

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL PRINCIPAL BENCH, NEW DELHI:**

ORIGINAL APPLICATION NO.21 OF 2024

SHAILESH SAHOOAPPLICANT

-VERSUS-

STATE OF ODISHA & ORS.RESPONDENTS

I N D E X

<u>Sl.No.</u>	<u>Description of Documents</u>	<u>Pages</u>
1.	Affidavit filed by Respondent Nos.1 & 3 pursuant to Order dated 11.07.2025	01-05
2.	<u>ANNEXURE-A/3 Series.</u> Copy of the map showing the demarcation of flood plan zone and rejuvenation of river in Mouza - Sikharpur, Kahneipur, Bhadimula, Banabidyadharpur & Gatiroutpatana.	06-07
3.	<u>ANNEXURE-B/3.</u> Copy of letter no.8706, dated 25.08.2025.	08-09

Cuttack

Date: 01.09.2025

Addl. Government Advocate

SANJAY RATH

MOB : 9861022612

email : adv.sanjayrath@gmail.com

**BEFORE THE HON'BLE NATIONAL GREEN
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SHAILESH SAHOOAPPLICANT

-VERSUS-

STATE OF ODISHA & ORS.RESPONDENTS

**ADDITIONAL AFFIDAVIT FILED ON BEHALF
OF RESPONDENT NOS. 1 & 3, PURSUANT TO
ORDER DATED 11.07.2025 :**

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

1. That, I have been duly authorised to swear this affidavit on behalf of Respondent Nos.1 & 3. I am well acquainted with the facts of the case and the relevant official records and competent to swear this Affidavit.

2. That, I have also gone through Order dated 11.07.2025 passed by this Hon'ble Tribunal and understood the contents thereof. This Hon'ble Tribunal



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



vide Order dated 11.07.2025 was please to direct as follows :

“xxx xxx xxx

2. Respondents no.1 and 3 are directed to file additional response with respect to the aspects of (a) demarcation of flood plan zone and rejuvenation of river (b) identification and removal of encroachments on river bed and active flood plain zone and (c) tapping of drains falling in the river for preventing discharge of untreated domestic sewage / industrial effluents in the river.

xxx xxx xxx”

3. That, in pursuance to the aforesaid direction of this Hon’ble Tribunal, the present Additional Affidavit is being filed.

4. That, the demarcation of flood plan zone of the river Mahanadi has been duly carried by Respondent No.3 in pursuance to the aforesaid Order passed by this Hon’ble Tribunal. It is most humbly submitted that in Mouza – Sikharpur there is Ac.212.744 dec. of land in total, out of which area in the Flood Plain Zone is Ac.42.656 dec. and total number of plots in the Flood Plane Zone is 387. Similarly, in Mouza – Kahneipur there is Ac.644.67 dec. of land in total, out of which

Chandra Sekhar Padhi

**OSD-Cum-Engineer-in-Chief, W.R
Odisha, Bhubaneswar**

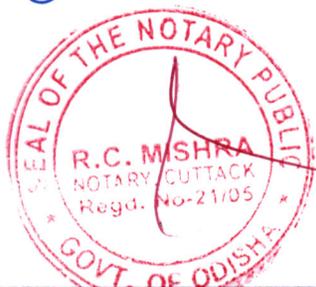


area in the Flood Plain Zone is Ac.170.113 dec. and total number of plots in the Flood Plane Zone is 699. Similarly, in Mouza – Bhadimula there is Ac.352.75 dec. of land in total, out of which area in the Flood Plain Zone is Ac.104.000 dec. and total number of plots in the Flood Plane Zone is 143. Similarly, in Mouza – Banabidyadharpur there is Ac.283.64 dec. of land in total, out of which area in the Flood Plain Zone is Ac.189.310 dec. and total number of plots in the Flood Plane Zone is 148. Similarly, in Mouza – Gatiroutpatana there is Ac.918.07 dec. of land in total, out of which area in the Flood Plain Zone is Ac.432.620 dec. and total number of plots in the Flood Plane Zone is 926.

Copy of maps showing demarcation of the flood plan zone of Mahanadi rive in relation to the Mouzas - Sikharpur, Kahneipur, Bhadimula, Banabidyadharpur & Gatiroutpatana are annexed herewith and marked as **ANNEXURE – A/3 Series.**

5. That, so far as identification and removal of encroachments on the river bed and active flood plain zone is concerned, it is most humbly submitted that necessary action in this regard has to be taken by the Cuttack Development Authority/Cuttack Municipal Corporation, being the appropriate competent authority(s) under the Orissa Development Authorities Act, 1982 and the Rules framed thereunder, as has

Chandra Sekhar Padhi
CSD-Cum-Engineer-in-Chief, W.R
Odisha, Bhubaneswar



been explained in detail in Affidavit dated 08.07.2025 filed previously by the present deponent. In this regard a letter inter alia, requesting for necessary action to be taken in so far as removal of encroachments is concerned dated 03.07.2025 had been issued earlier to the competent authorities and the same had been filed before this Hon'ble Tribunal as Annexure-A/3 to Affidavit dated 08.07.2025. Now after demarcation of flood plain zone of Mahanadi river as aforesaid, the appropriate authorities have been informed of the same, supplied with the relevant documents/sketch maps relating to such demarcation and requested once again to make the said area encroachment free vide office letter no.8706, dated 25.08.2025, copy of which is filed herewith and marked as ANNEXURE-B/3 for kind perusal of this Hon'ble Tribunal.

Similarly, so far as the third aspect i.e. tapping of drains falling in the river for preventing discharge of untreated domestic sewage / industrial effluents in the river is concerned, it is most humbly submitted once again that the same comes under the domain/jurisdiction of the Cuttack Municipal Corporation as well as the Odisha Water Supply and Sewerage Board, who have been requested by the present deponent by way of the aforesaid letter dated 25.08.2025 to take necessary action.

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



6. That the facts stated and averments made in different paragraphs of this affidavit are based on document(s) and record(s) available and the deponent believes the same to be true and correct to the best of his knowledge.

Identified by

✓ Chandra Sekhar Padhi

Advocate

DEPONENT 01.09.2025
OSD-Cum-Engineer-In-Chief, W.R
Odisha, Bhubaneswar

CERTIFICATE

Certified that due to non-availability of cartridge papers thick white papers are used.

Cuttack

Date : 01.09.2025 ADDL. GOVT. ADVOCATE.

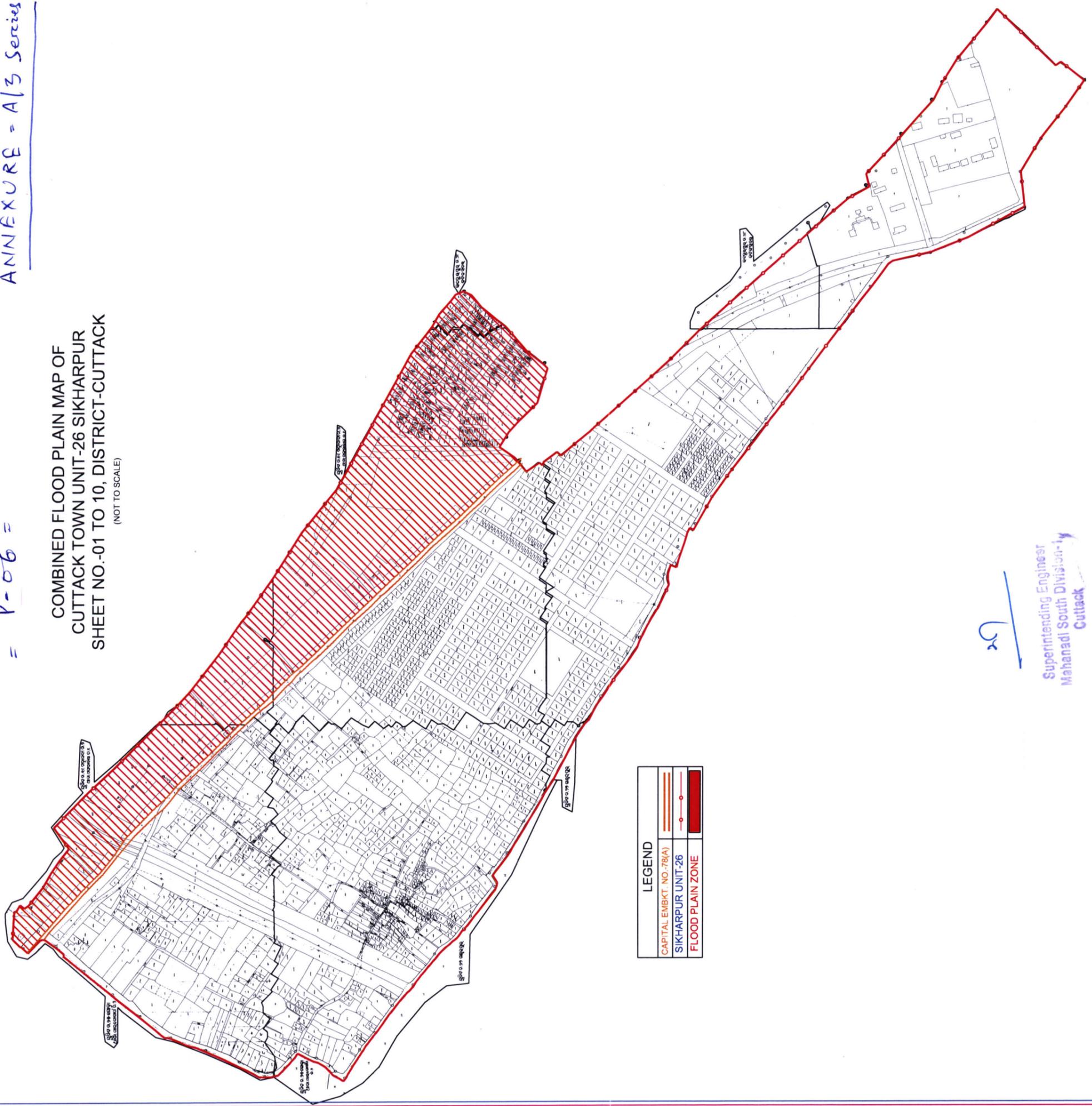


Solemnly affirm on in Oath by the Deponent
at Cuttack on... being identified
by ...
Advocate/Adv's Clerk/S.O. AG's office/Notary
personally, the ... stated above are
true to the best of his/her knowledge.
RAMA CHANDRA MISHRA, NOTARY
CUTTACK TOWN, REGD. No-21/08

ANNEXURE - A/3 Series

= P-06 =

COMBINED FLOOD PLAIN MAP OF
CUTTACK TOWN UNIT-26 SIKHARPUR
SHEET NO.-01 TO 10, DISTRICT-CUTTACK
(NOT TO SCALE)



LEGEND	
	CAPITAL EMBKT. NO.-78(A)
	SIKHARPUR UNIT-26
	FLOOD PLAIN ZONE

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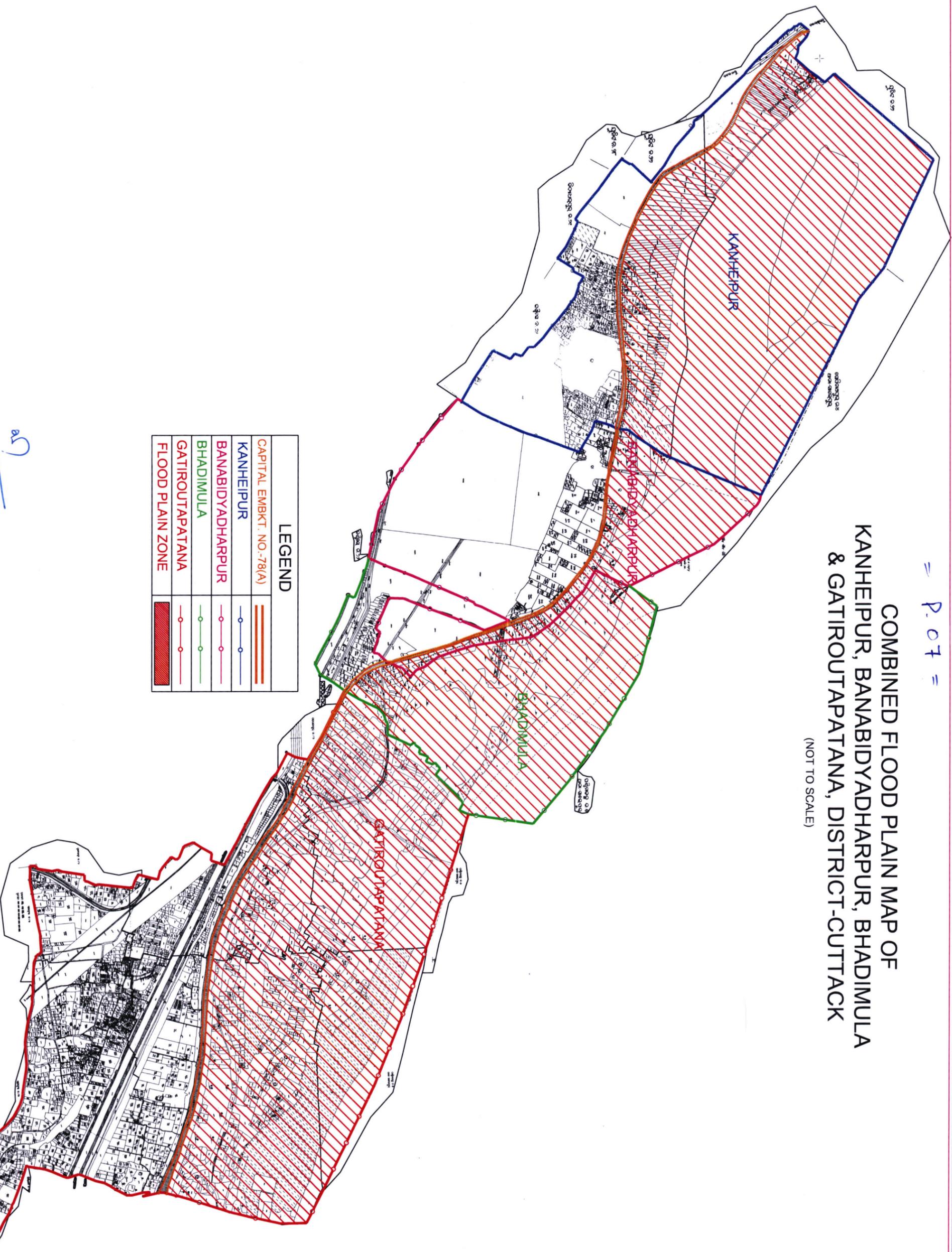
Superintending Engineer
Mahanadi South Division-ly
Cuttack

= P.O.F =

COMBINED FLOOD PLAIN MAP OF KANHEIPUR, BANABIDYADHARPUR, BHADIMULA & GATIROUTAPATANA, DISTRICT-CUTTACK

(NOT TO SCALE)

LEGEND	
CAPITAL EMBKT. NO.-78(A)	
KANHEIPUR	
BANABIDYADHARPUR	
BHADIMULA	
GATIROUTAPATANA	
FLOOD PLAIN ZONE	



as

OFFICE OF THE SUPERINTENDING ENGINEER,
MAHANADI SOUTH DIVISION-I, CANTONMENT ROAD, CUTTACK-1

Mail id - eemscuttack@gmail.com

No. 8706 Dt. 25.8.25

To,

1. The Collector & District Magistrate, Cuttack,
At/Po/Dist-Cuttack,
2. The Commissioner,
Cuttack Municipal Corporation,
Cuttack.
3. The Vice Chairman,
Cuttack Development Authority.
4. The Water Supply & Sewerage Board, Unnati Bhawan
2nd Floor, Satya Nagar, Bhubaneswar.-751007.

Sub.: OA No.21/2024 filed by Sri Sailesh Sahoo -vrs- State of Odisha pending before the Hon'ble National Green Tribunal, Principal Bench, New Delhi.

Sir,

In inviting a reference to the subject cited above, it is to state that the Hon'ble National Green Tribunal, Principal Bench, New Delhi at Paragraph 2 of Order dated 11.07.2025 (copy enclosed) has directed the Respondents no.1 and 3 to file additional response with respect to the aspects of (a) demarcation of flood plan zone and rejuvenation of river (b) identification and removal of encroachments on river bed and active flood plain zone and (c) tapping of drains falling in the river for preventing discharge of untreated domestic sewerage / industrial effluents in the river.

In the above circumstances, it is to state that the demarcation of flood plan zone and rejuvenation of river has been carried out by this Office as the same relates to this Office. So far as identification and removal of encroachments on river bed and active flood plain zone is concerned, required action is to be taken by the Cuttack Development Authority/Cuttack Municipal Corporation being vested with the power to do so under the Orissa Development Authorities Act, 1982. Similarly, in regard to tapping of drains falling in the river for preventing discharge of untreated domestic sewerage / industrial effluents in the river is concerned also, required action to be taken by the Cuttack Municipal Corporation and the Water Supply and Sewerage Board, Unnati Bhawan Bhubaneswar.

Therefore, in pursuance to Order dated 11.07.2025 of the Hon'ble NGT, Principal Bench, New Delhi, in O.A No.21/2024 filed by Sri Sailesh Sahoo -vrs- State of Odisha, you are requested to take necessary action in the above matter at your end.

This is for your information and necessary action.

Yours faithfully,

Superintending Engineer
Mahanadi South Division-I, Cuttack

True copy attached
Superintending Engineer
Mahanadi South Division-1,
Cuttack

Memo No. 8707 Dt. 25.8.25

Copy submitted to the Tahasildar Cuttack Sadar, for favour of kind information please.

Superintending Engineer

A 082 = 09 =

Memo No. 8708 Dt. 25.8.25

Copy submitted to the Advocate General, Odisha, Cuttack for favour of kind information please.

[Signature]
25/8/25
Superintending Engineer

Memo No. 8709 Dt. 25.8.25

Copy submitted to the Under Secretary to Govt. Department of Water Resources, Odisha Bhubaneswar / Engineer-In-Chief Water Resources Odisha Bhubaneswar / Chief Engineer & Basin Manager, Mahanadi Kathajodi System, Bhubaneswar / Additional Chief Engineer, Eastern Circle-I, Cantonment Road, Cuttack / Asst. Executive Engineer Jobra Irr- sub-Division for favour of kind information.

[Signature]
25/8/25
Superintending Engineer

True copy attached.

[Signature]
Superintending Engineer
Mahanadi South Division
Cuttack