) being duly identified by Sri. L.P. Jena Advocate, Bhubaneswar appears before me on 27 MAY 2026 at 11 A.M./P.M. States on oath the contents of this affidavit are true to the best of his / her / their knowledge and belief

Deponent(s) Notary, Bhubaneswar

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



BELOW ATTACHGED PHOTOGRAPH DATED 19/05/2026 SUGGESTS THE RESPONDENTS HAVE STARTED CONSTRUCTION OVER THE FOREST LAND IN ABSENCE OF FOREST CLEARANCE.





Schedule I Form No.39-A

ଖତିୟାନ

ମୌଜା : ଯୁନିଟ ନଂ2 ଅମିକାସାହି

ଥାନା : ବାରିପଦା

ଥାନା ନମ୍ବର : 88

ତହସିଲ : ବାରିପଦା

ତହସିଲ ନମ୍ବର : 1037

ଜିଲ୍ଲା : ମୟୂରଭଞ୍ଜ

ଜମିଦାରଙ୍କ ନାମ ଓ ଖେଡ଼ାଟ ବା ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		ଓଡ଼ିଶା ସରକାର ଖେଡ଼ାଟ ନମ୍ବର 1				
1) ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		74				
2) ପ୍ରଜାର ନାମ, ପିତାର ନାମ, ଜାତି ଓ ବାସସ୍ଥାନ		ପୌର ପରିଷଦ ବିଭାଗ				
3) ସ୍ୱତ୍ୱ						
4) ଦେୟ :	ଜଳକର	ଖଜଣା	ସେସ୍	ନିଷ୍କାର ସେସ୍ ଓ ଅନ୍ୟାନ୍ୟ ସେସ୍ ଯଦି କିଛି ଥାଏ	ମୋଟ	5) କ୍ରମବର୍ଦ୍ଧନଶୀଳ ଖଜଣାର ବିବରଣି
6) ବିଶେଷ ଅନୁସଙ୍ଗ ଯଦି କିଛି ଥାଏ		ଖାଦୀ 69 ନଂ ଅନାବାଦୀ ଖାତାରେ Misc CaseNo 2/2015 ହୁମୁ ପୁଟନଂ 220 ଏ 0.05625 ବର୍ଗକଡ଼ି କିସମ ପଡିତ ଖାରଜ କରାଗଲା।				
BLANK SPACE FOR STAMPING						
ଅନ୍ତିମ ପ୍ରକାଶନ ତାରିଖ - 31/03/1986						
ଖଜଣା ଧାର୍ଯ୍ୟ ତାରିଖ -						

67	ରାସ୍ତା	ଗ୍ରମ୍ୟରାସ୍ତା	0	4800	ଏହି ପୁର ଅର୍ଦ୍ଧେକ ରକବା, ମୌଜା ନିଜ ଓ ଅର୍ଦ୍ଧେକ ରକବା, ବାରିପଦା ଟାଉନ ଯୁନିଟ ନଂ.1, ବେଲଗଡ଼ିଆ ପୁର ନଂ150 ସହ, ସାମିଲ ଅଟେ.
70	ରାସ୍ତା	ପଞ୍ଜା	0	3500	
79	ରାସ୍ତା	କଟାରାସ୍ତା	0	1800	
153	ରାସ୍ତା	ପଞ୍ଜା	0	0500	
165	ରାସ୍ତା	କଟା	0	3800	
166	ରାସ୍ତା	ପଞ୍ଜା	0	3400	
174	ରାସ୍ତା	ପଞ୍ଜା	0	3600	
187	ରାସ୍ତା	ପଞ୍ଜା	0	7000	
198	ରାସ୍ତା		0	3300	
179	ରାସ୍ତା	ପଞ୍ଜାରାସ୍ତା	0	2500	
157	ରାସ୍ତା	ପଞ୍ଜା	0	0600	
184	ରାସ୍ତା	ପଞ୍ଜା	0	1800	
223	ବନ୍ଧ	ବେଲଗଡ଼ିଆ ବନ୍ଧ	0	3500	ହାଲ କିସମ ଘରବାରି ଏକ ବେଆଅ, ଦଖଲ ପ୍ରଦିପ ଚନ୍ଦ୍ର ଭଞ୍ଜଦେଓ, ପି.ପ୍ରତାପ ଚନ୍ଦ୍ର ଭଞ୍ଜଦେଓ, ଜା.କ୍ଷତ୍ରୀୟ ବା.ନିଜଗାଁ
213	ଜଙ୍ଗଲ ଏକ	ଜଉକାଲପଟାସ ଜଙ୍ଗଲ	2	2800	
222	ଜଳାଶୟ ଏକ	ପୋଖରୀ	7	4400	
229	ଜଳାଶୟ ଏକ	ପୋଖରୀ	0	2000	
230	ଜଳାଶୟ ଏକ	ପୋଖରୀ	5	5900	
129	ଜଳାଶୟ ଏକ	ପୋଖରୀ	0	0200	
131	ଜଳାଶୟ ଏକ	ପୋଖରୀ	1	2200	

ENGLISH TRANSLATION OF ANNEXURE-2

Khatian

Mouza: unit No.-2 Ambikasahi
 Thana: Baripada
 Thana Number: 88

Tahasil: Baripada
 Tahasil Number: 1037
 District: Mayurbhanj

Name of the Jamidar and Khewat or Khatian serial number					Odisha Government Khewat number 1	
1) Khatain Serial no					74	
2) Name of the Tenant, Father's name, caste and residence					Municipality department	
3) Satwa						
4) Payable	Water Tax	Khajana	Cess	Nistar Cess and other cess if any	Total	5) Cumulative Khajana description
6) Special annexure if any		As per the order in Misc case No. 2/2015 Plot No. 220, Ac. 0.05625 square kadi Kissam patita deleted.				
BLANK SPACE FOR STAMPING						
Last publication date- 31/03/1986 Khajana date -						

Khatian Serial number- 74		Mouza – unit No.-2 Ambika sahi				District - Mayurbhanj
Plot no & Chaka name	Kisam & Plot Name	Detail description of the Kisam & Chouhadi	Area			Remark
			Acres	Decimal	Hectares	
213	Jungle-1	Eucalyptus Jungle	2	2800		



1X

ANNEXURE-3

Sankar Pani <sankarprasadpani@gmail.com>

Order dated 30th April2026 and Original Application in OA 97 of 2026

1 message

Sankar Pani <sankarprasadpani@gmail.com>

Fri, May 22, 2026 at 7:43 AM

To: dm-mayurbhanj@nic.in, roez.bsr-moef@nic.in, Legal Monitoring Cell <lmc.moefcc@gov.in>, dfo-baripada@odisha.gov.in, hudsec.or@nic.in, baripadam.hud@nic.in, "nacof.ltd@gmail.com" <nacof.ltd@gmail.com>, fesec.or@nic.in

TO

1. Additional Chief Secretary, Forest and Environment Dept, Govt. of Odisha, Kharavela Bhawan, Bhubaneswar, Odisha, 751001, Email: fesec.or@nic.in
 2. Department of Housing & Urban Development, Government of Odisha, represented through Additional Chief Secretary, At/Po- 3rd Floor, Kharvel Bhawan, West Wing, Room No.- 302, Bhubaneswar - 751001 Email- hudsec.or@od.gov.in
 3. District Collector, Mayurbhanj, At/Po/Ps- Baripada, Dist-Mayurbhanj. PIN-757001, Email- dm-mayurbhanj@nic.in
 4. Divisional Forest Officer (DFO), Baripada, At/Po- Baripada, Dist. Mayurbhanj, PIN-757001. Email- dfo-baripada@odisha.gov.in
 5. Member Secretary, Odisha Biodiversity Board, Regional Plant Resource Centre, Ekamrakanan, Nayapalli, Bhubaneswar, 751015, msobb@rediffmail.com
 6. Baripada Municipality, represented through its Executive Officer, At/Po- Infront of Collector Office, Ghiajodi, Meher Colony, Baripada, Odisha 757001, Email- baripadam.hud@nic.in
 7. Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Government of India, Integrated Regional Office A/3, Chandersekharpur, Bhubaneswar 751023, email- roez.bsrmef@nic.in
 8. National Federation of Farmers' Procurement, Processing and Retailing Cooperatives of India Ltd, (NACOF), At/po- Flat Nos. 101-116, 1st Floor, 6, Devika Towers, Nehru Place, New Dehli-110019, Email- nacof.ltd@gmail.com
- Sub- Service of Copy of OA and Order dated 30thApl2026

DearSir

Kindly acknowledge the receipt of the Email along with the annexures

Warm Regards

--

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

3 attachments**OA 97 OF 2026.pdf**
9045K**30thMay2026.pdf**
153K**letter 21st May2026.pdf**
539K

21st May 2025

TO

1. District Collector, Mayurbhanj, At/Po/Ps- Baripada, Dist-Mayurbhanj.

PIN-757001, Email- dm-mayurbhanj@nic.in

2. Divisional Forest Officer (DFO), Baripada, At/Po- Baripada, Dist.

Mayurbhanj, PIN-757001. Email- dfo-baripada@odisha.gov.in

3. Deputy Director General of Forests (C), Ministry of Environment,

Forest and Climate Change, Government of India,

Integrated Regional Office A/3, Chandersekharapur, Bhubaneswar 751023,

email- roez.bsrmef@nic.in

Sub- Illegal Construction Work by Baripada Municipality on Forest Land in violation of Forest Conservation Act 1980 and in derogation of Order of Honble NGT dated 30th April 2026 in OA No 97 of 2026

Dear Sir

As you know the Honble NGT is seized of the matter relating to construction activities for development of Infrastructure of Jublee Park, Land Scaping, Island, Boating with amenities in Jublee Park and Electrical Installation with Children Amenities in jubilee park under Baripada Municipality on land comprised in Khata No. 74- plots nos. 213(Jungle-1), 218 (Patita) and 230 (Jalasaya) and Khata No. 71- plot no. 203 (Jalasaya) without obtaining prior approval from Central Government under the Forest (Conservation) Act, 1980 (now Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980) and permission for felling of trees from. The Municipality and its contractor started tree felling from the site in question and illegally felled more than 100 trees by using chainsaw and stumps cleared by using JCB machines. When a project involves both forest and non-forest land, no construction is allowed even on non-forest land till approval of the Central Government for release of forest land under the Act has been given.

Honble NGT was pleased to issue Notice on this matter on 30th April 2026 and sought reply from all the respondents, **In the meantime the Municipality Authority and its contractors are ongoing with the construction work on the site using JCB Machine (photograph dated 19/05/2026 is attached) even after the cognizance of the matter taken by the Honble NGT Kolkata is a matter of deep concern.**

In this backdrop I would request you to take necessary steps to stop the further ongoing construction activity on the site in question.

Sincerely

Pratap Chandra Mohanty





Sankar Pani <sankarprasadpani@gmail.com>

IA FILED ON BEHALF OF APPLICANT IN OA 97/2026, NGT-EZ.

1 message

Sankar Pani <sankarprasadpani@gmail.com>

Wed, May 27, 2026 at 12:22 PM

To: fesec.or@nic.in, hudsec.or@od.gov.in, dm-mayurbhanj@nic.in, dfo-baripada@odisha.gov.in, msobb@rediffmail.com, baripadam.hud@nic.in, roez.bsr-moef@nic.in, "nacof.ltd@gmail.com" <nacof.ltd@gmail.com>

Dear Sir/Madma, please find copy of the IA filed on behalf of APplicant for Stay of the ongoing construction.

--

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

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