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

O.A. No.82/2015/EZ

Biranchi Narayan Mahapatra Applicant

-Versus-

State of Odisha & others Respondents

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Kolkata
Dt.14.10.2022

By the Respondent No.5, through

Ramesh Sahoo
Advocate

(RAMESH SAHOO)

Mob – 9338105167

Email – sahoolawramesh@yahoo.co.in



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Biranchi Narayan Mahapatra Applicant

-Versus-

State of Odisha & others Respondents

**COMPLIANCE AFFIDAVIT FILED ON BEHALF OF THE
RESPONDENT NO.5**

I, J.Sonal, I.A.S., aged about 33 years, S/o. Sri Ashim Kumar Jena, at present working as the Commissioner, Berhampur Municipal Corporation, At/Po. Berhampur, Dist. Ganjam, Odisha do hereby solemnly affirm and state as follows :

- 1) That I am working as the Commissioner, Berhampur Municipal Corporation and I am competent to swear this affidavit.
- 2) That by order dt.27.7.2022, this Hon'ble Tribunal was pleased to grant two months time to complete the eviction process from 11 waterbodies including Lanjipalli Gouda

BRAHMAPUR MUNICIPAL CORPORATION
Commissioner

Jyoti Ranjan Pattanaik
Notary, Cuttack Town
Read No-19 of-2012

Bandha and to file Compliance Affidavit before this Hon'ble Tribunal.

- 3) That it is most respectfully submitted that for compliance of the orders of this Hon'ble Tribunal, this Deponent is required to complete the eviction process from over 11 Waterbodies situated within Berhampur Municipal Corporation. This Deponent joined as the Commissioner, Berhampur Municipal Corporation w.e.f. 18.6.2022 and after taking over the charge, completed the eviction process from over Purnabasi Waterbody on 23.7.2022. Thus the eviction in respect of 9 Waterbodies was completed in all respect prior to 29.9.2022 and in respect of eviction from over Lanjipalli Gouda Bandha, it could not be undertaken due to serious law and order problem.
- 4) That in the meantime the eviction in respect of Lanjipalli Gouda Bandha has already been completed on 12.10.2022. The copies of the photographs in support of the same are annexed hereunto and are marked as Annexure-A/5 series for kind perusal of the Hon'ble Tribunal.

Commissioner
BRAHMAPUR MUNICIPAL CORPORATION




Notary, Cuttack Town
Read No-19 of-2012

- 5) That this deponent further begs to submit that the eviction process in respect of the 11th waterbody i.e. Balaji Pentha shall be immediately taken up after disposal of M.A. No.15/2021/EZ where this Hon'ble Tribunal was pleased to grant an interim order of stay in respect of the Applicants in the said M.A. It is most respectfully submitted that the houses in the said Balaji Pentha area have been constructed in a straight line with common wall between two houses, as a result of which selective demolition of the houses is not physically possible. Therefore, the eviction from over the said Balaji Pentha area shall be carried out immediately after disposal of M.A. No.15/2021/EZ.
- 6) That the delay in filing the compliance affidavit is neither deliberate nor intentional. This deponent has the highest regards for the Court of Law and holds this Hon'ble Tribunal in its highest esteem. It is most respectfully submitted that as on the date of filing this Affidavit, eviction in respect of 10 waterbodies has already been completed and in respect of the 11th waterbody i.e. Balaji Pentha, eviction will be completed within such time as shall be granted by this Hon'ble Tribunal after disposal of M.A. No.15/2021/EZ.

BRAHMAPUR MUNICIPAL CORPORATION

Commissioner


Jyoti Ranjan Pattanai
Notary, Cuttack Town

Add: No. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

7) That the facts stated above are true to the best of my knowledge and belief being based upon the official records of Berhampur Municipal Corporation.

Identified by
Ramesh Kumar
Advocate

[Signature]
Deponent
Commissioner
BRAHMAPUR MUNICIPAL CORPORATION

Kolkata

Dt.14.10.2022

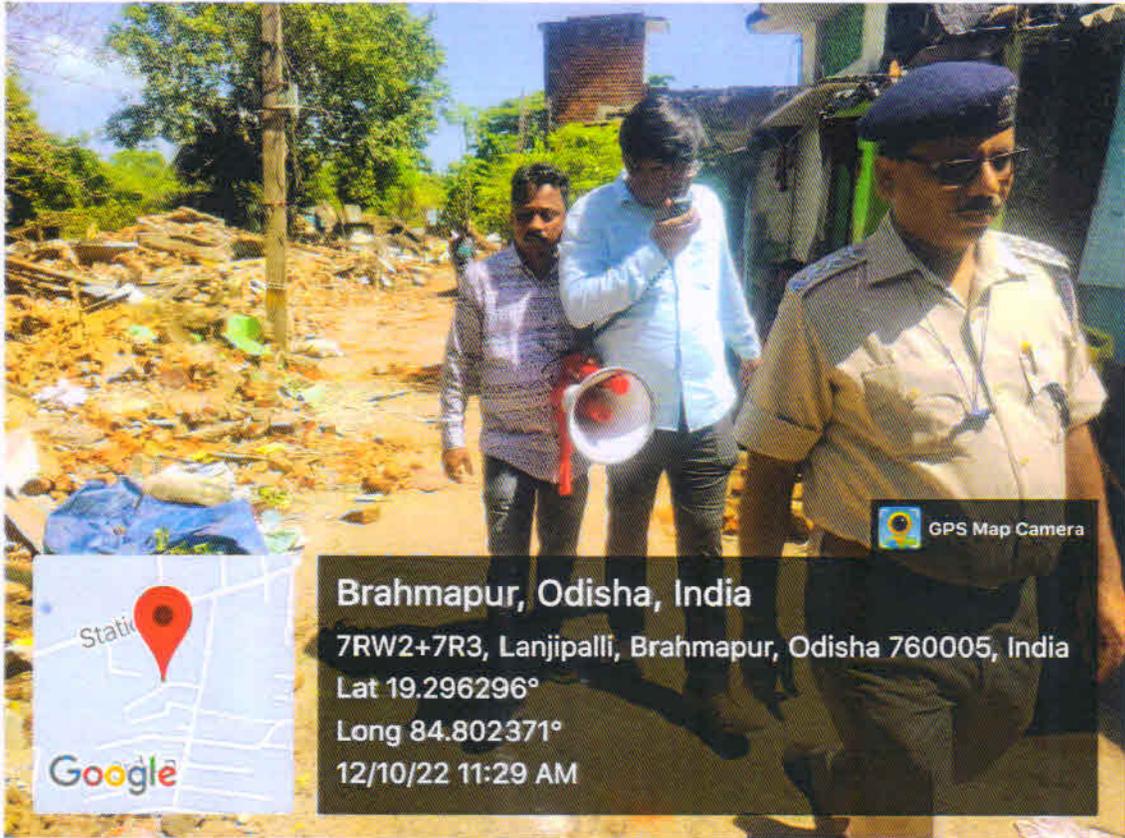


Solemnly Sworn before me
by *[Signature]*
Being identified by *[Signature]*
At Cuttack on *14/10/2022*
[Signature]
Jyoti Ranjan Pattanaik
Notary, Cuttack Town



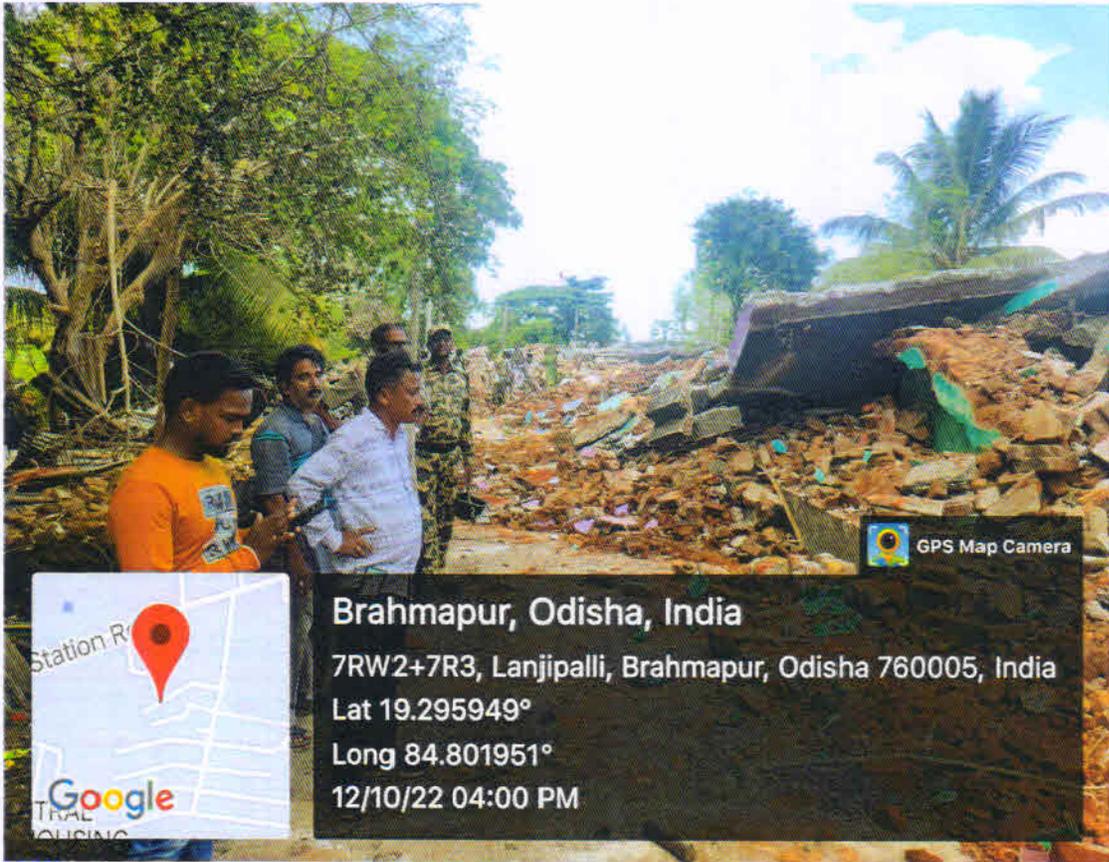
Rakesh

- 6 -



Brahmapur, Odisha, India
7RW2+7R3, Lanjipalli, Brahmapur, Odisha 760005, India
Lat 19.296296°
Long 84.802371°
12/10/22 11:29 AM

GPS Map Camera



Brahmapur, Odisha, India
7RW2+7R3, Lanjipalli, Brahmapur, Odisha 760005, India
Lat 19.295949°
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12/10/22 04:00 PM

GPS Map Camera

T. K. S. M.
S. K.

- 7 -



Brahmapur, Odisha, India
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 12/10/22 04:02 PM



Brahmapur, Odisha, India
 7RW2+7R3, Lanjipalli, Brahmapur, Odisha 760005, India
 Lat 19.296009°
 Long 84.801895°
 12/10/22 04:02 PM

Tejendra Singh

Compliance Affidavit in O.A. No.82/2015/EZ

sahoolawramesh@.../Sent

14 Oct at 2:30 pm



ramesh saho <sahoolawramesh@yahoo.co.in>
To: Biranchi Narayan Mahapatra <imbiranchi@gmail.com>
Cc: adv.samapika@gmail.com, adv.samapika@gmail.com,
Sankarprasadpani <sankarprasadpani@gmail.com>,
Papiya Banerjee Bihani <pbanerjeebihani@gmail.com>

Dear Sir/Madam,

Please find attached the Compliance Affidavit filed in O.A. No.82/2015/EZ by the Respondent No.5 i.e. Berhampur Municipal Corporation.

Thanking you,
Yours Sincerely,
Ramesh Sahoo
Advocate

1 file | 1.7MB



Compliance Affidavit in O.A.No.82 of 2015 dt.14.10.22.pdf
2MB

*True copy attached
R.S.*