



BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
Misc. Application No.20/2023/EZ

IN

OA No.01/2023/EZ.

Dr. Bibhu Dash & Another ..... Applicant

-versus

Bhubaneswar Municipal Corporation ..... Respondents  
& Others.

18 OCT 2023

M.M. HAQUE  
NOTARY BHUBANESWAR  
Regd. No. ON-12/2008

AFFIDAVIT ON BEHALF OF STATE  
POLLUTION CONTROL BOARD, ODISHA,  
RESPONDENT NO.3 IN COMPLIANCE TO  
DIRECTION DTD.10.10.2023 OF THIS  
HON'BLE TRIBUNAL.

*[Handwritten signature]*

I, Dr. Kailasam Murugesan, IFS, son of late Paramasivam Kailasam aged around 55 years, at present working as Member Secretary, State Pollution Control Board, having my office at Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, P.O. Nayapalli, Bhubaneswar, Dist – Khurda, Odisha-751012, do hereby solemnly affirm and state as under:



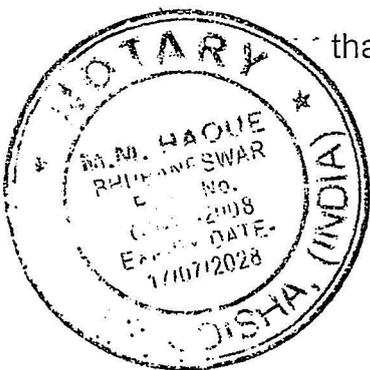
*M.M. HAQUE*  
 M.M. HAQUE  
 NOTARY, BHUBANESWAR  
 Regd. No.- ON-12/2008

1. That I am the Member Secretary of the Respondent No.3 Board and, as such, am well-acquainted with the facts and circumstances with the case and competent to swear this affidavit.

2. That the aforesaid OA was disposed of vide order dtd.14.03.2023 with direction to the R.No.3 Board and Collector & DM, Khurda to file the compliance on affidavit and accordingly, an affidavit dtd.31.07.2023 has been filed by the R.No.3 Board which has also been taken note of by the Hon'ble Tribunal in their order dtd.21.08.2023 in MA No.20/2023/EZ arising out of the aforesaid OA.

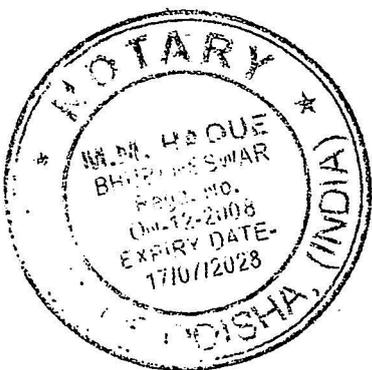
3. That in the affidavit dtd.05.10.2023, the R.No.3 Board has annexed a copy of letter No.15313 dtd.03.10.2023 vide Annexure-R7/7 addressed to the Engineer-in-Chief, of Water Corporation of Odisha (WATCO), which has been implemented as R.No.4 by this Hon'ble Tribunal in their order dtd.10.10.2023.

4. That it is humbly submitted that in the meantime, in response to our letter, the WATCO Authority has intimated that they have visited the site of M/s. Manoram Estates



*M.M. HOQUE*  
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 NOTARY, BHUBANESWAR  
 Regd. No. - ON-12/2008

Welfare Society, which has been impleaded in this MA as R.No.1 and stated that no sewerage system is available in the said vicinity and it is not feasible to connect the sewage outflow of Manorama Estates to their system through gravity as the said premises is situated in the low-laying area. Accordingly, it has been suggested by the WATCO Authority that a pumping station is required to be constructed in the premises of the Manorama Estates and sewage can be pumped to the nearby sewerage system at Durga Mandap, Bomikhal, Bhubaneswar. After receipt of the letter dtd.07.10.2023, the R.No.3 Board has communicated the said letter of the WATCO Authority to the Manorama Estates newly impleaded as R.No.1 in this MA vide letter No.15950 dtd.09.10.2023 with a direction to take immediate steps to implement the suggestion of the WATCO Authority in order to comply with the direction dtd.14.03.2023 of the Hon'ble Tribunal passed in OA No.1/2023 at para-27. Copy of letter No.6066 dtd.07.10.2023 of the WATCO Authority and letter No.15950 dtd.09.10.2023 of the R.No.3 Board are



  
**M.M. HAQUE**  
 NOTARY, BHUBANESWAR  
 Regd. No. - ON-12/2008

annexed to this affidavit and marked as ANNEXURE – R3/8 and ANNEXURE – R3/9 respectively.

5. That the R.No.3 Board is filing the aforesaid documents in order to bring the same to the record of this Hon'ble Tribunal as per direction dtd.10.10.2023 of the Hon'ble Tribunal at para-5.
6. That the Respondent No.3 Board craves the leave of this Hon'ble Tribunal to file further affidavit if necessary for proper adjudication of this case.
7. That the annexures annexed to the present affidavit are true and correct copies of their originals.
8. That the contents of the above paragraphs are true and correct to the best of my knowledge, as derived from the official records, and that nothing material has been concealed therefrom.



  
**DEPONENT**  
 Member Secretary  
 State Public Tribunal Board  
 Cuttack, Bhubaneswar

*M.M. HAQUE*  
NOTARY, BHUBANESWAR  
Regd. No.- ON-12/2008

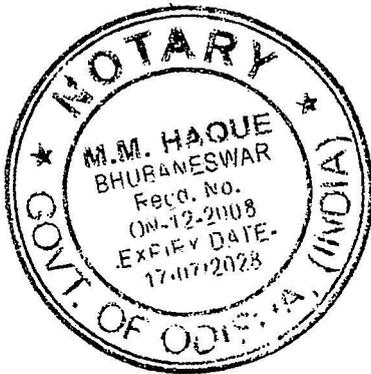
**VERIFICATION:**

I, the above named deponent, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge, as derived from official records, and that nothing material has been concealed therefrom.

Verified at Bhubaneswar on this the 18<sup>th</sup> day of October, 2023.

Identified by me  
*[Signature]*  
18-10-23  
Advocate, Bhubaneswar

*[Signature]*  
**DEPONENT**  
Member Secretary  
State Pollution Control Board  
Cuttack, Bhubaneswar



*[Signature]*  
18/10/2023  
**M.M. HAQUE**  
NOTARY, BHUBANESWAR  
Regd. No.- ON-12/2008



WATCO

No. 6066 Dt. 7/10/2023

To

The Member Secretary,  
State Pollution Control Board, Bhubaneswar.  
Email: [ParibeshL@spcbboard.org](mailto:ParibeshL@spcbboard.org)

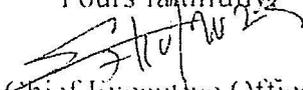
Sub: OA No.01/2023/EZ- Dr. Bibhu Dash & Anr. V. Bhubaneswar Municipal Corporation & Other and OA No.01/2023/EZ- Manorama Estates Welfare Society V. Bhubaneswar Municipal Corporation & Others.

Ref:- Your letter No.15313 dt.3.10.2021.

Sir,

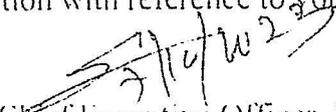
With reference to the above cited subject, it is to say that the office has not received any letter from Manorama Estates Welfare Society. However, as desired in your letter under reference General Manager, WATCO Project Division-III, Bhubaneswar was instructed to conduct site visit and give feasibility report. It is seen that no sewerage system is available in the said vicinity and it is not feasible to connect the sewage outflow of the Manorama Estates to our system through gravity, as the said premises is situated in the low laying area. A pumping station is required to be constructed in the premises of the Manorama Estates and sewage can be pumped to near by sewerage system at Duragamandap, Bomikhal. Hence, Manorama Estates Welfare Society may be advised to construct pumping station within their premises and install necessary pump sets and pump the swage to the nearest machine hole at Duragamandap, Bomikhal at their own cost.

Yours faithfully

  
Chief Executive Officer  
WATCO, Bhubaneswar.

Memo No. 6067 Dt: 7/10/2023

Copy forwarded to the General Manager, WATCO Project Division-III, Bhubaneswar for information & necessary action with reference to your letter No. 592 dt:05.10.2023.

  
Chief Executive Officer, WATCO.

CIN No: U41000OR2015NP1019598

Registered Office: WATCO, Ground Floor of UNNATI Bhawan  
Satya Nagar, Bhubaneswar-751007

Telefax: +91 674 2391444, email: [info@watco.orissa.in](mailto:info@watco.orissa.in) www.watco.orissa.in



EPABX: 2561909/2562847

Tel: 2562822, 2560955

Email: [paribesh1@ospcboard.org](mailto:paribesh1@ospcboard.org)Website: [www.ospcboard.org](http://www.ospcboard.org)

STATE POLLUTION CONTROL BOARD, ODISHA  
[DEPARTMENT OF FOREST AND ENVIRONMENT, GOVERNMENT OF ODISHA]  
Paribesh Bhawan, A/118, Nilakanthanagar, Unit - VIII,  
Bhubaneswar - 751 012, INDIA

No. 15950Date: 09.10.2023

VII - L - Misc - 976

Speed Post/Hand

To

The President  
Manorama Estates Welfare Society.  
Bomikhal, Bhubaneswar.  
Odisha - 751007.

- Sub: 1. OA No.01/2023/EZ - Dr.Bibhu Dash & Anr. vs. Bhubaneswar Municipal Corporation & Ors.  
2. OA No.28/2023/EZ - Manorama Estates Welfare Society vs. Bhubaneswar Municipal Corporation & Ors.

- Ref: 1. Letter No.2413 dtd.27.03.2023 issued by the Regional Officer, Bhubaneswar of this Board to the Secretary, Manorama Estates Welfare Society.  
2. Your letter dtd.15.09.2023 and 16.09.2023 addressed to the Regional Officer, SPC Board, Bhubaneswar

Sir,

The Hon'ble NGT in their order dtd.14.03.2023 passed in OA No.1/2023/EZ directed the Board to submit an action taken report with the Registrar, NGT, EZB, Kolkata on affidavit regarding compliance of their direction at para-27 of the said order. The relevant portion of para-27 is given below:

27. The State Pollution Control Board, Odisha, shall also take steps to ensure that the colonies in question establish adequate Effluent Treatment Plant (ETP) / Sewerage Treatment Plant (STP), as the case may be, to ensure that raw sewage is not allowed to flow into the common drain and from there to canal.

The OA No.28/2023/EZ filed by your society has also been disposed of vide order dtd.21.03.2023 in the light of the direction given in the OA No.01/2023/EZ. In order to verify the compliance status the officials of this Board has carried out inspection on dtd.17.07.2023 and accordingly the Regional Officer, Bhubaneswar has directed you to take immediate steps for compliance of the direction of the Hon'ble Tribunal at para-27. Since you have failed to comply the direction of Hon'ble Tribunal by developing the treatment system like STP / ETP

of adequate size. Further another inspection was also carried out by the officials of the Board on 15.09.2023 and it was also found that the status prevailing during earlier inspection on 17.07.2023 was noticed. Further, in your letter dtd.16.09.2023 addressed to the Regional Officer, Bhubaneswar of this Board in para-3, you have stated that earlier you have moved the Sewerage Board (WATCO) vide your letter dtd.26.03.2018 to connect the complex of Manoama Estates Welfare Society with the Master Sewage System Plant as being done for other areas without any response.

Accordingly, the Board has requested the Engineer-in-Chief, WATCO vide Board's letter No.15313 dtd.03.10.2023 to consider the recommendation of the inspecting officer observed in the inspection report carried out on 15.09.2023 and also keeping in view your request dtd.16.09.2023. In the meantime, the WATCO Authority vide their letter No.6066 dtd.07.10.2023 has intimated that they have visited the site and it is seen that no sewerage system is available in the said vicinity and it is not feasible to connect the sewage out-flow of your estates to their system through gravity as the said premises is situated in the low-lying area. Accordingly, it has been suggested by the WATCO Authority that a pumping station is required to be constructed in the premises of the Manorama Estates and Sewage can be pumped to nearby sewerage system at Durga Mandap, Bomikhal. Copy of letter No.6066 dtd.07.10.2023 is enclosed for your reference.

In view of the opinion of WATCO, Bhubaneswar, you are requested to take immediate steps to implement their suggestion as a meticulous compliance to the direction of the Hon'ble NGT at para-27 extracted above. Action taken in the matter may be intimated to the Regional Officer, SPC Board, Bhubaneswar for further follow up action.

Encl: As above.

Yours faithfully,

  
Member Secretary

E-mail

Memo No. 15951 / Date: 09.10.2023

Copy along with copy of enclosure forwarded to the Regional Officer, SPC Board, Bhubaneswar for information and necessary action.

Encl: As above.

  
Member Secretary