

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

**Original Application No.88/2023/EZ**

Wildlife Society of Odisha .... Applicant  
-Versus-  
State of Odisha and Others .... Respondents

**INDEX**

<b><u>SL. NO.</u></b>	<b><u>DESCRIPTION OF DOCUMENTS</u></b>	<b><u>PAGES</u></b>
1.	Affidavit filed by the Respondent No.8.	1- 6
2.	<b><u>Annexure-A/8.</u></b> Copy of the Certificate dated 12.10.2021.	- 7 -

Cuttack

Date: 24/01/2024

*Shoupi Prasad Das*  
ADDL. GOVT. ADVOCATE



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

**Original Application No.88/2023/EZ**

Wildlife Society of Odisha .... Applicant  
-Versus-  
State of Odisha and Others .... Respondents

**AFFIDAVIT FILED BY THE RESPONDENT NO.8.**

I, Dr. Meeta Biswal, aged about 58 years, W/o-Sri Debidutta Biswal, at present working as Chairperson, Odisha Biodiversity Board, Regional Plant Resource Centre Campus, Ekamrakanan, Nayapalli, Bhubaneswar-751015, Dist. Khurda, Odisha, do hereby solemnly affirm &state as follow:

*M. Biswal*  
24/1/24  
(Meeta Biswal)  
**PCCF-Cum-Chairman  
Odisha Biodiversity Board**

1. That, I am arrayed as Respondent No.8 in the aforesaid original application and competent to swear this affidavit.
2. That, the applicant has filed the aforesaid Original Application with the following prayers: -
  - a) Direct the State Wetland Authority to submit the status of implementation of Wetland Rules and functioning of Grievance Committee.

*24-1-2024*  
**Surendra Prasad Dhal  
Advocate  
NOTARY, CUTTACK**

- b) Direct the respondent 1 and MOEFCC to take necessary legal action including the criminal proceeding against the erring officers for wilfully violating the provisions of Wetland Conservation and Management Rules, 2017 and Environment Protection Act, 1986 and Forest (Conservation) Act of 1980.
- c) Hold and declare that construction work in the water area and influence zone of Tampara Lake carried out by the Respondents is illegal.
- d) Direct the Respondents to demolish all the permanent structures and restore the land to its original condition.
- e) Identify the erring officer for dereliction of duty and violation of rule of law and appropriate proceeding against the officer concerned including criminal proceeding under Section 19 of Environmental Protection act 1986.
- f) Compute the environmental compensation for damage to the wetland and recover the same from erring respondents.

3. That, in reply to the averments made in Para-2 of the original application, it is humbly submitted that, the Tampara lake was designated as a Ramsar site on 12.10.2021. Copy of the certificate issued by Secretary General, Convention on Wetlands for Ramsar sites, dated 12.10.2021 is annexed herewith as Annexure-A/8.

*M. Anand. 29/1/20*  
*(Meele Bhowal)*  
**PCCF-Cum-Chairman**  
**Odisha Biodiversity Board**

*24.1*  
**Surendra Prasad Dhal**  
**Advocate**  
**NOTARY, CUTTACK**

The Eco cottages at Tampara Lake is one of the integral components within coastal circuit development under central scheme Swadesh Darshan which have been approved by the Ministry of Tourism much before the date of designation of Tampara as a Ramsar site, that is on 19.09.2016.

The submission by the petitioner that Tampara Lake is already placed in the Wetland Atlas prepared by MoEFC in year 2010 is false and misleading.

4. That, in reply to the averments made in Para-4 of the original application, it is humbly submitted that, Tampara lake has been designated as a Ramsar site vide notification dated 13.08.2022.

5. That, in reply to the averments made in Para-8 of the original application, it is humbly submitted that, in consonance with the Odisha Biodiversity Rules, 2012, the Odisha Biodiversity Board has taken some initiatives towards the conservation of Biodiversity of the Tampara lake by constituting Biodiversity Management Committees (BMC) in Agasti-Nuagaon Gram Panchayat where Tampara lake is located and also People's Biodiversity Registers of the said BMC is under preparation.

Further, the floral and faunal species mentioned by the petitioners are also found in other wetlands of the state. This

M. B. Bhowmik. 24/1/24  
(Member BOD)

PCCF-Cum-Chairman  
Odisha Biodiversity Board

For 1

Surendra Prasad Dha.  
Advocate  
NOTARY, CUTTACK

office has no comments on the fishermen community and their livelihood.

6. That, in reply to the averments made in Para-9 of the original application, it is humbly submitted that, the mass nesting of Olive ridley turtles takes place at the Arribada site which is located at Rushikulya river mouth along the coast of Bay of Bengal and this mass nesting site is located at a distance of 7 KM from the Tampara lake.

7. That, in reply to the averments made in Para-13 of the original application, it is humbly submitted that, the email has been received by this office but since there is no protocol laid for Odisha Biodiversity Board to initiate course of action/inquiry and the matter does not relate to this office, no action has been taken by the Odisha Biodiversity Board on this matter.

8. That, in reply to the averments made in Para-54 of the original application is the question of Section-37 of Biological Diversity Act,2002.

9. That, since this matter primarily relates to the State Wetland Authority, Department of Tourism, District Collector, Ganjam, Berhampur Development Authority (BeDA); and Central Pollution Control Board, and does not relate to the office of the Respondent No.8 i.e. Odisha

*24/1/24*  
*(Meeta Biswal)*  
**Surendra Prasad Dhal**  
**Advocate**  
**NOTARY, CUTTACK**

**PCCF-Cum-Chairman**  
**Odisha Biodiversity Board**

Biodiversity Board may be spared (excluded) as a respondent.

10. That the averments which have not been specifically replied shall be deemed to have been denied and the Deponent craves leave of the Hon'ble Tribunal to make further submissions and file further affidavit(s) in support of their contentions in the interest of justice and for effective adjudication by the Hon'ble Tribunal.

11. That, the facts stated above are true to the best of my knowledge and belief based on the available official records.

### VERIFICATION

I, Dr. Meeta Biswal, aged about 58 years, W/o-Sri Debidutta Biswal, at present working as Chairperson, Odisha Biodiversity Board, Regional Plant Resource Centre Campus, Ekamrakanan, Nayapalli, Bhubaneswar-751015, Dist. Khurda, Odisha, 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 nothing material has been concealed therefrom. Verified at Cuttack on this the 24<sup>th</sup> Day of January 2024.

Identified by:

*Shankar Prasad Sr.*  
Addl. Govt. Advocate

*M. Biswal. 24/1/24*  
*(Meeta Biswal)*  
Verificant

**PCCF-Cum-Chairman**  
**Odisha Biodiversity Board**

*24/1*  
**Surendra Prasad Dhal**  
**Advocate**  
**NOTARY, CUTTACK**

**AFFIDAVIT**

I, Dr. Meeta Biswal, aged about 58 years, W/o- Sri Debidutta Biswal, at present working as Chairperson, Odisha Biodiversity Board, Regional Plant Resource Centre Campus, Ekamrakanan, Nayapalli, Bhubaneswar-751015, Dist. Khurda, Odisha, do hereby solemnly affirm & state as follows: -

1. That I am the Respondent No.8 in the aforesaid Original Application. I am well acquainted with the facts of the case and as such competent to swear this affidavit on my official capacity.
2. That the facts stated above are true to the best of my knowledge and based on official records.

Identified by:

*Shashi Kumar*  
Addl. Govt. Advocate

*Dr. Biswal* ✓  
Deponent (Meeta Biswal) ✓  
**PCCF-Cum-Chairman**  
**Odisha Biodiversity Board,**

**CERTIFICATE**

Certified that due non-availability of cartridge papers, plain legal papers are used.

Cuttack

Date: 24 /01/2024

*h*  
ADDL. GOVT. ADVOCATE

The above named Deponent  
Solemnly affirm on *24-1-2024*  
Being Identified  
by *S.P. Panda (Acting)*

*24-1-2024*  
Surendra Prasad Dhal  
Advocate  
NOTARY, CUTTACK





CONVENTION ON WETLANDS  
CONVENTION SUR LES ZONES HUMIDES  
CONVENCIÓN SOBRE LOS HUMEDALES  
(Ramsar, Iran, 1971)

This is to certify that

*Tampara Lake*

has been designated as a

**Wetland of International Importance**

and has been included in the  
List of Wetlands of International Importance  
established by Article 2.1 of the Convention.  
This is site No: 2489

Date of designation: 12 October 2021

*Jonathan Barzdo*

Jonathan BARZDO  
Secretary General  
Convention on Wetlands

**True Copy Attested**

*M. Prasad*  
20/11/24

**PCCF-Cum-Chairman  
Odisha Biodiversity Board**

*(Meeta Prasad)*