

BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA

O.A. NO.28 of 2022/EZ

RABEYA TABBASUM APPLICANT

-VERSUS-

UNION OF INDIA & OTHERS

.. RESPONDENTS

I N D E X

Sl. No.	Description of documents	Pages
1.	Counter Affidavit filed on behalf of respondent No.9	1 - 06
2.	<u>ANNEXURE – A/11 series</u> Copy of the 1st page of Agreements i.e. Agreement No. 20 P1 of 2020- 21, Agreement No. 58 F2 of 2023- 24 and Agreement No. 01 P1 of 2025-26	7 - 9

Cuttack

Date : 17/09/2025

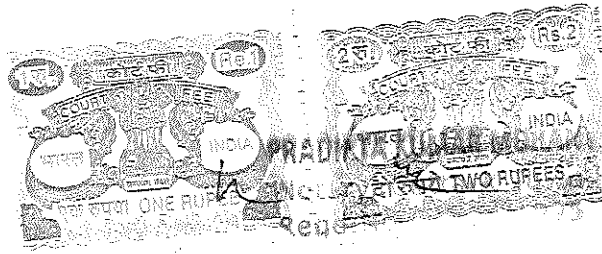
Sarjoo
17/9/25
Advocate

for respondent No.4 & 11

Sri Saroj Kumar Jee
Addl. Government Advocate

E no. 0-766/1988

mob no. - 9437295930



BEFORE THE NATIONAL GREEN TRIBUNAL,
EASTERN ZONE BENCH, KOLKATA

O.A. NO.28 of 2022/EZ

RABEYA TABBASUM APPLICANT

-VERSUS-

UNION OF INDIA & OTHERS

.. RESPONDENTS

COUNTER AFFIDAVIT FILED ON BEHALF OF
THE RESPONDENT NO. 4 & 11

I, Dr. Chandrasekhar Padhi, aged about 60 years, S/o-Agasti Prasad Padhi, at present working as OSD-cum- Engineer-in-Chief, Water Resources Department, Bhubaneswar, Odisha do hereby solemnly affirm and state as follows:-

1. That, I am working as above in the accompanying Original Application. I have been duly authorized by the Respondent No.4 & 11 in the accompanying Original Application to sign this affidavit on behalf of the Respondent No.4 & 11. I have gone through the contents of Original Application as well as the documents annexed thereto and understood the contents and purport thereof. I am otherwise acquainted with the facts of the case and competent to swear this Affidavit by virtue of my office.

Handwritten signature and date:
13/9/22

Handwritten signature and title:
Chandra Sekhar Padhi
OSD-Cum-Engineer-In-Chief, W.R
Odisha, Bhubaneswar

Handwritten signature of Pradipta Kumar Monami

PRADIPTA KUMAR MONAMI
Notary, Cuttack Town
Regd.No-OW-04/1995

2. That, the applicant has filed the aforesaid Original Application for violation of the provision 2 (a) 2 (k) 24 & 25 of water prevention and control of pollution Act-1974 and 25 section 7 and 39 of Orissa Irrigation Act & State Water policy.

3. That the accompanying Original Application as laid is not maintainable either in facts or in law, barred by limitation and wholly misconceived. The deponent craves leave of this learned Tribunal to make further submissions in this regard at the time of hearing.

4. That, without giving Para wise replay on the original application, this deponent craves leave of this Hon'ble Court to canvass the issues involved in this case for kind appreciation of this Hon'ble Court.

5. That, it is humbly submitted that the river Gobari originates from agricultural field near Kanapura village of Mahanga block in Cuttack District and passes through Jajpur district and outfalls to Bay of Bengal near Jamboo of Kendrapara district. The total length of river is 113km out of which 16km in Cuttack district, 7km in Jajpur district and 90km in Kendrapara district. From river Gobari total Irrigation potential created by Lift Irrigation Divisions 8156 Ha through 332 Nos Lift Irrigation point, out of which Irrigation potential

chandra Sekhar Padhe
OSD-Cum-Engineer-In-Chief, W.R
Odisha, Bhubaneswar

Sanja
17/9/21

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PRADIPTA KUMAR MOHANTY
Notary, Cuttack Town
Regd.No. ON-04/1995

created by Lift Irrigation Division, Kendrapara 7472 Ha through 298 Lift Irrigation point, Irrigation potential created by Lift Irrigation Division, Cuttack 360 Ha through 18 Lift Irrigation point and Irrigation potential created by Lift Irrigation Division, Jajpur 342 Ha through 16 Lift Irrigation point.

6. That, it is humbly submitted that for Public utilities structures on or across the river such as bridges with approach road and water inlets etc., permission is accorded by Department of Water Resources to the executing department of Govt. of Odisha.

7. That, it is humbly submitted that for improvement of Gobari Drainage channel at different locations are being taken up by way of renovation of Drainage channel and slope protection in phases as required from time to time to maintain constant/appropriate water level in the river. In this context a work list is placed below for kind perusal of the Hon'ble Tribunal (1st page of Agreement copy is enclosed for reference). However, keeping in view demands from various quarters, a preliminary project report has been prepared for total renovation and rejuvenation of Gobari Drainage channel.

Chandra Sekhar Padhi
OSD-Cum-Engineer-In-Chief, W.R
Odisha, Bhubaneswar

17/9/21

PRADIPTA SURIAR MONDAL
Notary, Cuttack - 10th
Regd No. CN-04/1998

- i. Improvement to Gobari Drainage channel from RD 64.00km to RD 75.00km in Kendrapara District under DOAB-II vide Agreement No. 20 P1 of 2020-21 amounting to Rs. 5,15,55,081.00(Excluding GST).
- ii. De-Silting on Gobari DC from RD 83900.00 mtr to 85092.00 mtr vide Agreement No. 58 F2 of 2023-24 amounting to Rs.4,45,014.00 (Excluding GST).
- iii. Renovation of Gobari Drainage Channel and its slope protection work (DOAB-II) vide Agreement No. 01 P1 of 2025-26 amounting to Rs. 4, 27, 25,226.00 (Excluding GST).

Copy of the 1st page of Agreements i.e. Agreement No. 20 P1 of 2020-21, Agreement No. 58 F2 of 2023-24 and Agreement No. 01 P1 of 2025-26 are annexed herewith and marked as ANNEXURE-A/11 series.

8. That, it is humbly submitted that for improvement of Gobari Drainage channel at different locations are being taken up by way of renovation of Drainage channel and slope protection in phases as required from time to time to maintain constant/appropriate water level in the river. However, keeping in view demands from various quarters, a

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13/9/25

Chandra Sekhar Padhan
OSD-Cum-Engineer-In-Chief,
Odisha, Bhubaneswar

PRADIPTA KUNAR MONDALY
MOLARY, Cuttack Town
REGD No-04 24/1995

preliminary project report has been prepared for total renovation and rejuvenation of Gobari Drainage channel.

9. That, it is humbly submitted that taking into account the condition of Gobari Drainage Channel at various reaches, the steps have been taken to protect the eroding banks and to improve flow of water. Expenditure for the purpose is being met out of provision under State funding "Drainage Improvement Programme (DIP)". Further steps are being taken to prepare one comprehensive development plan of Gobari drainage channel and it has been proposed to be taken up the project under central funding — FMBAP (Flood Management and Border Area Programme).

10. That, it is humbly submitted that steps are being taken for renovation and rejuvenation of Gobari Drainage channel (River).

11. That, under the aforesaid facts and circumstances, the original application to be dismissed being devoid of merit and this deponent reserve his right to file additional affidavit if required at the time of hearing.

Wariya
12/1/95

Chandra Sekhar Pasdh
OSD-Cum-Engineer-in-Chief, W.A.
Odisha, Bhubaneswar

M
PRADIPTA KUNAR MURARI
Notary, Cuttack Town
Regd No. 21104/1995

12. That the statements made above in Paragraphs-1 to 3 are true to the best of my knowledge and belief and those statements made in Paragraphs-4 to 10 are true to my information derived from the records and the statements made in Paragraph-11 & 12 is my submissions to this Hon'ble Court. I believe the information to be true as per available official records.

~~Identified by~~

Chandra Sekhar Padhi
Deponent
OSD-Cum-Engineer-In-Chief, W.R
Odisha, Bhubaneswar

~~Advocate's Clerk~~

Solemnly affirm before me by Dr. ^{known to} Chandrasekhar Padhi who is ~~identified before me~~ by..... whom I personally known

This is the 17th day of September, 2025

Pradipta
17/09/2025

PRADIPTA KUMAR MONDAL
Notary, Cuttack Town
Regd.No-ON-04/1995

Cuttack

Date: 17 .09.2025

~~OATH COMMISSIONER/~~
NOTARY PUBLIC, CUTTACK.
CERTIFICATE

Certified that the cartridge papers are not readily available.

Cuttack

Date: 17 .09.2025

Sri Saroj Kumar Jee
17/9/25

Advocate

for respondent No.4 & 11

Sri Saroj Kumar Jee
Addl. Government Advocate
E no. 0-766/1988
mob no. - 9437295930





GOVERNMENT OF ODISHA
DEPARTMENT OF WATER RESOURCES

e - Procurement Notice No. CE-DR-CTC-02/2019-20

BID IDENTIFICATION NO.

CE-DR-CTC-DD-KPD-02/2019-20

AGREEMENT DOCUMENT

FOR THE WORK

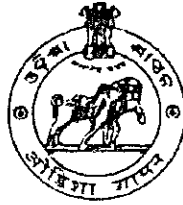
Improvement to Gobari Drainage Cut from RD 64.00km to RD 75.00km in Kendrapara District under DOAB-II.

AGREEMENT NO.	:	20 P / 2020-21
AGREEMENT AMOUNT	:	Rs. 5, 15, 55,081.00
AGREEMENT RATE	:	(-) 14.99% Less
NAME OF THE AGENCY	:	Samal Construction
DATE OF COMMENCEMENT	:	01.07.2020
DATE OF COMPLETION	:	31.05.2021

*True copy
attested
Betsy
12/9/20
Superintending Engineer
Drainage Division, Kendrapara*

Katmu Chann Senuf

[Signature]
EXECUTIVE ENGINEER
DRAINAGE DIVISION, KENDRAPARA
01/07/2020



ORIGINAL

GOVERNMENT OF ORISSA
WATER RESOURCES DEPARTMENT

OFFICE OF
THE SUPERINTENDING ENGINEER
DRAINAGE DIVISION, KENDRAPARA

P - 1 - AGREEMENT

Agreement No. 58 F2 of 2023-24

Name of Work de-silting on Gohari dc from RD 839 mt. to 85092 mt

Approved by the Addl. C.E. Drainage circle, CTC vide his
Office order - 489 (COE) dt 03.02.24

Sanctioned Estimate No. _____

Dr. No. & Amount 68/23-24 dt 22.01.24 for Rs 4,98,415 = W

Name of Contractor Bibhu Bhuban Dalai, 'B' class diploma Engg. Cont.

Agreement Value Rs 4,45,014 = W

Authority of acceptance S.E. Drainage Division, Kendrapara

Date of Commencement 08.02.2024

Stipulated Date of Completion 07.04.2024

Extension of time granted upto _____

Authority and No. & Date in _____

Which extension of time granted _____

Reference to letter No. & Date in which _____

The copy of agreement submitted to:

- (i) Superintending Engineer _____
- (ii) Chief Engineer _____
- (iii) Senior DAG (Works and Projects), Orissa _____

*True copy
attested
Bibhu
9.2.24*

**Superintending Engineer
Drainage Division, Kendrapara**

Certified that the agreement contains
(40) number of pages only

27
08/2/24
Superintending Engineer
Drainage Division, Kendrapara
08/2/24



Original

**GOVERNMENT OF ODISHA
DEPARTMENT OF WATER RESOURCES**

e-Procurement Notice No.ACEDC-CTC-09/2024-25

BID IDENTIFICATION NO.
ACEDC-CTC / DD-KPD -10/2024-25

*True copy
attested
B. Suresh
12/11/25*

**AGREEMENT DOCUMENT
(COVER-I)**

FOR THE NOTICE

**Superintending Engineer
Drainage Division, Kendrapara**

Renovation of Gobari Drainage Channel and its
Slope Protection work under DOAB-II

AGREEMENT NO.	:	ACEDC-CTC-09/2024-25
AGREEMENT AMOUNT	:	Rs. 4,27,25,226.00 + GST
AGREEMENT RATE	:	(-) 14.99% Less
NAME OF THE AGENCY	:	SURESH KUMAR RATH (Engg.)
DATE OF COMMENCEMENT	:	6.05.2025
DATE OF COMPLETION	:	15.11.2026

Suresh Kumar Rath

B. Suresh
12/11/25
**SUPERINTENDING ENGINEER
DRAINAGE DIVISION, KENDRAPARA**