

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

O.A. No.82/2015/EZ

Biranchi Narayan Mahapatra Applicant

-Versus-

State of Odisha & others Respondents

I N D E X

Sl. No.	Description of documents	Page No.
1.	Compliance Affidavit	1 - 4
2.	<u>Annexure-A/5</u> Copy of the office order dt.18.6.2022	5 - 6
3.	<u>Annexure-B/5 series</u> Copy of the police requisition dt.19.7.2022 & copies of the photographs	7 - 11

Kolkata
Dt.25.7.2022

By the Respondent No.5, through

Ramesh Sahoo
Advocate

(RAMESH SAHOO)

Mob – 9338105167

Email – sahoolawramesh@yahoo.co.in


COMMISSIONER
Berhampur Municipal Corporation

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

O.A. No.82/2015/EZ

Biranchi Narayan Mahapatra Applicant

-Versus-

State of Odisha & others Respondents

**COMPLIANCE AFFIDAVIT FILED ON BEHALF OF THE
RESPONDENT NO.5**

I, J.Sonal, I.A.S., aged about 33 years, S/o. Sri Ashim Kumar Jena, at present working as the Commissioner, Berhampur Municipal Corporation, At/Po. Berhampur, Dist. Ganjam, Odisha do hereby solemnly affirm and state as follows :

- 1) That I am working as the Commissioner, Berhampur Municipal Corporation and I am competent to swear this affidavit.
- 2) That by order dt.11.5.2022, this Hon'ble Tribunal was pleased to grant two months time to complete the eviction process from 11 waterbodies situated within Berhampur

Jyoti Ranjan Bhattanaik
Jyoti Ranjan Bhattanaik
Notary, Cuttack Town
Rend. No-19 of-2012

[Signature]
COMMISSIONER
Berhampur Municipal Corporation

Municipal Corporation and to file compliance affidavit before this Hon'ble Tribunal.

- 3) That it is most respectfully submitted that the present Deponent being appointed as the Commissioner, Berhampur Municipal Corporation joined in the said post on 18.6.2022 and took over the charge of the office of the Commissioner with effect from the said date. Copy of the office order taking over the charge of the office is annexed hereunto and is marked as Annexure-A/5.
- 4) That after taking over the charge of the office of the Commissioner, Berhampur Municipal Corporation, this Deponent took some time to complete the review of all the pending works of the Corporation and accordingly finalized an action plan to complete the pending works including the eviction process as per the direction of this Hon'ble Tribunal.
- 5) That since the eviction process in respect of two waterbodies namely Purnabasi and Lanjipalli Gouda Bandha was half completed, therefore this deponent took steps to complete the eviction process from over Purnabasi waterbody and accordingly made requisition for police force


Jyoti Ranjan Pattanaik
Notary, Cuttack Town
Regd. No-19 of-2012


COMMISSIONER
Berhampur Municipal Corporation

by office order dt.19.7.2022 and completed the eviction process from over Purnabasi waterbody on 23.7.2022. Copy of the police requisition order dt.19.7.2022 and the photographs are annexed hereunto and are marked as Annexure-B/5 series.

- 6) That this deponent most humbly begs to submit that since this deponent has taken charge of the post of the Commissioner, Berhampur Municipal Corporation recently, this Deponent will take all steps to complete the eviction process in respect of the remaining waterbodies in compliance of the directions issued by this Hon'ble Tribunal.
- 7) That in respect of Lanjipalli Gouda Bandha, the eviction process could not be completed due to serious law and order problem. Therefore, this deponent will complete the eviction in respect of Lanjipalli Gouda Bandha by taking the help of the District Administration and police force for which some more time may kindly be granted.
- 8) That this Deponent further begs to submit that the eviction process in respect of Balaji Pentha shall be immediately taken up after the disposal of M.A. No.15/2021/EZ where


Jyoti Ranjan Pattanaik
Notary, Cuttack Town
Regd. No-19 of-2012


COMMISSIONER
Berhampur Municipal Corporation

this Hon'ble Tribunal has granted an order of stay in respect of the Applicants in the said M.A., for which some further time may kindly be granted by this Hon'ble Tribunal.

- 9) That the delay in filing the compliance affidavit is neither deliberate nor intentional. This deponent has the highest regards for the Court of Law and holds this Hon'ble Tribunal in its highest esteem.
- 10) That this Deponent begs to submit that the eviction process in respect of all the 11 waterbodies will be completed within such time as shall be granted by this Hon'ble Tribunal and thereafter the compliance affidavit shall be filed before this Hon'ble Tribunal.
- 11) That the facts stated above are true to the best of my knowledge and belief being based upon the official records of Berhampur Municipal Corporation.



Identified by

Advocate *(Signature)*

Kolkata

Deponent

(Signature)
COMMISSIONER
Berhampur Municipal Corporation

Dt. 25.7.2022

Solemnly Sworn before me
by..... *(Signature)*
Being identified by..... *(Signature)*
At Cuttack on..... *(Signature)*

(Signature)
Jyoti Ranjan Pattanaik
Notary, Cuttack Town

5

FORM O.G.F.R - 2

(See Rule - 63)

No. 6653 /

Dt. 18.6.2022

To

- (1) The Special Secretary to Govt.,
G.A & P.G. Department, Odisha, Bhubaneswar
- (2) The Special Secretary to Govt.,
H & U.D Department, Odisha, Bhubaneswar.

Sir,

In pursuance of G.A & P.G. Department Notification No. 16500 / IAS, dated 16.06.2022 Govt. of Odisha, we have this day i. e. on 18.06.2022 in the forenoon handedover and taken over charges of the Commissioner, Berhampur Municipal Corporation, Berhampur in the Ganjam District.

(Dr. Siddeshwar Baliram Bondar, IAS)
Signature of the relieved officer,

(Shri J. Sonal, IAS)
Signature of the relieving officer,

Berhampur
Dt. 18.06.2022

Additional information to be furnished respect of taking over charge of Government money.

I, (Relieving Officer) acknowledge to have received Rs. Nil (In words) Rupees Nil of permanent advance and Rs. Nil (In Words) Rupees Nil of other cash and the full amount of such advances / cash is due from and to be accounted for by me.

Place: Berhampur
Date: 18.6.2022

Signature
(Relieving Officer)

Additional Information to be furnished regarding leave etc.

By Relieved Officer

- 1. If Proceeding on leave - NA
 - (a.) Addressed during leave
 - (b.) Place at which leave Salary Is to be drawn. - NA
- (If a treasury outside the state a copy Of the last pay certificate should be Furnished to the A.G) - NA

True copy attached

6

2. If on Transfer

The post and station to which Transferred

- NA

3. If not proceeding on leave or on Transfer, reasons for relinquishing The charge

- Handed over Additional Charge


Signature
(Relieved Officer)

Date : 18.06.2022

By Relieving Officer

4. If returning from leave

- NA

5. If on transfer from a post From which transferred

- Sub-Collector, Gunupur

6. If not returning from leave or another post, Reasons of taking over charge.


Signature
(Relieving Officer)

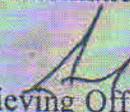
Date : 18.06.2022

Memo No. 6654 / 22

Date. 18.6.2022

Copy submitted to Commissioner-Cum-Secretary to Govt., Revenue & Disaster Management Department / Director, Municipal Administration, Housing & Urban Development Department, Govt. of Odisha, Bhubaneswar / Collector & District Magistrate, Rayagada / Collector & District Magistrate, Ganjam, Chatrapur / Collector & District Magistrate Bhadrak / Principal Accountant General (A & E), Odisha, Bhubaneswar / Secretary to R.D.C, Southern Division, Berhampur / Sub - Collector, Gunupur / Secretary to RDC Central Division, Bhadrak / Treasury Officer, Special Treasury, Berhampur / Treasury Officer, Special Treasury, Rayagada / Treasury Officer, Special Treasury, Bhadrak / Deputy C.E.O GUTSL, Berhampur for information.

True copy attached



(Relieving Officer)

Sri J Sonal, IAS
COMMISSIONER
Berhampur Municipal Corporation
Berhampur -760002



0680-2250290(Off)
E-mail- mcbemc08@gmail.com
Website-www.berhampur.gov.in

Letter No. 8067/

Date. 19.07.2022

To
The Superintendent of Police
Berhampur.

Sub: -Request for requisition of 3 platoon Police force including adequate Lady police personnel during enforcement from Purnabasi Colony on 21.07.2022.

Sir,

In inviting a reference to the subject cited above, Hon'ble NGT in O.A. no. 82/2015/E.Z has ordered the Eviction of encroachers from Purnabasi Colony which is encroached at present. Enforcement will be carried out at the above mentioned places on 21.07.2022 from 8.00 AM onwards for which presence of police personnel is essential for smooth functioning of demolition work and maintaining law and order.

I therefore, request you to depute 3 Platoon of Police personnel including sufficient strength of Lady police personnel with the Enforcement Officer, BeMC (Ph-7978908439) for this purpose.

Yours faithfully,


Commissioner,
Berhampur Municipal Corporation

Memo No. 8068 /Date. 19.07.2022

Copy submitted to Collector & District Magistrate, Ganjam, Chatrapur for kind information.

Copy submitted to Mayor, BeMC for kind information.

Copy submitted to Deputy Mayor, BeMC for kind information.


Commissioner,
Berhampur Municipal Corporation

Memo No. 8069 /Date. 19.07.2022

Copy to Sub-Collector & Sub-Divisional Magistrate, Berhampur with a request to remain present during the eviction process to oversee law & order situation.


Commissioner,
Berhampur Municipal Corporation

Memo No. 8070 /Date. 19.07.2022

Copy to Tahasildar, Berhampur for information and necessary action.


Commissioner,
Berhampur Municipal Corporation

True copy attached

Sri J Sonal, IAS
COMMISSIONER
Berhampur Municipal Corporation
Berhampur -760002



0680-2250290(Off)
E-mail- mcbemc08@gmail.com
Website-www.berhampur.gov.in

Memo No. 8071 /Date. 19.07.2022

Copy to Superintendent Engineer, TPSODL for information and necessary action with a request to ensure disconnection of power supply and clearance of any electrical hindrance at the site.

Copy to Fire Officer, Berhampur for information and necessary action.


Commissioner,

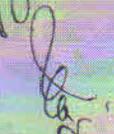
Berhampur Municipal Corporation

Memo No. 8072 /Date. 19.07.2022

Copy to Persons concerned/ E.E-II /A.E., Electric Section, BeMC for information & necessary action.


Commissioner,

Berhampur Municipal Corporation

True copy all (M)






11



Tree logs left to
be