



भारत सरकार / Government of India  
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय / Ministry of Environment, Forest and Climate Change  
 एकीकृत क्षेत्रीय कार्यालय / Integrated Regional Office  
 ए/3, चंद्रशेखरपुर / A/3, Chandrasekharpur  
 भुवनेश्वर - 751 023, ओडिशा / Bhubaneswar - 751 023, Odisha



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File No. 107-531/23/EPE

Date 03.07.2023

To

**The Registrar,**  
 National Green Tribunal,  
 Eastern Zone Branch,  
 Finance Centre, 3rd Floor  
 New Town, Kolkata-700161

Sub: In compliance of the order dated 12.06.2023 passed by the Hon'ble National Green Tribunal, National Green Tribunal, Eastern Zone, in O.A. No. 65/2023/EZ Sachin Mohapatra Versus Bhubaneswar Development Authority & Ors. - -reg

Ref: Hon'ble National Green Tribunal Order dated 12.06.2023

Sir,

With reference to the subject and reference cited above I am directed to state that as per the order dated 12.06.2023 the tribunal had constituted a committee for the site visit and submit a factual and action taken report on or before 03.07.2023. Site visit was conducted on 24.06.2023. The copy of the report is attached herewith as per the direction of the Hon'ble National Green Tribunal ,EZ.

This is for kind information. Please.

Yours faithfully,

*Sandeep Nandi*  
 03.07.2023

(Sandeep Nandi)  
 Scientist 'B'

Encl: As above

**Copy to:**

1. **Smt. Anamika Pandey**, National Green Tribunal Panel Counsel, Kolkata, For Kind information please

**Report of Committee, as per Hon'ble National Green Tribunal Order in the matter of OA No 65/2023/EZ (Sachin Mohapatra Versus Bhubaneswar Development Authority & Ors.)**

Hon'ble National Green Tribunal, Eastern Zone, Kolkata, in its order dated 12.06.2023, passed in Original Application No. 65/2023/EZ constituted a four-member joint Committee to be headed by the Chief Conservator of Forest (CCF), Regional Office, MoEF&CC, Bhubaneswar with other members being representatives of CPCB, State PCB and District Magistrate, Khurda.

The Hon'ble National Green Tribunal, Eastern Zone has also directed that "The Committee may meet within one week, undertake visit to the site, interact with the concerned stakeholders including WATCO and after ascertaining factual position, particularly with regard to illegal felling of trees, loss of bio-diversity and other damage to environment, including cutting of the hill and submit a factual and action taken report to this Tribunal within three weeks,"

As per the direction of the Hon'ble National Green Tribunal a meeting was conducted in the hybrid mode involving all the members of the committee on 16.04.2023. The Site Visit was scheduled to be on 24.06.2023 at 11.30 A.M.

As per the decision of the meeting the site visit was conducted on 24.06.2023.

The following members were present during the site visit.

1. Shri A.T Mishra, Dy. Director General Forest(C), Regional Office,MOEF&CC, Bhubaneswar
2. Shri K Sudarshan Chakravarthy, District Magistrate, Khurda
3. Shri Sandeep Roy, Scientist, Regional Directorate, CPCB, Kolkata (Representation of CPCB, Kolkata)
4. Dr Sohan Giri, Regional Officer, OSPCB, Bhubaneswar (Representation of OSPCB, Odisha)

As per the decision of the meeting, the DFO, Chandaka and Scientist from SEIAA were also present during the site visit.

The representative of WATCO (Project Proponent) Shri Sarat Chandra Mishra, COO, Shri Sachin Mohapatra, the petitioner, Tahasildar, Bhubaneswar, public representatives were also present during the site inspection.

### **Sikharchandi Hill**

The Sikharchandi Hill is famous for temple Sikharchandi and located on the outskirts of Bhubaneswar and is near to the boundary of Chandaka Wildlife sanctuary. The area of Sikharchandi hill is about 247.656 acre (100.222 ha.) and comprises of two Mouza (village) as listed below:

RI CIRCLE	Name of the Mauza	Khata	Plot No.	Area	Kisam
Chandaka	Pathargadia	2239	5731	35.156 ac(14.22 ha.)	Parbat
Kalarahanga	Patia	474/1607	1 (P)	Part of 212.5 ac(85.99 ha.)	Pahad

### **Legal Status**

As per the report submitted by the Divisional Forest Officer, Chandaka Wildlife Sanctuary the area under Sikharchandi hill is not part of any Notified Forest land.

As per the report submitted by the Tahasildar, the kisam of the land under Sikharchandi hill before 1980 is Pahad/Parvat. The proposed plot is not included in DLC.(Copy of the letter from Tahasildar,Bhubaneswar attached as **Annexure A/1**)

Though the Sikharchandi hill is near to the Chandaka Wildlife Sanctuary but it is outside the Eco-sensitive Zone of the sanctuary. Hon'ble Supreme Court of India vide order 03.06.2022 has ordered for no new construction activity within 1 km from the boundary of any Protected Area. But vide Order W.P. (C) .No.202 of 1995 dated 11.01.2023 minimum distance of Eco Sensitive Zone of 1 km would not be applicable to Chandaka Wildlife Sanctuary.

**Observation:**

During field inspection it was observed that an area of about 7.5 acre(3.0 ha.) has been cleared and a road has been constructed clearing vegetation though IDCO has allotted 4.00 acres of land to WATCO for the said project. No permission for cutting of trees has been taken from the local DFO.



The vegetation which is present adjoining the cleared site is shrubby vegetation. Some of the photographs of the cleared site and vegetation around the cleared site can be seen from the photographs as below:



## **Interaction with stake holders:**

The committee interacted with the local people including elected representatives, DFO, Chandaka, Tahsildar, Bhubaneswar, COO, WATCO, petitioners and other villagers present during interaction.

The people present during site inspection were opposing the clearing of vegetation by WATCO more than the area required for this project. As per the villagers WATCO has not taken permission for felling of trees from the Forest Department. As per the villagers including the petitioner present during discussion said that the area is under the eco-sensitive zone of Chandaka wildlife sanctuary. The WATCO officers are doing the work without taking any Environment Clearance. They were of the opinion that the hill should be preserved and developed into a park and the demand was to preserve the area (tourist place).

DFO, Chandaka present in the meeting said that this area does not fall within the ESZ of Chandaka Wildlife Sanctuary. The proposed area is not a notified forest land. WATCO has not taken permission for the felling of trees from the above site. (Copy of the letter from DFO attached as **Annexure A/2**)

The representative from WATCO said that as there was no access to the site, so the road has been constructed for movement of vehicle for construction work. They also said that as there were no trees except small bushes so no felling permission was taken from the DFO. The representatives of WATCO said that there is acute shortage of drinking water in the growing Bhubaneswar City. There is no such elevated area in the town where such water tank can be constructed utilising the gravity for supply of water. They showed the layout of the project where 3.6 acres area has been proposed.

It was also informed by the WATCO that about 4 lakh people (about 30% of Bhubaneswar City) will be benefitted by the project. From the analysis of the lay out plan it was found that the proposed structure can be built in 3.00 acres of land. (Copy of the letter from WATCO attached as **Annexure A/3**)



## **Findings:**

The Paper attached with the application ‘First record of occurrence of the tree species *Nothopegia racemosa* (Dalz.) Ramamurthy (Anacardiaceae) from Eastern Ghats in India” was examined by this committee. As per this report “*Nothopegia racemosa*” was thought to be endemic to western ghats but after taking samples from Barbara RF of Khurdha, Sikharchandi Hill and Udayagiri Hill it was found that this species “*Nothopegia racemosa*” is also found in Eastern Ghat region also. From the report it is evident that this species is not endemic to Sikharchandi Hill only.

The Scientist from State Environment Impact Assessment Authority, Odisha present during site inspection and the committee also of the opinion that construction of water tank will not have significant effect on the Environment. The Scientist from SIEAA has also reported that the proposed project does not require Environment Clearance. (Copy of the letter from SEIAA, Odisha attached as **Annexure A/4**)

The DFO, Chandaka Wildlife Sanctuary has reported that WATCO has not taken permission for felling of trees. Clearing of vegetation will make the soil vulnerable for erosion and this activity has resulted in removal of vegetation which was present in the site prior to clearing of the site. This need to be compensated by plantation and soil conservation measures.

From perusal of records shown by officers WATCO it was found that the minimum requirement for water tank is only 3.00 acres, while 4.00 acres. has been allotted to WATCO . Distribution of water to the growing city Bhubaneswar is also an important welfare activity which requires an elevated area to use the force of gravity.

During discussion the Tahsildar, Bhubaneswar said that for demarcation of the hill it will take time. Tahsildar, Bhubaneswar assured to demarcate the Sikharchandi Hill within one month. The committee has recommended the permissible activities in the Sikharchandi Hill in the conclusion part of the report.

## Conclusion

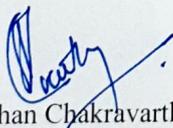
- i. An Eco-restoration plan should be prepared for the Sikharchandi hill with proper fencing at outer periphery with emphasis on soil and water conservation measures and plantation in blank areas by the State Government.
- ii. All the illegal encroachments in the hill should be evicted.
- iii. As there is a very old temple which attracts large number of tourists, amenities for tourism and recreation may be developed with minimum loss to vegetation.
- iv. Construction of water tank may be allowed only in the bare minimum area as per the lay out plan (3.0 acre) and for access and pipeline may also be allowed as per the requirement following proper procedure. Rest area should be afforested with indigenous species.



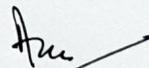
Dr. Sohan Giri, Regional Officer,  
OSPCB, Bhubaneswar



Sandeep Roy,  
Scientist, Regional Directorate,  
CPCB, Kolkata



K Sudarshan Chakravarthy,  
District Magistrate, Khurda



A.T Mishra, DDGF(C),  
Ministry of Environment, Forest and  
Climate Change, Regional Office,  
Bhubaneswar



Letter No. 7173 Dt. 28/6/23

To

The Deputy Director General of Forests Integrated  
Regional Office, Ministry of Environment Forest and  
Climate Change, Bhubaneswar.

Sub: Submission of land particulars of Sikharchandi hillock.

Sir,

With reference to the subject cited above, I am to submit that the Sikharchandi hillock covered under 2 different villages i.e; Pathargadia village under Chandaka RI circle, Patia village under Kalarahanga RI circle. Details of land schedule of Sikharchandi hillock falling under above 2 villages are given below.

RI CIRCLE	Mouza	Khata	Plot	Area(in Ac.)	Kissam
Chandaka	Pathargadia	2239	5731	35.146	Parbat
Kalarahanga	Patia	474/1607	1(P)	Part of 212.5	Pahad

This is for your information and necessary action.

Yours Faithfully

  
28/6/2023  
TAHASILDAR, BHUBANESWAR



OFFICE OF THE TAHASILDAR, BHUBANESWAR.

Email [id-tdrbbsr@gmail.com](mailto:tdrbbsr@gmail.com)

[tah.bbsr-od@nic.in](mailto:tah.bbsr-od@nic.in)

Ph. 0674-2953840(O)

Letter No. 7174 /

Dt. 01.07.2023

To

The Deputy Director General of Forests Integrated  
Regional Office, Ministry of Environment Forest and  
Climate Change, Bhubaneswar.

Sub:

Submission of land particulars and sketch map for WATCO Bhubaneswar  
project.

Sir,

With reference to the subject cited above, I am to submit herewith the land particulars and sketch map of Khata No. 474/1607, Plot No. 01 of Mouza- Patia for WATCO Bhubaneswar project. The last settlement operation has been published for the said village Patia on dtd. 6.12.1973. On verification of R.I report the status of the above land as on 25.10.1980 is Kisam- Pahada recorded in Abada Jogya Anabadi khata. As per field verification report of R.I, total area of Ac. 1.360 is cleaned by WATCO officials and an area of Ac. 3.000 is bounded by pillars in the above land schedule. Further to say that plot is not included in DLC list.

This is for your information and necessary action.

Encl: R.I report, Sketch map & ROR Copy.

*Yours faithfully,*

  
01/7/2023  
TAHASILDAR, BHUBANESWAR.

## OFFICE OF THE REVENUE INSPECTOR , KALARAHANGA

LETTER NO: 1230 DATE: 30-06-2023

TO

THE TAHASILDAR BHUBANESWAR

SUB:-Submission of land particulars for WATCO Bhubaneswar project at Sikharachandi Pahad at Mouza- Patia.

Sir,

In inviting reference to the letter on the subject cited above , I submitted the land particulars for WATCO Bhubaneswar project at Sikharachandi Pahad at Mouza- Patia is given below.

This is for favour of kind information and necessary action.

Yours faithfully

*N. S. Nayak*  
30-06-2023  
REVENUE INSPECTOR  
KALARAHANGA

## LAND PARTICULARS

MOUZA- PATIA

KHATA NO- 474/1607 , R.T- ମ୍ୟାଗନେଜିଂ ଡାଇରେକ୍ଟର, I.D.C.O, ଭୁବନେଶ୍ୱର

PLOT NO- 01, AREA- A 4.360 out of A 212.500 KISSAM- ପାହାଡ଼

Above land schedule comes by W.L CASE NO- 6/1983 from ମୂଲ୍ୟାଂକନା- 491

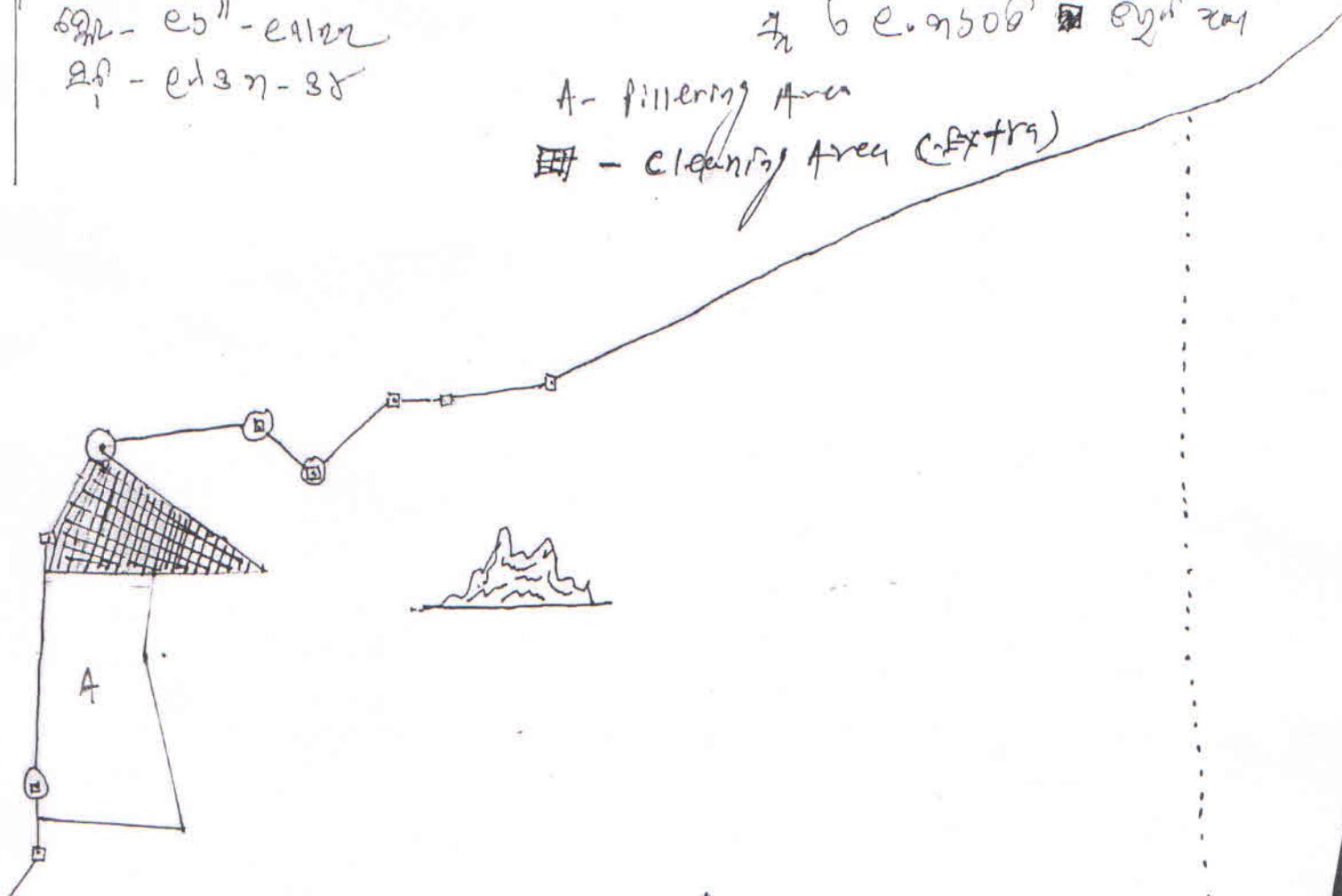
ଆବେଦନ ଅନୁଯାୟୀ ଅନାବଦି PLOT NO- 01 AREA A 212.500 KISSAM- ପାହାଡ଼ year 1973/74.

The land schedule is not comes under D.L.C .

ଧରଣ - ପ୍ରାୟ ୩୫-୧  
 ପାଟ - ନିରାକାର  
 ଗୁଣ - ଉତ୍ତମ  
 ମୂଲ୍ୟ - ୬୦୫୨୧  
 ଗୁଣ - ୧୦" - ୧୫"  
 ଗୁଣ - ୧୫୩୭-୩୫

ଧରଣ - ୧ ଉତ୍ତମ - ୫" ୬୩.୦୦୦୦ A ପୃଷ୍ଠା  
 ଧରଣ - ୬ ୧.୩୫୦୦ B ପୃଷ୍ଠା

A - filling Area  
 B - clearing Area (Extra)



30-06-2023  
 REVENUE INSPECTOR  
 KALJIRAHANGA





ନି. ପରିଷଦ କ୍ରମ-୧

ପାଠ. ନିରୀକ୍ଷା

ସୂଚୀ. କ୍ରମାବଳୀ

ପୂର୍ବ - ୬୫୨୧

ଉତ୍ତର - ୧୦" - ୧୫୧୧

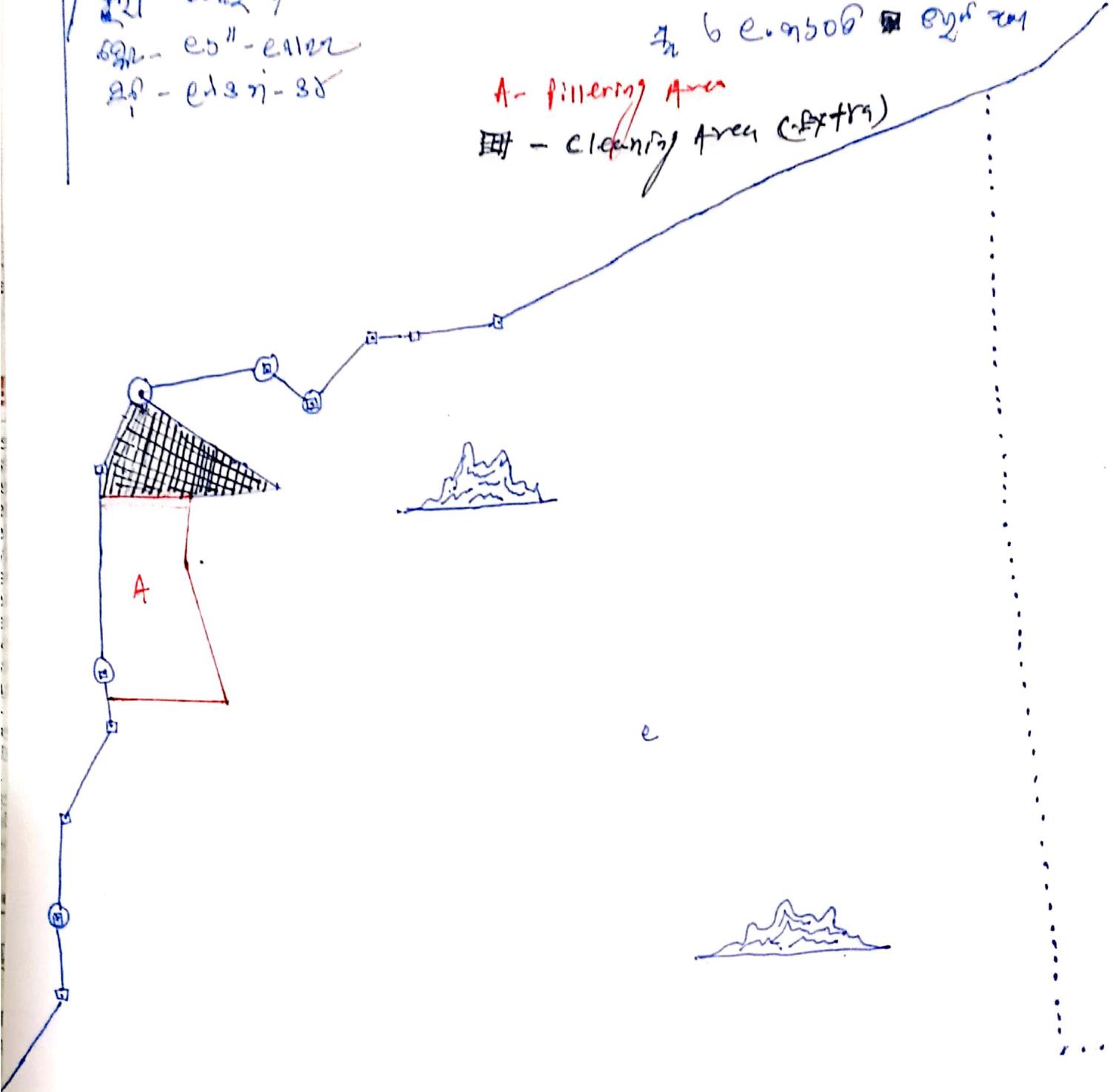
ପଶ୍ଚି - ୧୫୩୩ - ୩୪

କ୍ରମ-୧ ଉପରା-୩ ୬୩.୦୦୦୦ A ପୂର୍ବ

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A - Filling Area

B - Clearing Area (Extra)



**OFFICE OF THE REVENUE INSPECTOR , KALARAHANGA**

LETTER NO: 1230 DATE: 30/6/2023

TO

THE TAHASILDAR BHUBANESWAR

SUB:-Submission of land particulars for WATCO Bhubaneswar project at Sikharachandi Pahad at Mouza- Patia.

Sir,

In inviting reference to the letter on the subject cited above , I submitted the land particulars for WATCO Bhubaneswar project at Sikharachandi Pahad at Mouza- Patia is given below.

This is for favour of kind information and necessary action.

Yours faithfully

*Naga*  
30-06-2023  
**REVENUE INSPECTOR  
KALARAHANGA**

**LAND PARTICULARS**

MOUZA- PATIA

KHATA NO- 474/1607 , R.T- ମ୍ୟାଗନେଟିକା ଡାଇରେକ୍ଟର, I.D.C.O, ଭୁବନେଶ୍ୱର

PLOT NO- 01, AREA- A 4.360 out of A 212.500 KISSAM- ପାହାଡ଼



**OFFICE OF THE DIVISIONAL FOREST OFFICER & WILDLIFE WARDEN**  
**CHANDAKA WILDLIFE DIVISION, GAJA VIHAR**  
**BARAMUNDA BHUBANESWAR-751003**

*Ph. (0674) 2355400, Email- dfo.chandakawl@odisha.gov.in*

Letter No. **4168/4F** (F.C. Act & Lease)-80/2023

Dated, Bhubaneswar the **26<sup>th</sup> June, 2023**

To

The Deputy D.G.  
Government of India  
Ministry of Environment, Forest & Climate Change, IRO  
Chandrasekharapur, Bhubaneswar

**Sub: O.A. No. 65/2023/EZ filed by (Sri Sachin Mohapatra Vrs. Bhubaneswar Development Authority and others) before the Hon'ble National Green Tribunal, Eastern Zone, Kolkata Bench-reg**

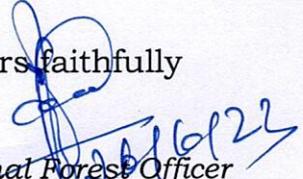
Ref: Your File No. 107/531/23/EPE dtd. 16.06.2023

Sir,

In inviting a reference to the above correspondence on the captioned subject; this is to inform you that the compliance to the queries raised by the joint committee headed by Dy. D.G, MoEF & IRO, Bhubaneswar during its site visit to Sikharchandi hill top is as follows;

- (i) The kissam of land in question is Non-Forest and is under control of Revenue & Disaster Management.
- (ii) The land is not coming within the Eco-Sensitive Zone of Chandaka- Dampara Wildlife Sanctuary as per the judgement dtd. 11.01.2023 of the Hon'ble Supreme Court of India passed in W.P.(C) No. 202 of 1995 in Re: T. N. Godavarman Thirumpulad vrs. Union of India & Ors that minimum distance of 1 KM ESZ would not be applicable to the Chandaka-Dampara Wildlife Sanctuary.
- (iii) No permission has been sought from the undersigned for cutting or removal of any trees or bushes on the said land by WATCO or any other agency.

Yours faithfully

  
Divisional Forest Officer  
Chandaka Wildlife Division  
Bhubaneswar



www.watcoodisha.in

**OFFICE OF THE GENERAL MANAGER  
WATCO DIVISION - I, BHUBANESWAR**

**Email:- gmdivonewatco@gmail.com**

**Letter No - 10926 date- 3-7-23**

To

The Deputy Director General of Forests ( Central)  
Ministry of Environment , Forest & Climate Change  
Integrated Regional Office, Bhubaneswar

Sub-

compliance regarding construction of 30ML Master balancing Reservoir (MBR) & Elevated service Reservoirs ( ESR) at Sikharchandi hill top.

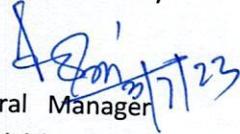
Sir,

In inviting a kind reference to the captioned subject, it is to furnish herewith a report as follows

- i) That, IDCO has given a permissive possession for construction of one 30ML MBR & 2 nos RCC ESR 3.00 ML capacity each at Sikharchandi over plot no- 31/3 corresponding to revenue plot no 1(p) measuring to an area of Ac.4.00 .
- ii) That, during taking over possession of the said land, there were no trees existing over the land except shrubs and bushes.
- iii) That, for the purpose of construction of the MBR and 2 nos ESR , there is minimum requirement of land for a dimension of 163mtrx 80 mtr. i.e 13040sqmt or Ac. 3.22.
- iv) That, as per the technical survey and investigation made , the said plot over Sikharchandi hill is being a naturally elevated land having a high altitude is having the optimum feasibility to construct the MBR & ESR so as to ensure 24x7 water supply to Bhubaneswar municipal corporation area through gravity . On account such high altitude the flow and pressure can be maintained in an adequate manner
- v) That, the MBR & ESR shall be beneficial to cater a population of 4.00 lakh of Bhubaneswar Municipal corporation with 24x7 water supply system at present and these may also mitigate the drinking water demand of peripheral areas . It is to further mention herewith that, there is acute shortage of drinking water in this part of Bhubaneswar city.

This is for favour of your kind information and submission before the committee for further course of action

Yours Faithfully

  
General Manager

WATCO Division-I, Bhubaneswar



www.watcoodisha.in

**OFFICE OF THE GENERALMANAGER  
WATCO DIVISION- I, BHUBANESWAR**

**Email:-gmdivonewatco@gmail.com**

**Letter No - 10831 date-30.06.2023**

To

The Deputy Director General of Forests (Central)  
Ministry of Environment, Forest & Climate Change  
Integrated Regional Office, Bhubaneswar  
E-mail: [roez.bsr-mef@nic.in](mailto:roez.bsr-mef@nic.in)

Sub-

compliance regarding construction of 30ML Master balancing Reservoir (MBR) & Elevated service Reservoirs (ESR) at Sikharchandi hill top.

Sir,

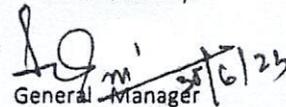
In inviting a kind reference to the captioned subject, it is to bring to your kind notice that, the Bhubaneswar city ( BMC area) comprising of 67 wards with a present households & population of 160028 & 1221000 respectively require a water demand of 269 ML daily. The present water treatment plants with a total capacity of 229.50 MLD is not capable of mitigating the total water demand of the city neither by the current year 2023 and nor for the design period ending the year 2053. As such the Govt In H & UD department through WATCO has chalked out a plan for construction of 130MLD water treatment plant at Mundali with laying of 1400mm dia clear water rising main for a length of 21.60 KM from Mundali to Sikharchandi hill top MBR for storage and further 24x7 water supply to the city through gravity.

It is to further mention that, as per the Engineering survey and investigation made by WATCO, it is seen that, the Sikharchandi hill top having the maximum altitude in the nearby proximity is the most suitable & technically viable location for construction of the MBR & ESR so as to cater 24x7 water supply to the city and also for the upcoming developed areas in the periphery mitigating the total water demand for the current year and for the design period of 30 years as well.

In course of survey & investigation, it is also learnt that, the site selected for the MBR & ESR at the Sikharchandi Hill top is neither a notified forest area and nor having any Jungle kism land. The construction of the 30ML MBR & 2 nos ESR of 3 ML capacity each at the sikharchandi hill top with a naturally elevated location is the most feasible site to uphold the 24x7 water supply project of the Government so as to mitigate the water demand of the city.

This is for favour of your kind information and submission before the committee for further course of action

Yours Faithfully

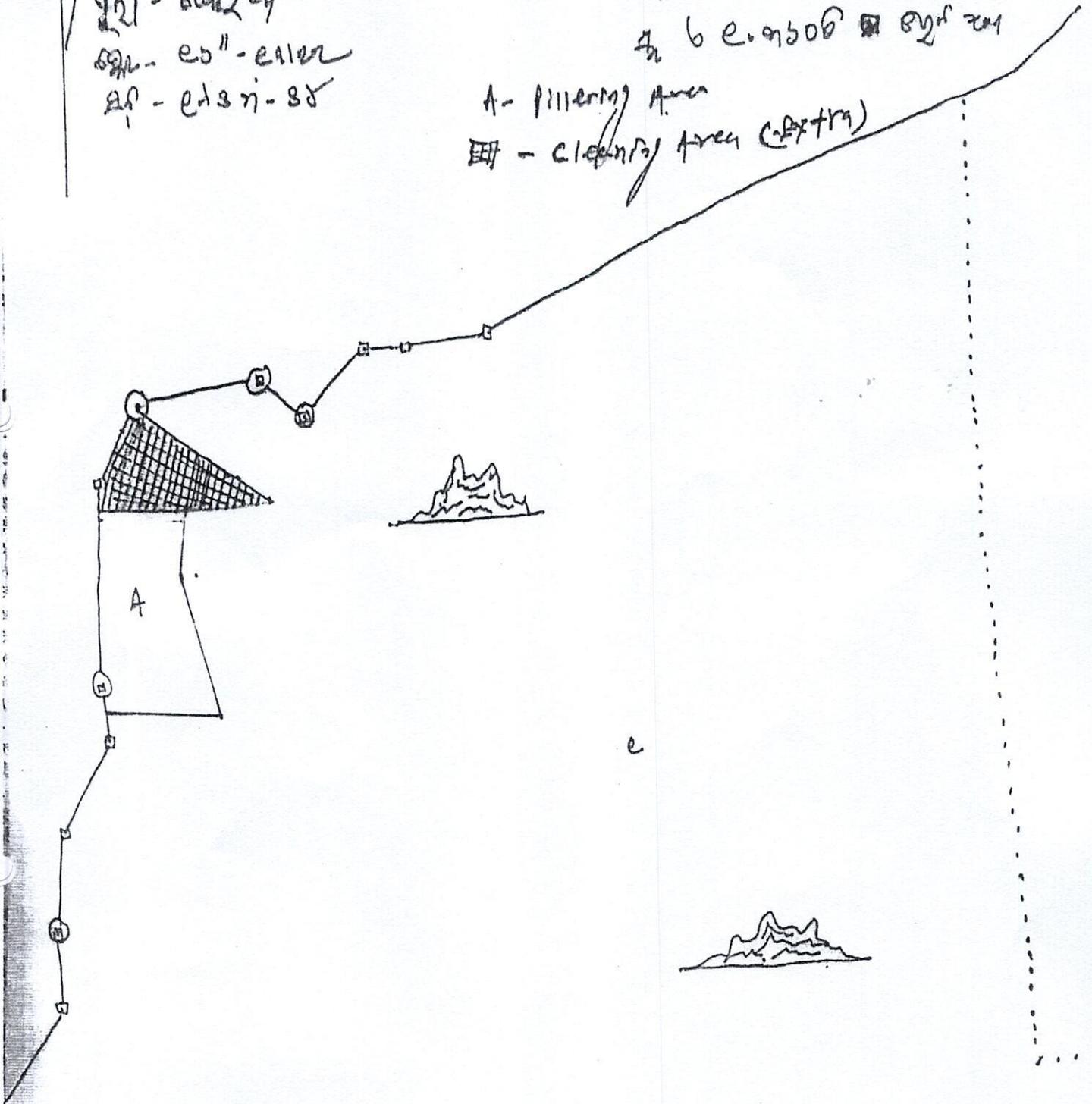
  
General Manager

WATCO Division-I, Bhubaneswar

ନି. ପରିସର କ୍ରମେ  
 ପା. ବିଭାଗ  
 ଯୁକ୍ତ - କ୍ରମେ  
 ପୁଅ - ବାଲୁକା  
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A - Pilling Area  
 B - clearing Area (Extra)



ଶୁଣ  
 30/6/22



**STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, ODISHA**

5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-3512840, Email:

seiaaodisha@gmail.com

(A statutory body constituted by Ministry of Environment, Forest & Climate Change under Environment (Protection) Act, 1986)

**File No. SEIAA-64/07-2023**

Dated 01 July 2023

To

The Deputy Director General of Forest  
Integrated Regional Office (EZ), MoEF & CC, Govt. of India  
A/3, Chandrasekharpur, Bhubaneswar-751023

Sub: Clarification on applicability of environmental clearance (EC) for land allotted to WATCO for construction water tank project over an area of 3.00 acres at Sikharachandi Hill at Mouza-Patia, Dist-Khordha-Reg.

Ref: Hon'ble NGT order dated 12.06.2023 in O.A. 65/2023/EZ filled by Sachin Mohapatra Vrs Bhubaneswar Development Authority & Ors.

Sir,

In inviting a reference to the above cited subject, I am to state that this a matter of Hon'ble NGT case with allegation regard to illegal felling of trees loss of bio-diversity and other damage to environment, including cutting of the hill by WATCO bearing khata no. 474/1607, Plot no. 01 of an area 3.00 acres at Sikharachandi Hill at Mouza-Patia, Dist-Khordha. Based on the Hon'ble NGT order dated 12.06.2023 a joint committee was formed and the committee visited the allegation site on dated 24.06.2023. During joint visit the official of WATCO were present there and they informed to the committee that they are going to construct a water tank over an area of 3.00 acres at Sikharchandi Hill to supply water for public purposes.

In view of this, it is to clarify that the proposed project is not coming under purview of environmental clearance as per EIA Notification 2006 and amended therein. Therefore, in this case environmental clearance is not required.

This is for your kind information.

Yours faithfully,

*[Signature]*  
01/07/2023  
Environmental Scientist,  
**Environmental Scientist**  
SEIAA, Odisha