

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

M.A. NO. 25 / 2024

IN

(ORIGINAL APPLICATION NO. 48 OF 2021/EZ)

IN THE MATTER OF:

NABIN KISAN

...APPLICANT

Versus

GOVERNMENT OF ODISHA & ORS.

...RESPONDENTS

INDEX

Sr. No.	Particulars	Pg. No.
1.	Affidavit on behalf of Chief Secretary of Government of Odisha, in compliance of Order dated 20.08.2024 passed by this Hon'ble Tribunal.	3- 8
2.	Annexure-A: A true copy of the Order bearing no. 10254 dated 23.10.2024 issued by the Director Technical, Directorate of Soil Conservation and Watershed Development, Odisha.	9-10
3.	Annexure -B: A true copy of the Notice bearing no. 226 dated 20.11.2024 issued by Executive Engineer (Agriculture), Soil Conservation, Northern Zone, Sambalpur.	11-11

4.	Annexure – C: A true copy of the LoA issued by Project Director, Watershed, Jharsuguda bearing no. 3075 dated 27.12.2024	12-13
5.	Annexure – D: A true copy of Letter bearing no. 11500 dated 02.12.2024 issued by Director, SC & WD-cum-Ex-Officio Additional Secretary to Govt., Department of Agriculture & Farmers' Empowerment, Government of Odisha.	14-15
6.	Annexure – E: A true copy of Letter bearing no. 21696 dated 15.10.2024 of Additional Secretary to Govt., Department of Agriculture & Farmers' Empowerment, Government of Odisha	16-22

7. **Vakalatnama**

²³
Manoj Kumar
Chief Secretary,

Government of Odisha/Deponent

Through

Padmesh

PADMESH MISHRA
Advocate for the Respondent,
Government of Odisha
Officer@padmeshmishra.com
Mob. No. – 9958230144

Place: Kolkata

Date: 06 . 01 .2025

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...RESPONDENTS

**AFFIDAVIT ON BEHALF OF CHIEF SECRETARY OF
GOVERNMENT OF ODISHA, IN COMPLIANCE OF
ORDER DATED 20.08.2024 PASSED BY THIS HON'BLE
TRIBUNAL**

I, Shri. Manoj Ahuja, IAS, S/o Ramesh Chander Ahuja, presently working as Chief Secretary, Government of Odisha, having office at Lok Seva Bhawan, Bhubaneswar do hereby solemnly affirm and states on oath as stated under:

1. That I, the deponent above named, presently working as the Chief Secretary, Government of Odisha am filing the present affidavit in compliance of the order dated 20.08.2024, passed by this Hon'ble Tribunal.
2. That vide Order dated 20.08.2024, this Hon'ble Tribunal was pleased to direct the deponent herein to file an affidavit, stating the nature of concerned project, and the steps taken by

Manoj Ahuja



the State Government with regard to the restoration of concerned land in question, further indicating the timelines for completion of the concerned project.

3. I state that I am well acquainted with the facts and circumstances of the present case, based on the official record and having perused the same, I am competent to depose the present affidavit based on the knowledge derived therefrom. The contents of the present Affidavit are true and correct to my knowledge and are borne out of the record.
4. That the nature of the project under consideration, is cited as "Restoration of damage caused by untreated sewage discharge by Belpahar Municipality."
5. In this regard, on 14.10.2024, the Executive Officer, Belpahar Municipality, convened a meeting involving consultation with the applicant herein, wherein the details of the proposed action for the Restoration of damage caused by untreated sewage discharge by Belpahar Municipality, were arrived upon on the basis of field visit and it was proposed as under:
 - (i) Digging and expansion of old pond in govt. land for storage of sewage water with polythene line and one outlet.
 - (ii) Before spreading the earth the old bund should be excavated minimum 9 inch.
 - (iii) Filling the gully land of applicant minimum 5ft depth with 150ft wide and 300ft length with good soil from outside minimum 5 km distance.

manoj almya



- (iv) One earthen bund should be provided on both side of drain with minimum 7 ft height keeping 1:1 and 1:2 slope with 300 ft land 20 ft wide.
 - (v) Provision of bore well with 1 HP submersible pump may be installed for irrigation
 - (vi) The PD, Watershed, Jharsuguda agreed to provide handholding support to applicant
 - (vii) Beneficiary and PD, Watershed agreed for bund cultivation with papaya, banana, drumstick etc. on firm pond bund.
 - (viii) ADH, Jharsuguda has been requested to provide micro irrigation facilities to applicant after completion of project.
 - (ix) Maintenance, watch & ward and watering provision will be given for at least 1 year after completion and handing over of the project.
6. That on the basis of the above consultation process, field visit and after analysis of the proposed action, an estimate of Rs. 28.00 lakh was submitted by the Deputy Director, Soil Conservation, Jharsuguda to the Directorate of Soil Conservation and Watershed Development.
7. That the said estimate was technically sanctioned by the Executive Engineer, Directorate of Soil Conservation and Watershed Development, Odisha, Bhubaneswar and vide Order dated 23.10.2024 and administrative approval was accorded by the Director Technical, Directorate of Soil

Kanya always



Conservation and Watershed Development, Odisha, Bhubaneswar, for the same.

A true copy of the Order bearing no. 10254 dated 23.10.2024 issued by the Director Technical, Directorate of Soil Conservation and Watershed Development, Odisha, is annexed and marked as **Annexure-A**.

8. That on 06.11.2024, the Director Technical, Directorate of Soil Conservation and Watershed Development has also released an amount of Rs. 28.00 lakhs to the Deputy Director, Soil Conservation, Jharsuguda, for the concerned restoration project.
9. That thereafter the tender inviting bids for execution of the said project named as "Restoration of damage caused by untreated sewage discharge by Belpahar Municipality" was floated through e-Procurement method, inviting National Competitive Bidding for the selection of an appropriate agency for implementing the said project in the Belpahar Municipality, District-Jharsuguda, Odisha.

A true copy of the Notice bearing no. 226 dated 20.11.2024 issued by Executive Engineer (Agriculture), Soil Conservation, Northern Zone, Sambalpur is annexed and marked as **ANNEXURE-B**.

10. That in the meanwhile, Letter of Acceptance (LoA) against the e-Tender for the project namely "Restoration of damage caused by untreated sewage discharge by Belpahar Municipality" has been issued in favour of the selected agency. The agency has been intimated by the Project

manoj kumar



Director, Watershed, Jharsuguda to execute the agreement on or before 06.01.2025 following due process, thereafter the work order shall be issued.

A true copy of the LoA issued by Project Director, Watershed, Jharsuguda bearing no. 3075 dated 27.12.2024 is annexed and marked as **ANNEXURE-C**.

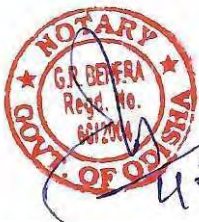
11. That upon issuance of the work order, the execution of the work will be started soon under the supervision of the Deputy Director, Soil Conservation, Jharsuguda and the period for completion of the said project is tentatively 4 (Four) months from the date of issuance of the work order.

A true copy of Letter bearing no. 11500 dated 02.12.2024 issued by Director, SC & WD-cum-Ex-Officio Additional Secretary to Govt., Department of Agriculture & Farmers' Empowerment, Government of Odisha is annexed and marked as **ANNEXURE-D**.

A true copy of Letter bearing no. 21696 dated 15.10.2024 of Additional Secretary to Govt., Department of Agriculture & Farmers' Empowerment, Government of Odisha is annexed to this affidavit and marked as **ANNEXURE-E**.

12. That it is humbly submitted that the that the orders of this Hon'ble Tribunal have been complied promptly, diligently and in a bonafide manner and the Government of Odisha has undertaken the process for the execution of said project i.e., "Restoration of damage caused by untreated sewage discharge by Belpahar Municipality" with utmost priority and all necessary actions will be taken for completion of the

Manoj Kumar



project within 4 (Four) months tentatively from the date of issuance of the work order, in both letter & spirit.

It is humbly prayed before the Hon'ble Tribunal that the actions taken by the Government of Odisha in the matter may kindly be taken into record by way of the present affidavit.

Identified by me
4/1/25
Advocate, BBSR

Mamij Ahnaji
DEPONENT

GANGARAM BEHERA
BBSR, NOTARY
Ph: 9861128591
4/1/25

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 and nothing material has been concealed therefrom.

Verified at Bhubaneswar on this 4th day of January, 2025.

Mamij Ahnaji
DEPONENT



GANGARAM BEHERA
BBSR, NOTARY
Ph: 9861128591
4/1/25

We Above Named Deponent Being
Duly Identified by Sri. Pammi Kumar
Advocate, Bhubaneswar, Appears
Before Me on D. 4/1/25 At
AM/PM Contents of this Affidavit are
True to the Best of his/her/This
Knowledge and Belief

ANNEXURE-A

DIRECTORATE OF SOIL CONSERVATION AND WATERSHED DEVELOPMENT

ODISHA BHUBANESWAR

DSCWD-SCHI- MISC-0025-2023 10255 /SC & WD., DATED. 23.10.2024

OFFICE ORDER

Administrative Approval is hereby accorded for the following work of Jharsuguda District from the environmental compensation fund received from state Pollution control Board as per delegation of power vide order No.15425 dated 10.08.2018 of the Govt. in Department of Agriculture & Farmers' Empowerment, Odisha Bhubaneswar.

Sl. No.	P/E No.	T/S No.	District	Name of work	Amount (in lakhs)
1	9/2024-25	10176/21.10.2024 of EE(Agril) DSC & WD	Jharsuguda	Restoration of damaged land caused by untreated sewage discharge by Belpahad Municipality	28.00

[Signature]
23/10/2024
Director Technical

DSC & WD, Odisha.

Memo No.

10255

/SC & WD., Dated, 23.10.2024

Copy along with a sanctioned copy of the plan & estimate forwarded to Executive Engineer(Agril) Northern Zone, o/o the PDWS, Sambalpur with a request to float e-tender as soon as possible so as to enable the PDWS, Jharsuguda to complete the project within 04 months from receipt of the letter.

[Signature]
23/10/2024
Director, Technical
Directorate of Soil Conservation &
Watershed Development
Odisha, Bhubaneswar

Memo No.

10256

/SC & WD., Dated,

23.10.2024

Copy along with a copy of the plan & estimate forwarded to PDWS Jharsuguda for kind information and necessary action. He is requested to follow up the process with the EE and execute the work at his level as per OPWD Codal procedure .

Shastri
23/10/2024
Director Technical

DSC & WD, Odisha



GOVERNMENT OF ODISHA
OFFICE OF THE EXECUTIVE ENGINEER (AGRIL.),
SOIL CONSERVATION, NORTHERN ZONE, AT/PO-BURLA, SAMBALPUR-768017
e-mail: cenpsc.sambalpur@gmail.com

Notice No. 226

Dt. 20.11.2024

NATIONAL COMPETITIVE BIDDING THROUGH e-Procurement

Identification No. 03 /DSC&WD / NZ / 2024-25 Dt. 20.11.2024

1	Nature of Work	Restoration of damaged land caused by untreated sewage discharge by Belpahad Municipality Jharsuguda
2	Nos. of work	1 no.
3	Tendered amount in Rs.	Rs 21,08,242 -
4	Period of completion	120 days
5	Date & Time of availability of bid document in the portal	From 10:00 Hrs. of 27.11.2024 to 17:30 Hrs. of 02.12.2024
6	Last date/ time of receipt of original documents in tender box at the office of the undersigned	Before 17.30 Hrs. of 05.12.2024 (Except Holidays)
7	Date & Time of opening of bids	11:00 Hrs. of 06.12.2024 onwards
8	Name and Address of the officer inviting bid	Executive Engineer (Agril.), Soil Conservation, Northern Zone, Sambalpur, At Po-Burla, Near Planetarium Chowk, Pin-768017

Further details can be seen from the web site www.tendersodisha.gov.in

[Signature]
Executive Engineer (Agril.)
Soil Conservation, NZ, Sambalpur

Memo No. 227 Dated. 20.11.2024

Copy forwarded to the Deputy Director (Advt)-Cum-Deputy Secretary to Govt. Information & Public Relation Department, Odisha, Bhubaneswar along with soft copy for information with a request to publish this tender call notice on or before dt.22.11.2024 in Two Odia and One English newspapers widely circulated as per the OPWD Code. Copy of the newspapers where in the advertisement is published may please be sent to this office for reference and record.

Encl. Soft copy of I.F.B. No.03 DSC&WD/NZ 2024-25

(E-mail to: ipr.advt@gmail.com / iprenews@gmail.com)

[Signature]
Executive Engineer (Agril.)
Soil Conservation, NZ, Sambalpur

Memo No. 228 Dated. 20.11.2024

Copy along with softcopy of Notice Inviting Tender forwarded to the Head, State Portal Group, I.T Centre of State Secretariat for information & necessary action with a request to display the Invitation for Bids in the official website. (Email to: tendersorissa@gmail.com)

[Signature]
Executive Engineer (Agril.)
Soil Conservation, NZ, Sambalpur

Memo No. 229 Dated. 20.11.2024

Copy forwarded to the Project Director, Watersheds, Sonepur/ Jharsuguda/ Keonjhar/ Sambalpur/ Anugul/ Deogarh Executive Engineer (Agril.), Sambalpur Division Superintending Engineer (Agril.), Northern Zone, Sambalpur/ Executive Engineer (Agril.), Horticulture, Northern Zone, Sambalpur for information and wide circulation.

[Signature]
Executive Engineer (Agril.)
Soil Conservation, NZ, Sambalpur

Memo No. 230 Dated. 20.11.2024

Copy submitted to the Technical Director, Directorate of Soil Conservation & Watershed Development, Odisha, Bhubaneswar for favour of kind information

[Signature]
Executive Engineer (Agril.)
Soil Conservation, NZ, Sambalpur

OFFICE OF THE PROJECT DIRECTOR WATERSHEDS CUM- DEPUTY
DIRECTOR, SOIL CONSERVATION, JHARSUGUDA.

Letter No. 3075 /dt 27-12-2024.

To

Smt. Seuli Das, (Mob. No. 7488312913)
C/O. Bikarana Gopal Mohanty,
At:- Main Road, Sarbahal,
PO/Dist:- Jharsuguda , Odisha, Pin.768201.

Sub: - Letter of Acceptance for the e-tender of "Restoration of
damage caused by untreated sewage discharge by Belpahar
Municipality."

Ref: - Bid Identification No. 03/DSC &WD/NZ/2024-25 dt. 20.11.2024 of
Executive Engineer (Agril), Soil Conservation, NZ, Sambalpur at Burla
and Letter No. DSCWD-SCHI-Misc. 0025-2023- 12212/dt. 24.12.2024
of Director, Soil Conservation & Watershed Development -cum- Ex-
Officio, Addl. Secretary to Govt. in Agril. & FE Deptt, Odisha,
Bhubaneswar.

Madam,


With reference to the subject and Bid ID No. cited above, this is to inform you
that your bid for the "Restoration of damage caused by untreated sewage discharge by
Belpahar Municipality" has been accepted as per the letter of Director, Soil Conservation &
Watershed Development -cum- Ex- Officio, Addl. Secretary to Govt. in Agril. & FE Deptt,
Odisha, Bhubaneswar under reference.

In view of the above you are requested to deposit 1 % ISD of the tendered
amount & APS @150% money of the differential of tendered amount and quoted amount as
mentioned in the table given below in shape of Deposit receipt of any Nationalised Bank/
Kissan Vikash Patra/ Post Office Savings Bank Account National Savings Certificate/ Post
office Time Deposit Account duly pledged in favour of the " **Project Ddirector, Watersheds,
Jharsuguda**" and payable at Jharsuguda within **7 (Seven) working days** from the date of
issue of this letter(i. e. on or before dt. 06.01.2025) and attend the office of the undersigned
with original Adhar card, PAN card and Valid Contractor licence positively for execution of PI-
agreement and issue of work order. Action as deemed fit will be taken of the ISD & APS is
not deposited within stipulated time.

Sl. No.	Name of the work.	Tender Value	ISD 1 % to be deposited (Amount in Rs.)	APS 150 % to be deposited (Amount in Rs.) (i.e. differential of tendered amount and quoted amount).
1	Restoration of damage caused by untreated sewage discharge by Belpahar Municipality.	Rs. 21,08,242.00	Rs. 21,082.00	Rs. 4,74,038.00

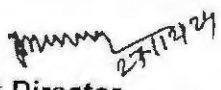
This is for of your information and necessary action.
OFFICE OF THE PROJECT DIRECTOR WATERSHEDS CUM. DEVELOPMENT

Yours faithfully,

 27/12/24
Project Director
Watershed, Jharsuguda.

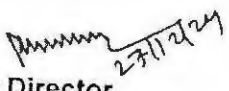
Memo No. 3076 /Ws. Dated., 27.12.2024

Copy submitted to the Director, Soil Conservation & Watershed Development -cum- Ex- Officio, Additional Secretary to Govt. A & FE Department, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to the memo No. 12212/ dt. 24.12.2024.

 27/12/24
Project Director
Watershed, Jharsuguda.

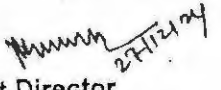
Memo No. 3077 /Ws. Dated., 27.12.24

Copy submitted to Smt. Sarita Dhanwar, Additional Secretary to Govt. A & FE Department, Odisha, Bhubaneswar for favour of kind information and necessary action with reference to the memo No. 12213/ dt. 24.12.2024 of Director, Soil Conservation & Watershed Development -cum- Ex- Officio, Addl. Secretary to Govt. in Agril. & FE Deptt, Odisha, Bhubaneswar.

 27/12/24
Project Director
Watershed, Jharsuguda.


Memo No. 3078 /Ws. Dated., 27.12.24

Copy submitted to the Executive Engineer (Agril), Soil Conservation, NZ, Sambalpur at Burla for kind information and necessary action with reference to the memo No. 12214/ dt. 24.12.2024 of Director, Soil Conservation & Watershed Development -cum- Ex- Officio, Addl. Secretary to Govt. in Agril. & FE Deptt, Odisha, Bhubaneswar.

 27/12/24
Project Director
Watershed, Jharsuguda.

Memo No. 3079 /Ws. Dated., 27.12.2024

Copy submitted to the Executive Officer, Belpahar Municipality, District. Jharsuguda for information and necessary action with reference to the memo No. 12215/ dt. 24.12.2024 of Director, Soil Conservation & Watershed Development -cum- Ex- Officio, Addl. Secretary to Govt. in Agril. & FE Deptt, Odisha, Bhubaneswar.

 27/12/24
Project Director
Watershed, Jharsuguda.

ODISHA: BHUBANESWAR

No.DSCWD-SCHI-MISC-0025-2023, 11500 /SC&WD., Dt. 02.12.2024

To

Sri Panduram Singh,
Deputy Secretary to Govt., H &U.D Department,

Receipt Date in Diary Section-DARFE

02 DEC 2024

Odisha 3rd floor, Kharavel Bhavan, Bhubaneswar.

Sub: Submission of updated status report on the project - "Restoration of damage caused by untreated sewage discharge by Belpahar Municipality" in the matter of M.A. No. 25 of 2024 (arising out of O.A. No. 48 of 2021).

Ref: Letter No.25035 dt. 26.11.2024 of Deputy Secretary to Govt., H&UD Department, Odisha.


Sir,

Please take a look at this office Letter No.9951 dt.15.10.2024 where the updated status report i.e. compliance report in MA No.25/2024 has already been submitted to the Department. However, the updated status report on the above project till now is as follows:

1. DDSC, Jharsuguda has submitted the detailed estimate with an estimated cost of Rs.28.00 Lakhs vide their Letter No.2224 dt.15.10.2024 (copy enclosed).
2. The estimate was technically sanctioned by the Executive Engineer (DSC & WD) and administrative approval was accorded by the Director (Technical) on 23.10.2024 (copy enclosed)
3. The office has released Rs.28.00 Lakh to DDSC, Jharsuguda on dt.06.11.2024.
4. The Executive Engineer (Northern Zone) floated an E-tender vide Notice No.226 dt.20.11.2024 with an instruction to complete the work within four months. After the issue of the work order, work will be started very soon through DDSC, Jharsuguda. (copy enclosed)

This is for kind information of Government.

Yours faithfully,


Director, SC & WD Cum-Ex-Officio
Additional Secretary to Govt.
Odisha, Bhubaneswar

AEE (S. D. ...)

P.T.O.

Memo No. 11501 /SC&WD., Dt. 02.12.2024

Copy forwarded to Smt. Sarita Dhanwar, Addl. Secretary to Govt. A&FE Department, Krushi Bhawan, Odisha for information and necessary action.


Director, SC&WD -cum-

Ex-Officio, Addl. Secretary.



NGT Matter/ MOST URGENT



Housing & Urban Development Dept.

CENTRAL DIARY No. 15702

DATE 18.10.24

GOVERNMENT OF ODISHA

DEPARTMENT OF AGRICULTURE & FARMERS' EMPOWERMENT

No. DAFE-LEGAL-MISC-0019-2024- 21696 /A&FE., Dt. 15-10-2024

From

Smt. Sarita Dhanwar, OAS (SAG)

Additional Secretary to Government

To

The Additional Secretary to Govt. & Additional Mission Director, SBM, Urban

Department of Housing & Urban Development

Sub: Compliance of the directions of Hon'ble NGT, EZ Bench passed in M.A. No. 25/2024 arising out of OA No. 48 of 2021 (Nabin Kisan-vrs-State of Odisha and Others)

Sir,

In inviting a reference to your Letter No.20759, dt 08.10.2024 on the subject cited above, I am directed to send herewith a copy of the compliance report received from the Director, Soil Conservation & WSD(O), Bhubaneswar vide their letter No.9951 dt.15.10.2024 for your information and necessary action.

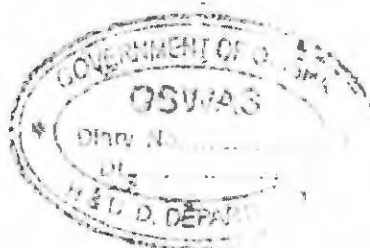
It is to mention here that funds amounting to Rs28.00 lakh has been placed with the Director, Soil Conservation & WSD, Odisha and steps will be taken to complete the Project within a period of 6(six) months.

Encl. - As above.

Yours faithfully

S. Dhanwar
15.10.24

Additional Secretary to Government



Sarita Dhanwar
By/18/10/2024
(Barada Raj)

Memo No. 21697 /A&FE dt. 15-10-2024

Copy forwarded to Member Secretary, State Pollution Control Board, Odisha, Bhubaneswar for kind information and necessary action.

Sihanwar
15.10.24
Addl. Secretary to Government

Memo No. 21698 /A&FE dt. 15-10-2024

Copy forwarded to the OSD to Chief Secretary, Odisha for kind information of Chief Secretary.

Sihanwar
15.10.24
Addl. Secretary to Government

Memo No. 21699 /A&FE dt. 15-10-2024

Copy forwarded to the PS to Additional Chief Secretary, FE&CC Department, Govt. of Odisha for kind information of Additional Chief Secretary.

Sihanwar
15.10.24
Addl. Secretary to Government

Memo No. 21700 /A&FE dt. 15-10-2024

Copy forwarded to the OSD to Principal Secretary, DA&FE for kind information of Principal Secretary.

Sihanwar
15.10.24
Addl. Secretary to Government

ODISHA: BHUBANESWAR

No.DSCWD-SCHI-MISC-0025-2023, 9951 /SC&WD., Dt. 15-10-2024

To

Smt. Sarita Dhanwar,

Addl. Secretary to Govt.,

A&FE Department, Odisha.

Sub: Compliance of the direction of Hon'ble NGT in MA No.25/2024 arising out of OA No.48 of 2021 (Nabin Kisan -vrs.- State of Odisha and Others).

Ref: Letter No.21536 dt.09.10.2024 of Addl. Secretary to Govt., A&FE Department, Odisha.

Madam,

Kindly find the Letter No.2218 dt.14.10.2024 of Project Director, Watersheds, Jharsuguda along-with the proceeding of the meeting held on 14.10.2024 in the office of the Executive Officer, Belpahar Municipality in presence of the petitioner Sri Nabin Kisan, S/o Sri Bira Kisan.

In the meeting it was decided to take up the restoration works to the affected land (as per the Letter No.2218 dt.14.10.2024 of PD, W/s, Jharsuguda) in presence of the petitioner Sri Nabin Kisan, who also agreed to the proposal. The details of estimate is under preparation by the PD, W/s, Jharsuguda & the Executive Engineer (Hqrs) has been deputed to visit the field and do the estimate. The estimate will be submitted to the Govt. very soon for needful action. The PD, W/s, Jharsuguda is instructed to complete the work within six months of receipt of the funds from the Govt.

The matter may be intimated to the SPCB, Odisha for needful action for filing the affidavit on behalf of the Chief Secretary, Odisha.

Encl:

1. Letter No.2218 dt.14.10.2024 of PD, W/s, Jharsuguda along-with the photo copy and attendant sheet (3 Pages)

Yours faithfully,

Director, DSCWD, Odisha
Additional Secretary to Govt.
Odisha, Bhubaneswar

DIRECTORATE OF SOIL CONSERVATION & WATERSHED
DEVELOPMENT
ODISHA BHUBANESWAR

No.DSCWD-SCHI-MISC-0025-2023 9951/ SC&WD

DT. 15.10.2024

To,

Smt. Sarita Dhanwar,
Addl. Secretary to Govt.
A&FE Department, Odisha

Sub: Compliance of the direction of Hon'ble NGT in MA No. 25/2024 arising out of OA No. 48 of 2021 (Nabin Kisan-vrs-State of Odisha and Others)

Ref: Letter No. 21536 dt. 09.10.2024 of Addl. Secretary to Govt. A&FE Department, Odisha.

Madam,

Kindly find the Letter No. 2218 dt. 14.10.2024 for Project Director Watersheds Jharsuguda along with the proceeding of the meeting held on 14.10.2024 in the office of the Executive Officer, Belpahar Municipality in presence of the petitioner Sri. Nabin Kisan, S/o Sri Bira Kisan.

In the meeting, it was decided to take up the restoration works to the affected land (as per the Letter No. 2218 dt. 14.10.2024 of PD W/s. Jharsuguda) in presence of the petitioner Sri Nabin Kisan, who also agreed to the proposal. The details of estimate is under preparation by the PD, W/s Jharsuguda & the Executive Engineer (Hqrs.) has been deputed to visit the field and d the estimate. The estimate will be submitted to the Govt. very soon for needful action. The PD, W/s Jharsuguda is instructed to complete the work within six months of receipt of the funds from the Govt.

The matter may be intimated to the SPCB, Odisha for needful action for filing the affidavit on behalf of the Chief Secretary, Odisha.

Encl:

1. Letter No. 2218 dt. 14.10.2024 of PD, W/s Jharsuguda alongwith the photocopy and attendant sheet (3 Pages).

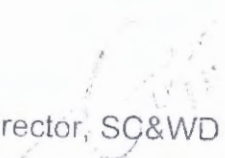
Yours faithfully

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Padmesh

Memo No 9952 /SC&WD., Dt. 15.10.2024

Copy forwarded to Project Director, Watersheds, Jharsuguda for information and necessary action. It is instructed to submit the plan & estimate immediately and complete the work within six months from the receipt of the funds.


Director, SC&WD -cum-
Ex-Officio, Addl. Secretary.

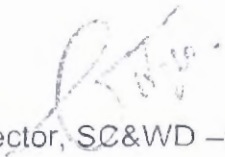
Memo No 9953 /SC&WD., Dt. 15.10.2024

Copy forwarded to Joint Secretary to Govt. I/C M&C Section, A&FE Department, Odisha for information and necessary action with reference to Letter No.21536 dt.09.10.2024 of Addl. Secretary to Govt., A&FE Department, Odisha.

Director, SC&WD -cum-
Ex-Officio, Addl. Secretary.

Memo No 9954 /SC&WD., Dt. 15.10.2024

Copy submitted to PS to Principal Secretary to Govt., A&FE Department, Odisha for information and necessary action.


Director, SC&WD -cum-
Ex-Officio, Addl. Secretary.

Memo No. 9952/SC&WD., Dt. 15.10.2024

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Director, SC&WD-cum-
Ex-Officio, Addl. Secretary.

OFFICE OF THE PROJECT DIRECTOR, WATERSHEDS- CUM-
DEPUTY DIRECTOR SOIL CONSERVATION, JHARSUGUDA

Letter No. 205/2024 Date 14/10/2024

The Director, Soil Conservation &
Watershed Development, Odisha, Bhubaneswar

Sub: Submission of the enquiry report regarding restoration of damage caused by
Untreated sewage discharged by Belpahar Municipality.
Ref: Directorate letter no. DSCWD -SCHH-MISC-0025-2023, 9908/SC&WD Dated
09.10.2024

Sir,

In inviting a kind references to the letter on the subject cited above, I along with
E.E, DSC&WD Sri Rajendra Prasad Prusty, AAE Miss-Suprava Matha visited Belpahar
Municipality today & met Smt. Madhusmita Singh (E.O), Sri Nilakantha Kishan (A.E.)
& Sri Ashok Kumar Sahoo (T.S) .Discussed with all regarding restoration of damage caused
to the cultivated fields of Sri Nabin Kishan,petitioner of Belpahar .Thereafter ,we visited the
affected fields of the petitioner Sri Nabin Kishan and suggested his views and prepared
Restoration plan in presence of all as per the details given below

1. Digging and expansion of old pond in govt. land for storage of sewage water with
polythene line and one outlet.
2. Before spreading the earth the old bund should be excavated minimum 9 inch.
3. Filling the gully land of applicant minimum 5ft depth with 150ft wide and 300ft
length with good soil from outside minimum 5 km distance.
4. One earthen bund should be provided on both side of drain with minimum 7ft height
Keeping 1:1 and 1:2 slope with 300ft land and 20ft wide.
5. Provision of bore well with 1 hp submersible pump may be installed for irrigation.
6. The PD, Watershed, Jharsuguda agreed to provide handholding support to applicant.
7. Beneficiary and PD, Watershed agreed for bund cultivation with papaya, banana,
drumstick etc. on farm pond bund.
8. ADH, Jharsuguda has been requested to provide micro irrigation facilities to applicant
after completion of project.
9. Maintenance, watch ward and watering provision will be given for at least 1 year after
completion and hand over the project.

The petitioner Sri Nabin Kishan also agreed with us and actively participated in
formulation of Restoration Plan.

This is for favour of your kind information and necessary action. Details of Restoration
Plan with Estimate will follow after submission of this letter.

Encl:- As above

Yours faithfully,

Project Director Watersheds,

OFFICE OF THE PROJECT DIRECTOR, WATERSHEDS-CUM-DEPUTY DIRECTOR
SOIL CONSERVATION, JHARSUGUDA
Letter No. (illegible), Date 14/10/2024

To,

The Director, Soil Conservation &
Watershed Development, Odisha, Bhubaneswar

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1. Digging and expansion of old pond as govt. land for storage of sewage water with polythene line and one outlet.
2. Before spreading the earth, the old bund should be excavated minimum 9 inch.
3. Filling the gully land of applicant minimum 5 ft depth with 150 ft wide and 300 ft length with good soil from outside minimum 5 KM distance.
4. One earthen bund should be provided on both side of drain with minimum 7 ft height Keeping 1:1 and 1:2 slope with 300ft land and 20 ft wide.
5. Provision of bore well with 1 hp submersible pump may be installed for irrigation.
6. The PD, Watershed, Jharsuguda agreed to provide handholding support to applicant.
7. Beneficiary and PD, Watershed agreed for bund cultivation with papaya, banana, drumstick, etc. on farm pond bund.
8. ADH Jharsuguda has been requested to provide micro irrigation facilities to applicant after completion of project.
9. Maintenance, watch ward and watering provision will be given for at least 1 year after completion and hand over the project.

The petitioner Sri Nabin Kishan also agreed with us and actively participated in formation of Restoration Plan.

This is for favour of your kind information and necessary action. Details of Restoration Plan with Estimate will follow after submission of

Encl:- As above

Yours faithfully,

Sd/-

Project Director Watersheds

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Padmesh

**PROCEEDING OF THE MEETING HELD ON DT.14.10.2024 IN THE OFFICE CHAMBER OF
EXECUTIVE OFFICER, BELPAHAR MUNICIPALITY
REGARDING NGT CASE OF SRI NABIN KISHAN**

A meeting under the Chairpersonship of the Executive Officer, Belpahar Municipality was held on dt. 14.10.2024 at 11.00 AM in the office chamber of Executive Officer vide memo no.9910/dt.09.10.2024 of Joint Director Soil Conservation-L-II. The members present in the meeting is annexed at annexure-1.

At the outset Executive Officer welcomed all the members and started discussion on NGT case of Sri Nabin Kishan, Gumadera, Malipada ward No.6. During discussion it was decided to visit the site with the applicant, official staffs of Belpahar Municipality and official staffs of DSC & WD dt.14.10.2024. During field visit, it is proposed to take up the following works by DSC & WD, Jharsuguda in consultation with applicant Nabin Kishan and committee members.

1. Digging and expansion of old pond in govt. land for storage of sewage water with polythene line and one outlet.
2. Before spreading the earth the old bund should be excavated minimum 9 inch.
3. Filling the golly land of applicant minimum 5ft. depth with 150ft wide and 300ft length with good soil from outside minimum 5 km distance.
4. One earthen bund should be provided on both side of drain with minimum 7ft height keeping 1:1 and 1:2 slope with 300ft length and 20ft wide.
5. Provision of bore well with 1 hp submersible pump may be installed for irrigation.
6. The PD, Water Shed, Jharsuguda agree to provide handholding support to applicant.
7. Beneficiary and PD, Water Shed agreed for bund cultivation with papaya, banana, drumstick etc. on firm pond bund.
8. ADH, Jharsuguda has been requested to provide micro irrigation facilities to applicant after completion of project.
9. Maintenance, watch ward and watering provision will be given for at least 1 year after completion and hand over the project.

Certified that I have agreed to the above proposal regarding restoration of damage caused by untreated sewage discharge in my land by Belpahar Municipality.

Nabin Kishan

S/O Bina Kishan

Mob: 9826224853

At Gumadera (Malipada)

**PROCEEDING OF THE MEETING HELD ON DT.14.10.2024 IN THE
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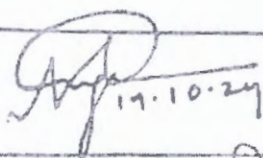
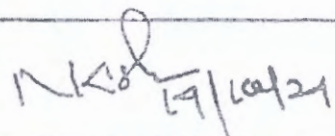
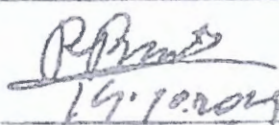
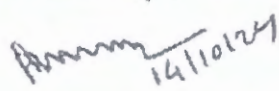
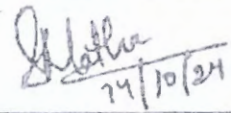
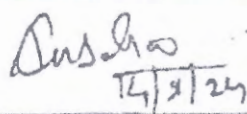
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9. Maintenance, watch ward and watering provision will be given for at least 1 year after completion and hand over the project.

Certified that I have agreed to the above proposal regarding restoration of damage caused by untreated sewage discharge in my land by Belpahar Municipality.

Attendance Sheet

The meeting is held on dt. 14.10.2024 in the Executive Officer Chamber

Name	Mobile No	Signature
Madhusmita Singh(E.O)	8249392528	 14.10.24
Nilakantha Kishan(A.E)	8908004337	 14/10/24
Rajendra Prasad Prusty (E.E DSC & WD)	8260022713	 14.10.2024
Prasanna Ku. Dash (P.D Watersheds, Jharsuguda)	7815089239	 14/10/24
Suprava Matha (AAE, Soil Conservation, Jharsuguda)	9439814646	 14/10/24
Ashok Kumar Sahoo T.S.	9937475151	 14/10/24

Attendance Sheet

**The meeting is held on dt. 14.10.2024 in the
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Name	Mobile No.	Signature
Madhusmita Singh (E.O.)	8249392528	Sd/-
Nilakantha Kishan (A.E.)	8908004337	Sd/-
Rajendra Prasad Prusty (E.E. DSC & WD)	8260022713	Sd/-
Prasanna Ku. Dash (P.D. Watersheds, Jharsuguda)	7815089239	Sd/-
Suprava Matha (AAE, Soil Conservation, Jharsuguda)	9439814646	Sd/-
Ashok Kumar Sahu T.S.	9937475151	Sd/-

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

M.A. NO. 25 / 2024

IN

(ORIGINAL APPLICATION NO. 48 OF 2021/EZ)

IN THE MATTER OF:

Navin Kisan

...Applicant

VERSUS

Government of Odisha & Ors

.....Respondent(s)

VAKALATNAMA

KNOW ALL to whom those present that I, Sr. BINAYA KUMAR DASH, working as ADDITIONAL SECRETARY TO GOVT on behalf of Government of Odisha, do hereby appoint:

ADV. PADMESH MISHRA

D/5258/2019

Mob. No. 9958230144

Email ID: office@padmeshmishra@gmail.com

(hereinafter called the Advocate(s) to be my/our Advocate(s) in the above-noted case authorized them:

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign, file verify and present pleadings, appeals cross-objections or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees of each stage.

To file and take back documents, to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or subject to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of prosecution of the said case.

To appoint and instruct any other legal practitioner authorizing him to exercise the power and authority hereby conferred upon the advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/we the undersigned do hereby agree to ratify and confirm all acts done by the Advocate(s) or his/their substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/we undertake that I/we or my/our duly authorized agent would appear in court on all hearing and will inform the Advocate(s) for appearance when the case is called. I/we undersigned to hereby agree not to hold the Advocate or his substitute responsible for the result of the said case. The appointment costs whenever ordered by the court shall be of the Advocates(s) which he shall receive and retain for themselves.

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate(s), remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above court. I/we hereby agree that one the fees is paid I/we will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 yrs. The original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/we do hereunto set my/our hand to these presents the content of which have been understood by me/us on this 06th day of January, 2025.

Advocate(s)

Client

Padmesh
D/5258/19

Mob. No. 9958230144

Email ID: office@padmeshmishra@gmail.com

Binaya Kumar Dash
(BINAYA KUMAR DASH)
Additional Secretary to Govt.
H & UD Department