

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

**M.A. NO.13/2022/EZ**

in

**(O.A. No.55 of 2018/EZ)**

Tribunal on its Own Motion ... Applicant

-Versus-

State of Odisha & others ... Respondents

**I N D E X**

<b><u>Sl.No.</u></b>	<b><u>Description of Documents</u></b>	<b><u>Pages</u></b>
1.	Compliance affidavit filed On behalf of Respondent No.3	1 - 3
2.	<b><u>ANNEXURE-5</u></b> Copy of letter No.3787 dtd.10.11.2022 of Superintending Engineer, Kendrapara Irrigation Division, Kendrapara.	- 4 -
3.	<b><u>ANNEXURE-6</u></b> Copy of letter No.7658 dtd.19.11.2022 of Divisional Forest Officer, Cuttack Forest Division.	- 5 -
4.	<b><u>ANNEXURE-7</u></b> Copy of placement of fund vide letter No.452 dtd.21.11.2022 by the Dy. Collector, Nizarat, Collectorate, Kendrapara.	- 6 -
5.	<b><u>ANNEXURE-8</u></b> Copy of letter No.1825 dtd.17.11.2022 of the Addl. District Magistrate, Kendrapara.	- 7 -

Place : By the Respondent No.3 through

Date:



Advocate



IN THE HON'BLE NATIONAL GREEN TRIBUNAL,  
EASTERN ZONE BENCH, KOLKATA.

M.A. NO.13/2022/EZ

in

(O.A. No.55 of 2018/EZ)

Tribunal on its Own Motion ... Applicant

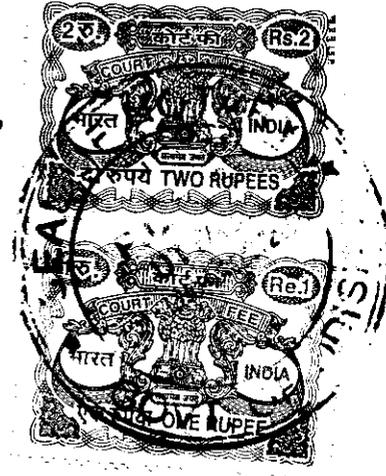
-Versus-

State of Odisha & others ... Respondents

**COMPLIANCE AFFIDAVIT FILED ON BEHALF  
OF RESPONDENT NO.3 PURSUANT TO THE  
ORDER DTD.26.09.2022**

I, Sri Amrit Raturaj, aged about 30 years, at present working as Collector & District Magistrate-cum- Chairman, District Environment Impact Assessment Authority ( DEIAA), Kendrapara, At/PO/ Dist-Kendrapara do hereby solemnly affirm and state as follows:

1. That, I am the Opp. Party No.-03 in the aforesaid Original Application. I have gone through the contents of the Original Application and records pertaining to this case and such being conversant with the records of the present case, I am filing this affidavit in my official capacity.
2. That, I am swearing this affidavit in compliance with order dated 26.09.2022 passed by the Hon'ble Tribunal in context to suggestion specified by NIT,



Amrit Raturaj



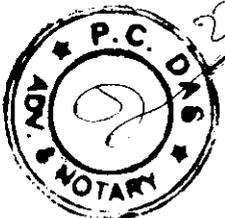
Rourkela as regard to restitution and restoration of the banks of Brahmani River and Mahanadi River. The direction mostly to cover to avoid soil erosion followed by plantation and to submit action taken report highlighting the works carried out.

3. That, in obedience to the direction of the Hon'ble Tribunal, a Team headed by Superintending Engineer, Irrigation Division submitted a report vide letter No.3789 dtd.10.11.2022 and accordingly Project Proponent Scheme/Project Proposal prepared by the Divisional Forest Officer, Cuttack vide letter No.7658 dtd.19.11.2022 in Patalipatna village (near Mahanadi River Bed) under Mahakalapada Block and an amount of Rs.1,36,402.00 has been placed for plantation. Copies of letter No.3787 dtd.10.11.2022, letter No.7658 dtd.19.11.2022 & copy of placement of fund are annexed herewith as ANNEXURE-5, ANNEXURE-6 & ANNEXURE-7 respectively.

4. That, in view of direction of Hon'ble Tribunal reminder has been issued to the Tahasildars, Superintending Engineer, Kendrapara Irrigation Division, Kendrapara, Divisional Forest Officer, Cuttack Forest Division At/Post Kendrapara to take necessary steps immediately to give effect to the suggestion of NIT Rourkela and submit the action taken report to this office immediately.

5. That, it is further to mention here that with reference to this office letter No.1825 dtd.17.11.2022,

Amrit Rautray





the General Manager, Rail Vikas Ltd., Bhubaneswar issued with reminders for recovery of compensation amount from the Project Proponent, Rail Vikas Nigam Ltd. Copy of letter No.1825 dtd.17.11.2022 is annexed herewith as ANNEXURE-8.

6. That, it is to mention here that recently the flood water has receded from the rivers, so in order to take up the restoration work by the different line department concerned further two months will be required.

7. That, the deponent has the highest regards for this Hon'ble Tribunal and hold their Lordships in the highest esteem and is duty bound to obey and implement their Lordship's orders.

8. That the facts stated above are true to the best of my knowledge based on official records.

Identified by

*[Signature]*  
Advocate

*Amit Rutyaj*

DEPONENT  
COLLECTOR  
KENDRAPARA



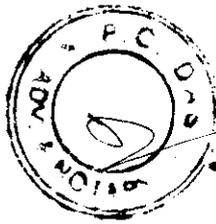
The above named deponent

Solemnly affirms on.....*22*.....

.....being identified

by.....*S.K. Nayak* Advocate

*A. Rutyaj*  
*11.22*





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ANNEXURE - 5

**OFFICE OF THE SUPERINTENDING ENGINEER, KENDRAPARA IRRIGATION DIVISION, KENDRAPARA**

e'mail-kendrapadairrigationdivision@gmail.com

No. 3787 / Dtd. 10/11/2022

To

The Addl. District Magistrate,  
Kendrapara.

**Sub:- O.A.No.55/2018 filed by Sasee Bhusan Pattanaik vs. State of Odisha & others before the Hon'ble NGT, Eastern Zone, Kolkata.**

**Ref:- Your Memo No.1381 dtd. 20.09.2022.**

Sir,

In inviting a kind reference to the subject cited above, it is to state that, the Joint Verification has been made by the Superintending Engineer, Kendrapara Irrigation Division with Assistant Executive Engineer, Patkura Irrigation Sub-Division along with the Revenue Inspector of Patalipanka R.I.Circle on dtd. 09.11.2022. After Joint Verification, it is observed that, as per the NGT, OA No.55/2018, the said location near Raghunathpur village under Patalipanka G.P. is at Kodakana gherry on Mahanadi left embankment which is the distance from 20 mtr. to 30 mtr.(approx) from the toe of the embankment is coming under the jurisdiction of Kendrapara Irrigation Division. But, the excavation of sand and soil was made from the private land as well as Govt. land for a distance of 100 mtr. to 130 mtr.(approx.) distance from the river embankment which are not coming under the jurisdiction of Kendrapara Irrigation Division.

This is for favour of your kind information and necessary action.

Yours faithfully,

  
10/11/2022  
Superintending Engineer  
Kendrapara Irrigation Division

Memo No. 3788 / Dtd. 10/11/2022

Copy submitted to the Addl. Chief Engineer, Eastern Circle-II, Chandikhole for favour of information and necessary action.

*Issue with attch*

  
22/11/2022  
Dy. Collector Judl.  
Collectorate, Kendrapara

  
10/11/2022  
Superintending Engineer  
Kendrapara Irrigation Division



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ANNEXURE - E

OFFICE OF THE DIVISIONAL FOREST OFFICER: CUTTACK FOREST DIVISION

AT:- GHATAKULA, NUAPADA, CUTTACK 753010

Tel:- 0671-2340443 FAX: - 0671-2347611 Email:- dfo.cuttack@odisha.gov.in

No. 7658 /5F (Forest Diversion) 39/2022Dated, Cuttack 19<sup>th</sup> November, 2022

From

Dr. Sanjaya Kumar Swain, IFS,  
Divisional Forest Officer,  
Cuttack Forest Division.

To

The Collector & District Magistrate,  
Kendrapada.

Sub: -

OA No. 55/2018 filed by Sasee Bhusan Pattanaik vs. State of Odisha & others  
before the Hon'ble NGT, Eastern Zone, Kolkata.

Ref: -

Your office letter No. 1823 dt. 17.11.2022.

Sir,

Inviting a kind reference to the subject cited above, this is to inform you that, as per  
direction of Hon'ble NGT, EZ, Kolkata, suggested by the NIT, Rourkela and based on the Report  
of The Tahasildar, Mahakalapara on availability of Govt. land suitable for plantation, a plantation  
scheme has been prepared of Rs 1,36,402.00 ( Rupees one lakh thirty-six thousand four hundred  
two) only with 4 years maintenance at cost of wage rate Rs333/- per man-day. The scheme is  
submitted herewith for taking further action at your end.

This is for favour of your kind information and necessary action.

Encl: As above.

TAMU copy attached

Dy. Collector Judl.  
Collectorate, Kendrapara

Yours faithfully,

  
Divisional Forest Officer  
Cuttack Forest Division

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**OFFICE OF THE  
COLLECTOR & DISTRICT MAGISTRATE  
KENDRAPARA  
(NIZARAT SECTION)**



06727 - 232602(O)  
06727 - 232802(R)



(FAX) No- 06727- 221603 (F)  
MAIL ID: nizaratcollectoratekpd@gmail.com

L. No. 458 / Niz.  
Date: 21/11/2022

To

The Chief Manager,  
S.B.I. Main Branch, Kendrapara.

Sub: Transfer of funds.  
Sir,

In enclosing herewith Cheque No.854532 dt. 21.11.2022 amounting to Rs.136402/- (Rupees one lakh thirty six thousand four hundred two )only along with account details of the beneficiaries given below, I am to say that, please transfer the funds by RTGS to the A/c of the beneficiary, from the A/c No.11387961687 of Deputy Collector, Nizarat ,Collectorate, Kendrapara.

Sl.No.	Name of the beneficiaries	Account No.	IFSC code	Amount
1	PROJECT PROPONENT CUTTACK FOREST DIVISION	514202050000128	UBIN0551422	136402.00

Total - 136402.00

*Time over after*

*[Signature]*  
22/11/2022  
**Dy. Collector Judd.**  
Collectorate, Kendrapara

*[Signature]*  
21/11/22

Yours faithfully

*[Signature]*  
Deputy Collector, Nizarat  
Collectorate, Kendrapara  
Deputy Collector, Nizarat,  
Collectorate, Kendrapara



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ANNEXURE - 8

**OFFICE OF THE COLLECTOR & DISTRICT MAGISTRATE,  
KENDRAPARA  
(JUDICIAL SECTION)**



06727-232602(O), 06727-232802(R), (FAX) No- 06727-221603 (F), EMAIL ID -  
judl.kendrapara@gmail.com

Letter No. 1875 //Judl//Dt. 17/11/22 //

To

The General Manager,  
Rail Vikas Ltd. Bhubaneswar.

Sub :- Recovery of compensation from the project proponent Rail vikas Nigam Ltd.

Ref:- This office letter No-1594/17.12.2021, L.No-404/25.04.2022 and L.No- 1103/dtd 19.08.2022.

Sir,

With reference to the letter on the subject cited above I am to say that you have been requested in the aforesaid letter under reference to recover the environmental compensation amount of Rs.2,55,11,632.00 from the violator by vacation of interim order of stay dtd 18.12.2019 passed by the Hon'ble High Court in IA No-17411/2019. The steps taken by you in this regard has not been intimated to this office so far.

Therefore you are once again reminded to take immediate necessary steps for recovery of the above compensation amount as per the order of the Hon'ble NGT in case No-55/2018 at an earliest to apprise the same to proper quarter.

*Take into account*

*[Signature]*  
22/11/2022  
Dy. Collector Judl.  
Collectorate, Kendrapara

Yours Faithfully,

*[Signature]*  
17-11-2022  
Addl. District Magistrate  
Kendrapara