

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

**O.A. No. 88 of 2023**

**In the matter of:-**

Wildlife Society of Odisha

... Applicant

Versus

State of Odisha & Ors.

... Respondents

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**Cuttack**

**Date: 11.12.2023**

*Shanki Kumar Das*  
**Addl. Govt. Advocate**

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**In the matter of:-**

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... Respondents

**AFFIDAVIT FILED ON BEHALF  
OF COMMITTEE CONSTITUTED BY HON'BLE  
NGT, EASTERN ZONE BENCH, KOLKATA VIDE  
ORDER DATED 11.08.2023**

hws  
I, Sri Dibya Jyoti Parida, aged about 35 years, son of Sri Prasanna Kumar Parida at present serving as Collector & District Magistrate, Ganjam, Chatrapur, Odisha do hereby solemnly affirm and state as follows:-

1. That, I have thoroughly gone through the contents of the Original Application, and the annexures filed therewith and have understood the contents thereof. I am well acquainted with the facts and circumstances of the case and as such competent to swear this affidavit.

Forms Part of Affidavit

8  
11/12/23

Dibya Jyoti Parida

2. That, this Hon'ble Tribunal had *vide* order dated 11.08.2023 passed in the captioned matter, constituted a committee comprising of (i) Senior Scientist, Ministry of Environment, Forests and Climate Change (MoEF&CC), Regional Office, Bhubaneswar, (ii) Senior Scientist, Central Pollution Control Board, (iii) District Collector Ganjam, or his nominee not below the rank of Additional District Magistrate (ADM) and (iv) Secretary, State Wetland authority, Odisha or his nominee of a senior rank in order to check the veracity of the allegations levelled in the captioned petition, to visit the site in question and to submit a report in that regard.
3. Furthermore, abiding by the aforesaid order, construction works at the site have been stopped since 12.08.2023 and show cause notice has been issued under section 91(1) of the Orissa Development Authorities Act, 1982 to the Respondent No.11.
4. Pursuant to the aforesaid directions, the deponent had *vide* Notification No. 1054 dated 05.09.2023, constituted the Committee and is filing the instant affidavit in his capacity of being a member of the said Committee.
5. That the Committee had on 20.09.2023 conducted an initial meeting virtually pursuant to which the Committee members had on 22.09.2023 conducted a site visit and had prepared a Preliminary Report containing certain initial observations.

Forms Part of Affidavit

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Executive Magistrate, Chatrapur

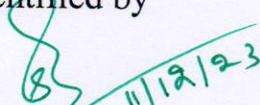
Dibyankar Jyoti Parida

In order to better appreciate the issues involved and further in order to ascertain the veracity of the initial observations, the Committee had unanimously decided to pray for 10 additional weeks before this Hon'ble Tribunal in order to submit a detailed factual report.

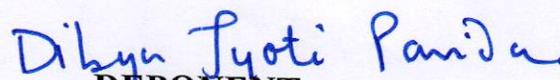
True copy of the initial report prepared pursuant to the site visit by the Committee on 22.09.2023 is annexed hereto and marked as **Annexure A-1**.

6. In furtherance thereof, a virtual meeting of the Committee was held on 11.12.2023, wherein the Committee decided to again visit the site, peruse all necessary documents and thereafter produce the final report before this Hon'ble Tribunal. In this regard the Committee hereby prays before this Hon'ble Tribunal to grant it six more weeks in order to enable it to prepare and submit its final report.
7. That the instant affidavit has been preferred *bona fide* and in the interest of justice.
8. That the facts stated above are true to the best of my knowledge, belief and based on official records.

Identified by

  
11/12/23  
Executive Magistrate,

Chatrapur  
Executive Magistrate, Chatrapur

  
DEPONENT

Forms Part of Affidavit

  
11/12/23  
Executive Magistrate, Chatrapur



### VERIFICATION

I, Sri Dibya Jyoti Parida, aged about 35 years, son of Sri Prasanna Kumar Parida at present serving as the Collector & District Magistrate, Ganjam At/PO/ Dist. Ganjam do hereby solemnly affirm and verify that the contents of Paragraphs No 1 to 8 of the affidavit are true to the best of my knowledge and that I have not suppressed any material facts. I sign this verification at my office on 11<sup>th</sup> day of December, 2023.

### AFFIDAVIT

The above deponent being personally known to me appeared before me on 11<sup>th</sup> December, 2023 at 5.00 P.M. and stated on oath that the contents of the affidavit are true to the best of his knowledge and is based on official records.

*Dibya Jyoti Parida*  
Deponent

*8/11/23*  
Executive Magistrate, Chatrapur  
Chatrapur

The Deponent having been identified by Sri. *Identified by me* Advocate, solemnly affirmed before me this day this *11/12/23* at about *4:30* A.M./P.M Readover and explained the comments to the deponent who seemed perfectly to understand the same at the time of making this affidavit.



Diplo. J. L. Jones

FFN  
1/1/11

**REPORT OF COMMITTEE CONSTITUTED BY HON'BLE NGT, EASTERN  
ZONE BENCH, KOLKATA IN COMPLIANCE TO THE ORDER  
DTD.11.08.2023 IN O.A NO. 88/2023 EZ- WILDLIFE SOCIETY OF  
ODISHA VS. STATE OF ODISHA & OTHERS.**

The Hon'ble NGT, EZB, Kolkata in their Order dtd. 11.08.2023 has constituted a committee in O.A. No. 88/2023/EZ- Wildlife Society of Orissa Vs. State of Odisha & Others to visit the site in question and submit its report comprising the following members:

- i) Senior Scientist, MoEF & CC, Regional Office, Bhubaneswar.
- ii) Senior Scientist Central Pollution Control Board.
- iii) District Collector, Ganjam or his nominee not below the rank of Additional District Magistrate (ADM).
- iv) Secretary, State Wetland Authority, Odisha or his nominee of a Senior Rank.

The Collector & District Magistrate, Ganjam vide Notification No. 1054 dtd. 05.09.2023 has constituted a committee comprising of following members to visit the site in question and submit its report (Copy of Notification is enclosed):

- |   |                 |
|---|-----------------|
| 1. Sh. D. J. Parida, IAS, Collector & DM, Ganjam  | Nodal Officer   |
| 2. Dr. K. C. Pal, Senior Scientist (Ecology & Environment) as representative of Member Secretary, State Wetland Authority, Odisha | Member          |
| 3. Dr. T. H. Mahato, Senior Scientist, MoEF & CC, Regional Office, Bhubaneswar  | Member          |
| 4. Sh. Abhijit Pathak, Senior Scientist Central Pollution Control Board   | Member          |
| 5. Sh. D. K. Sahoo, Regional Officer, Odisha State Pollution Control Board, Berhampur   | Member          |
| 6. Sh. P. K. Patra, Sub-Collector, Chatrapur  | Member Convener |

An initial meeting was conducted on 20.09.2023 through virtual platform under the Chairmanship of the Collector & District Magistrate, Ganjam to decide future course of action to be taken by the committee. In this meeting all the members as per notification dtd. 05.09.2023 have joined. In addition to this DFO, Berhampur, Member from Tourism Department, Member from Berhampur Development Authority were also present. A detail discussion was held in the matter of O.A. No. 88/2023/EZ- Wildlife Society of Orissa Vs. State of Odisha & Others. The members of the committee expressed that it will take time to study the site in question in terms of Ecological loss and other legal aspects. It was decided in this meeting that site visit will be held on 22.09.2023. In this connection the Collector & District Magistrate, Ganjam has issued a letter to all the members for site visit on 22.09.2023, communicated vide letter no. 1112 dtd. 20.09.2023 (copy enclosed).

The committee members visited the site on 22.09.2023 and subsequent joint meeting was held at the Sadbhabana Conference Hall of Collectorate, Ganjam, Chatrapur under the Chairmanship of the Collector & District Magistrate, Ganjam. Following observations have been made:

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- ✓ It is ascertained during site visit that construction was started at the land in question but the same has been suspended since 12/08/2023 and public notice in this regard was also displayed at the site. No construction activity was going on the day of visit. The members also observed that there are some permanent constructions already existing within 50 meter of the Tampara lake.
- ✓ During joint committee meeting, DFO Berhampur was requested to verify the allegations related to construction over forest land and submit a detailed report at the earliest.
- ✓ Committee members opined that there must be a conservation/integrated management plan of Tampara Lake for maintaining its water quality and ecology.
- ✓ During joint committee meeting, Addl. Secy. Tourism Department / District Tourist Officer, Ganjam, Berhampur was also requested to submit detailed project report and proposed comprehensive environmental management plan and related regulatory compliance status for Tampara Lake site at the earliest.

**Conclusion:**

In view of above submission, the committee unanimously decided in the meeting dtd. 22.09.2023 to pray before the Hon'ble NGT, EZ Bench, Kolkata to grant 10 more weeks to submit the detail factual report in compliance to the order of Hon'ble court.

  
22/09/2023

(Dr. K. C. Pal),

Representative of Member Secretary,  
State Wetland Authority, Odisha

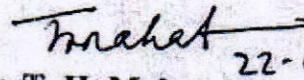
  
22/09/2023

(Shri. D. K. Sahoo),

Odisha State Pollution Control Board,  
Berhampur

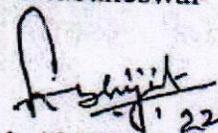
  
22/09/23

Sub-Collector, Chatrapur

  
22-09-23

(Dr. T. H. Mahato),

MoEF & CC, Regional Office,  
Bhubaneswar

  
22/9/23

(Shri. Abhijit Pathak),

Central Pollution Control Board

  
22/9/23

TRUE COPY

COLLECTOR & DIST. MAGISTRATE  
GANJAM, CHATRAPUR

11/11/11

THE CITY

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