

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

Original Application No.48/2021/EZ

Nabin Kisan ... Applicant

-Versus-

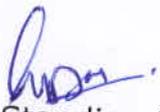
State of Odisha & others ... Respondents

**I N D E X**

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Cuttack  
Date: 31/01/2022

By The Respondent No. 3 through

  
Addl. Standing Counsel

SAILAZA NANDAN DAS  
Addl. Standing Counsel  
Enroll.No-O-118/2012  
Mob. 9861281545



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

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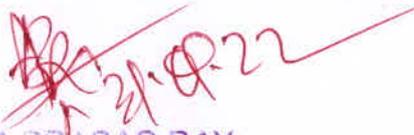
**AFFIDAVIT ON BEHALF OF THE RESPONDENT No.3 -  
COLLECTOR & DISTRICT MAGISTRATE, JHARSUGUDA**

I, Sri Saroj Kumar Samal aged about 55 years, S/o Fakir Charan Samal, working as Collector and District Magistrate, Jharsuguda do hereby solemnly affirm and state as follows:-

1. That, I am the District Magistrate & Collector, Jharsuguda and I am swearing this affidavit in compliance with order dtd.29.09.2021&06.01.2022 passed by the Hon'ble Tribunal.
2. That, the steps taken by the Respondent No.3 in compliance with the direction of this Hon'ble Tribunal are as follows:

**A. ACTION TAKEN ON THE OBSERVATIONS, CONCLUSION  
AND RECOMMENDATION OF THE COMMITTEE:**

- a. Conclusion No.1- "The allegation of discharge of wastewater of Municipality to the land of the applicant was submitted. Wastewater including sullage water

  
AMBIKA PRASAD RAY  
NOTARY CUTTACK TOWN  
REGD. NO-ON-56/2004

*Sri Saroj Kumar Samal*

*Amal*

generated from different wards of Belpahar Municipality is discharged to nearby open low lying private lands without any treatment."

*AMS*

**Response-**The Municipality has taken every remedial measure in ensuring that no such waste water is discharged to the private land of the Applicant. The Municipality as a temporary measure has constructed a collection tank of waste at a location in Ward No- 07 where from the dirt and sludge are being carried by cesspool vehicles at regular interval i.e. at least on four occasions everyday to the septage plant site. The carried sludge is being dropped in to the pits. Further some excess water being collected in the tank is being lifted by installed motor for discharge into an outgoing wide drain of TRL-Krosaki on their consent. In this way, discharge of waste water and sullage water to nearby low lying private lands is restricted to a great extent.

Photographs showing usage of cesspool vehicles by the Municipality are enclosed herewith and marked as Annexure-R-3/A Series.

*Sy Kumar Danda*

- b. Conclusion No.2-It has not provided proper drainage network for collection of wastewater including Sewage & Sullage water and has not installed Sewage Treatment Plant of adequate capacity.

*[Signature]*

AMBIKA PRASAD RAY  
NOTARY CUTTACK TOWN  
REGD. NO.-ON-56/2004

**Response-** As regards construction of sewage treatment plant is concerned, a proposal has been mooted by the Municipality to the Chief Engineer, Odisha Water Supply & Sewerage Board with a reminder to help them in preparation of detailed project report incorporating necessary technical specification as the ULB does not have the required expertise. A parcel of Govt. land measuring an area of Ac. 10.62 dec. pertaining to Plot No. 238 of Khata No. 1267, Mouza- Belpahar has been identified for construction of Sewerage treatment Plant (STP). Moreover the Odisha Water Supply & Sewerage Board are mandated to look after the aspect of sewerage in urban areas.

Copies of the letters dated 11.10.2021 and 13.01.2022 addressed to the Odisha Water Supply & Sewerage Board are enclosed herewith and marked as Annexure-R-3/B Series.

- c. **Conclusion No.3-Belpahar Municipality has not obtained consent to operate from SPCB, Odisha under section 25/26 of the Water (PCP) Act, 1974 for discharge of domestic wastewater into any stream or well or sewer or any land.**

**Response-** That on perusal of Section 25 & Section 26 of the Water (PCP) Act, 1974, the Consent to Establish/ Consent to Operate order by the SPCB is required only when some person/entity would be discharging sewage or trade effluent into a stream or well or sewer or on land.

  
AMBIKA PRASAD RAY  
NOTARY CUTTACK TOWN  
REGD. NO-CN-56/2004

*Sayam Prasad*



already identified a patch of land admeasuring Ac.10.62 dec for construction of the same. Since the Municipality does not have the budget to construct the plant on its own, the district administration is also extending all possible assistance in getting the project approved from the State Government.

- ii. Towards compliance of the order of the Hon'ble Tribunal dated. 29.09.2021 the Municipality has taken enabling measures so that discharge of the sullied water along with other waste material into the demised private land has been stopped. The Municipality as a temporary measure has constructed a collection tank of waste at a location in Ward No- 07 where from the dirt and sludge are being carried by cesspool vehicles at regular interval i.e. at least on four occasions everyday to the septage plant site. The carried sludge is being dropped in to the pits. Further some excess water being collected in the tank is being lifted by installed motor for discharge into an outgoing wide drain of TRL-Krosaki on their consent.
- iii. In the meanwhile one septage plant has been made operational in respect of the municipal area of Belpahar to turn the faecal sludge to manure. Further

  
AMBIKA PRASAD RAY  
NOTARY CUTTACK TOWN  
REGD. NO-ON-56/2004

  
Sany Kumar Samal.

campus of the plant has excavated pits and ditches where non-faecal sludge can be poured.

**B. LODGING OF FIR AGAINST THE SUB-COLLECTOR  
CUM-ADMINISTRATOR, BELPAHAR MUNICIPALITY:**

- i. It is humbly stated that during course of review and scrutiny of presented papers by the Belpahar Municipality, it is ascertained that an amount of Rs. 25,000/- has been deposited before the Odisha State Pollution Control Board vide D.D. No. 799861, Dated. 10.11.2021. It is also ascertained from the records that the said Demand Draft was sent through registered post on 15.11.2021 which got delivered on 20.11.2021. However, due to the inadvertent absence of the counsel appearing for the Municipality on 06.01.2022, the same fact could not be brought to the notice of this Hon'ble Tribunal. The state Pollution Control Board could have brought this fact regarding payment of cost to the SPCB to the knowledge of this Hon'ble Tribunal on 06.01.2022 when none appeared for the Municipality on the said date.

Copies of the Demand Draft and the Track consignment Report are enclosed herewith and marked as Annexure-R-3/C Series.

  
AMBIKA PRASAD RAY  
NOTARY CUTTACK TOWN  
REGD. NO-ON-56/2004

*Sayim Samal*

- ii. The Hon'ble Tribunal may kindly appreciate the fact that the treatment of sewage has been a problem inherited by the present dispensation of the Municipality. The Sub-Collector as the Administrator of the ULB assumed charge only on 17.04.2020 and beforehand the ULB was in the hands of elected bodies in succession. The Sub-Collector as the Administrator of Belpahar Municipality has been discharging additional assignment and he has been steering the drive for containment of COVID in his jurisdiction all through the pandemic. The lapse on his part in not filing the affidavit in compliance to the order passed by this Hon'ble Tribunal is unintentional. Hence, the Deponent prays this Hon'ble Tribunal to be kind and gracious enough and may be pleased to recall the order dated 06.01.2022 in so far direction given to the Collector Jharsuguda to lodge the FIR against the Sub-collector cum Administrator, Belpahar Municipality on the grounds mentioned in the preceding paragraphs.
- iii. The Deponent would further ensure that the mistake committed by the Sub-Collector cum Administrator, Belpahar Municipality is not repeated in future. The Deponent as the head of the district administration acknowledges the relentless and valiant efforts made by the Sub-Collector cum Administrator, Belpahar Municipality in enhancing the effectiveness of the public administration in

  
AMBIKA PRASAD RAY  
NOTARY CUTTACK TOWN  
REGD. NO-ON-56/2004

*Sampurna Samal.*

the district and lodging of FIR against him at present would definitely affect the moral of the department at large. The Deponent has the highest regard for this Hon'ble Tribunal and holds their Lordships in high esteem and therefore prays this Hon'ble Tribunal to recall the order dated 06.01.2022 in so far direction given to the Collector Jharsuguda to lodge the FIR against the Sub-collector cum Administrator, Belpahar Municipality.

- 3. That, the contents of the above paragraphs are true and correct to the best of my knowledge and based on official records.
- 4. That the answering Deponent craves leave of this Hon'ble Tribunal to add, alter, amend the present affidavit if necessary.

Identified by

*[Signature]*  
Advocate

*[Signature]*  
DEPONENT

Certificate

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

Date: 31.01.2022

*[Signature]*  
Addl. Standing Counsel

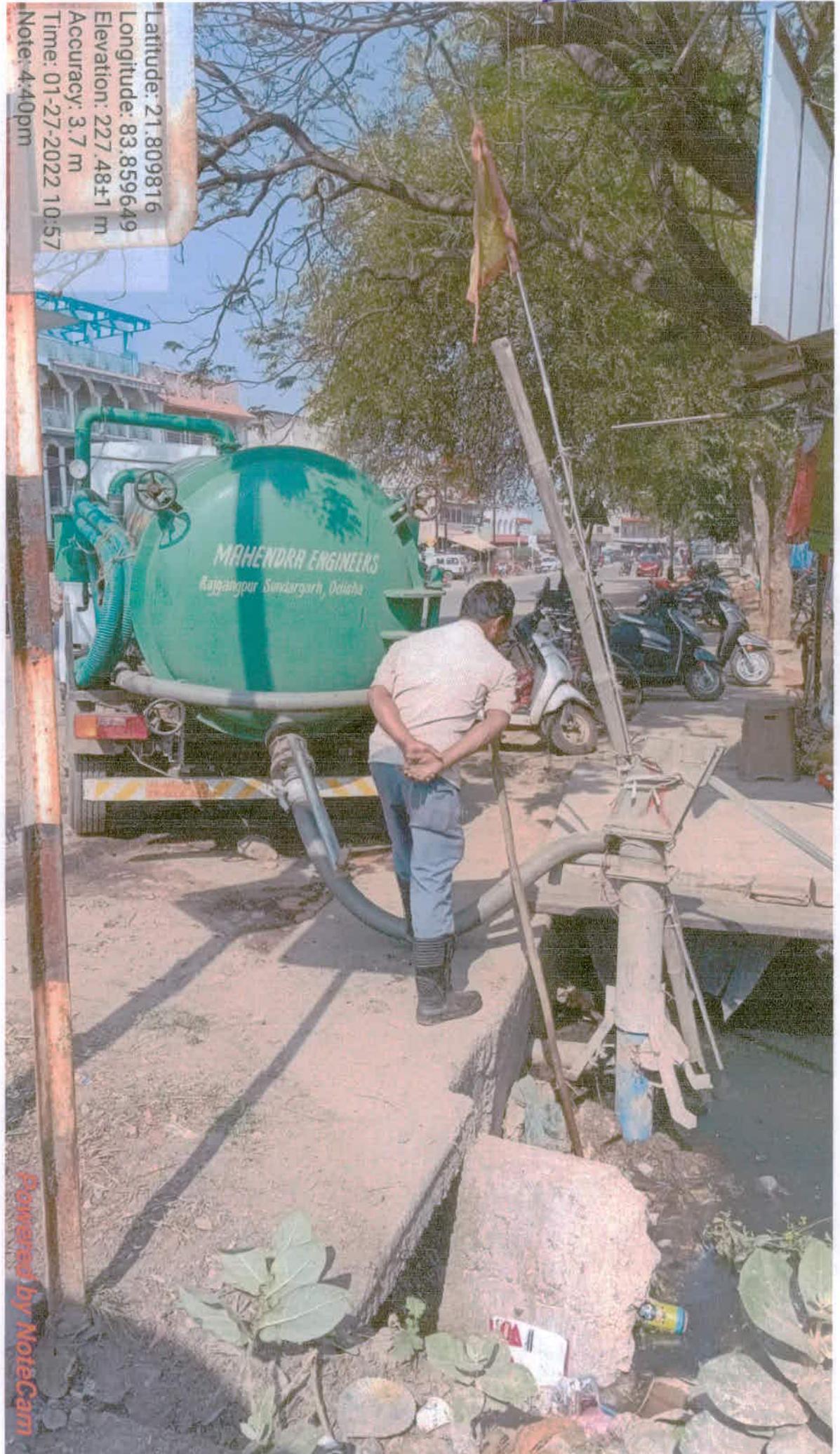
The above named Deponent has been identified by *S.N. Das* Advocate and solemnly affirm and state before me that the contents of this affidavit are true to the best of his knowledge and belief.

SAILAZA NANDAN DAS  
Addl. Standing Counsel  
Enroll.No-O-118/2012  
Mob. 98661281545

*[Signature]*  
31.01.22  
AMBIRA PRASAD RAY  
NOTARY Road No. 104, Cuttack



Latitude: 21.809816  
Longitude: 83.859649  
Elevation: 227.48±1 m  
Accuracy: 3.7 m  
Time: 01-27-2022 10:57  
Note: 4:40pm



Powered by NoteCam

Latitude: 21.810381  
Longitude: 83.855042  
Elevation: 270.09+20 m  
Accuracy: 2.1 m  
Time: 01-27-2022 12:25  
Note: 4:40pm



Latitude: 21.827554  
Longitude: 83.846902  
Altitude: 171.4±1 m  
Accuracy: 92.9 m  
Time: 01-27-2022 09:55  
Note: 4.40pm



Powered by NoteCam



-13-

☎- 06645-250458

e-mail: [nacbelpahar@gmail.com](mailto:nacbelpahar@gmail.com).

Anexure-R3/A series

OFFICE OF THE  
**MUNICIPAL COUNCIL**  
BELPAHAR

No. 2379 /dt. 11.10.2021

To

The Chief Engineer,  
Odisha Water Supply & Swerage Board,  
St. Mother Teresha Road,  
HB Colony, Industrial Area,  
Kharabelanagar, Bhubaneswar,  
Odisha-751007.

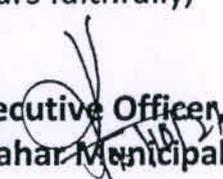
Sub:- **Construction of Sewerage Treatment Plant within Belpahar Municipality area.**

Sir,

In inviting kind reference to the subject cited above I am to say that it has been proposed to construct a Sewerage Treatment Plant (STP) within Belpahar Municipality area for treatment of waste & Sullage water flowing from the houses of inhabitants of this area. As the technical part has an important role in construction of STP appropriate plan, specification & technical advice may please be communicated to the undersigned so as to take up the work in a flagship manner.

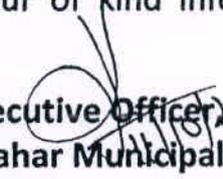
This is for favour of kind information and necessary action.

Yours faithfully,

  
Executive Officer,  
Belpahar Municipality.

Memo No. 2380 /dt. 11.10.2021

Copy submitted to the Sub-Collector, Jharsuguda & Administrator, Belpahar Municipality for favour of kind information and necessary action.

  
Executive Officer,  
Belpahar Municipality.

Memo No. 2381 /dt. 11.10.2021

Copy to Regional Officer, State Pollution Control Board, Jharsuguda for kind information and necessary action.

*True Copy attached*  
*29.1.22*  
Sub-Collector  
JHARSUGUDA

M  
Gmail

Gmail - construction of STP

-14-

nac belpahar <nacbelpahar@gmail.com>

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Construction of STP

message

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Belpahar Municipality <nacbelpahar@gmail.com>

Wed, Nov 10, 2021 at 2:12 PM

To: moswssb@gmail.com, Sub Collector Jharsuguda <subcoljsg@gmail.com>, "rospcb.jharsuguda" <rospcb.jharsuguda@ospboard.org>

<rospcb.jharsuguda@ospboard.org>

Cc: Loknath Kumar Tiwari <tiwariloknathkumar@gmail.com>

Dear sir

please download this attachment file

--  
Regards

Belpahar Municipality

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 2379.pdf  
482K

Tone Copy attested



29.1.22

Sub Collector  
JHARSUGUDA

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**OFFICE OF THE  
MUNICIPAL COUNCIL, BELPAHAR**

☎-06645-250458

FAX-06645-250236

Email- nacbelpahar@gmail.com

No. 110 / Dt. 13.01.2022

To

The Chief Engineer,  
Odisha Water Supply & Sewerage Board,  
St. Mother Teresha Road,  
HB Colony, Industrial Area,  
Kharbelanagar, Bhubaneswar,  
Odisha-751007

Sub:-Construction of Sewerage Treatment Plant within Belpahar Municipality  
area.

Ref:-This office letter No.2379 dtd. 11.10.2021

Sir,

In inviting your kind attention on the subject cited above, I am to say that as per direction of the Hon'ble NGT and State Pollution Control Board, Odisha a sewerage Treatment Plant (STP) has to be proposed to construct for treatment of waste and sullage water flowing from the houses of inhabitants of Malipada, Gumadera ward no.6 under Belpahar Municipality area. In this regards the Executive Officer, Belpahar Municipality has requested to submit the appropriate plan, specification and technical advice vide this office letter under reference.

In view of the above context, it is requested again to submit the detailed project report (DPR) for Construction of Sewerage Treatment Plant to this office, so as to take up the work in a flagship manner.

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

Yours faithfully,

*[Signature]* 13/1/2022  
Sub-Collecto, Jharsuguda &  
Administrator, Belpahar Municipality.

Memo No. 111 /dt. 13.01.2022

Copy to Regional Officer, State Pollution Control Board, Jharsuguda for kind information and necessary action.

*[Signature]* 13/1/2022  
Sub-Collecor, Jharsuguda &  
Administrator Belpahar Municipality.

*True Copy attached*  
*[Signature]* 29/1/22  
Sub-Collector  
JHARSUGUDA

-16-

Gmail

nac belpahar <nacbelpahar@gmail.com>

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Construction of sewerage treatment plant

message

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Belpahar Municipality <nacbelpahar@gmail.com>  
To: msowssb@gmail.com  
Cc: "rospcb.jharsuguda" <rospcb.jharsuguda@ospcb.org>

Sat, Jan 15, 2022 at 11:23 AM

Dear sir

please download this attachment file

--  
Regards

Belpahar Municipality

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 110.pdf  
427K

*True copy  
attached*

*[Signature]  
28.1.22*

**Sub-Collector  
JHARSUGUDA**

SESHAASAKD/CTS-2010

State Bank of India  
Drawing Branch: STATE BANK OF INDIA  
Code No: 08445  
Tel No. 06645-250271

DEMAND DRAFT

भारतीय स्टेट बैंक

Key: QELMOV  
Sf. No: 55951

1 0 1 1 1 2 0 2 1 1  
D D M M Y Y Y Y

OR ORDER

भारतीय स्टेट बैंक  
भारतीय स्टेट बैंक  
भारतीय स्टेट बैंक

ON DEMAND PAY  
Twenty-Five Thousand Only

रुपये RUPEES

अदा को

25000.00

मूल्य प्राप्त / VALUE RECEIVED

IOI 000521799864  
Name of Applicant

Key: QELMOV Sr. No: 55951  
SHIBA TOPPO SUB COLLECTOR CUM ADMINISTRATOR

AMOUNT: BELOW 25001 (0/5)

9 8 7 6 5 4 3 2 1

भारतीय स्टेट बैंक

STATE BANK OF INDIA

BRANCH: BHUBANESWAR MAIN BRANCH

भारतीय स्टेट बैंक  
भारतीय स्टेट बैंक  
भारतीय स्टेट बैंक

व्यक्तिगत उपयोग के लिए प्रयुक्त है  
VALID FOR PERSONAL USE ONLY

00000200001 000521

True Copy attached

28.1.20

Sub-Collector  
JHARSUGUDA

-18-

Sign In Register

भारतीय डाक



India Post

75

Azadi Ka  
Amrit Mahotsav



सत्यमेव जयते

You are here Home >> Track Consignment

## Track Consignment

[Quick help](#)

\* Indicates a required field.

\* Consignment Number

EO522624633IN

Track Details

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Belpahar S.O	15/11/2021 11:29:03	751012	41.30	Inland Speed Post	Nayapalli S.O	20/11/2021 15:26:55

### Event Details For : EO522624633IN

#### Current Status : Item Delivery Confirmed

Date	Time	Office	Event
20/11/2021	15:26:55	Nayapalli S.O	Item Delivery Confirmed
20/11/2021	12:56:40	Nayapalli S.O	Out for Delivery
20/11/2021	11:54:36	Nayapalli S.O	Item Received
18/11/2021	13:29:03	Bhubaneswar NSH	Item Dispatched
18/11/2021	13:28:25	Bhubaneswar NSH	Item Bagged
18/11/2021	13:27:05	Bhubaneswar NSH	Item Bagged
18/11/2021	09:15:07	Bhubaneswar NSH	Item Received
15/11/2021	23:48:42	Sambalpur NSH	Item Dispatched
15/11/2021	23:39:38	Sambalpur NSH	Item Bagged
15/11/2021	23:16:13	Sambalpur NSH	Item Received
15/11/2021	13:24:24	Belpahar S.O	Item Dispatched
15/11/2021	13:14:31	Belpahar S.O	Item Bagged
15/11/2021	11:29:03	Belpahar S.O	Item Booked

True Copy  
attached

29.1.22

Sub-Collector  
JHARSUGUDA

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