

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

**M.A. No.23/2023/EZ**

**(Arising out of Original Application No. 20 of  
2021/EZ. Disposed of on 28.09.2022).**

Sri Swarup Kumar Rath & others. .... Applicants.

-Versus-

Union of India and Others. .... Respondents.

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1.	Further affidavit dtd.22.09.2023 filed on behalf of Respondent Nos.2, 3 , 5 , 6 & 7.	... 1-6.
2.	<b><u>Annexure- R6/Z ( Series).</u></b> True copy of photographs.	<b>7-10</b>

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Cuttack.

Dt. ~~22~~ 09.2023.

  
Addl. Govt. Advocate.

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**FURTHER AFFIDAVIT DTD. 22. 09.2023 FILED**  
**ON BEHALF OF RESPONDENT NOS. 2 , 3 , 5 ,**  
**6 & 7.**

I, Sri Bijay Kumar Samal, aged about 58 years, S/o. Late Lokanath Samal, at present working as Chief Engineer, Drainage, Gandarpur, Cuttack, At/PO: Gandarpur, P.S.- Chauliaganj, Dist.-Cuttack, do hereby solemnly affirm and state as follows:-

1. That, I am working as Chief Engineer, Drainage, Gandarpur, Cuttack , hereinafter referred to as the answering respondent No.6 and as such I am competent and have been duly authorized by Respondents No.2, 3 and 5 to swear this affidavit for self and on their behalf also.
2. That it is respectfully submitted that agreement has already been drawn by Superintending Engineer, Mahanadi South Div. No.-1, Cuttack (under Chief

*Bijay Kumar Samal*

**PRADIPTA KUMAR MOHANTY**  
**Notary, Cuttack Town**  
**Regd. No-ON-04/1995**

Engineer, Mahanadi Kathajodi System) vide agreement no. 230P1 of 2023-24 for construction of Sluice on Mahanadi Right Embankment near village Ayatpur at RD 30.86 KM (As per schematic diagram) for which the date of commencement is as 20.10.2023 and Completion is 19.07.2024.

3. That due to monsoon and high water level in the Mahanadi river, the capital embankment cannot be disturbed in the monsoon season due to unanticipated probable flood.

4. That the capital embankment on which the sluice will be constructed is used as a main road for the nearby villagers. So for construction of sluice another diversion embankment shall be constructed which will act as a road as well as flood protection embankment. Now suitable earth is not available for construction of diversion road due to monsoon.

5. That it is humbly submitted that Tender has already been invited for Construction of one Cross Drainage work on Distributry No.I of Taldanda Canal System at RD 29.635m of Sukapaika Drainage Channel by Additional Chief Engineer, Eastern Circle-I, Cuttack (under Chief Engineer, Mahanadi Kathajodi System) whose Technical Bid will be opened on 27.09.2023.

6. That Khariff water supply in the Taladanda Canal for irrigation will continue till November, 2023,

*Pradipta Kumar Mohanty*

*Pradipta*

**PRADIPTA KUMAR MOHANTY**  
Notary, Cuttack Town  
Regd. No-ON-04/1995

which can't be stopped right now for the greater interest of farmers. Construction work will commence after November, 2023.

7. That Agreement has already been drawn by Executive Engineer, Drainage Division, Cuttack (under Chief Engineer, Drainage) vide agreement no. 11P1 of 2023-24 with date of commencement is as 10.07.2023 and Completion is 09.01.2025 for Rejuvenation of Sukapaika Drainage Channel under Cuttack Sadar Assembly Constituency of Cuttack District (RD 0.00m to 10800m) which includes (Bed cutting, widening of bed & construction of VRB) .

8. That due to monsoon, the drainage channel is full of water. Also due to standing paddy crop on both sides of the channel, the site is inaccessible for the men and machineries. After monsoon and harvest of khariff crop, the requisite rejuvenation work will be started.

9. Agreement already drawn by Executive Engineer, Drainage Division, Cuttack (under Chief Engineer, Drainage) vide agreement no. 12P1 of 2023-24 with date of commencement is as 10.07.2023 and Completion is 09.01.2025 for Rejuvenation of Sukapaika Drainage Channel under Cuttack Sadar Assembly Constituency of Cuttack District (RD 10800m to 23280m (Bed cutting, widening of bed & construction of VRB) .

✓  
Bijay Kumar Samal ✓

✓

My  
PRADIPTA KUMAR MOHANTY  
Notary, Cuttack Town  
Regd. No-ON-04/1995

10. That due to monsoon, the drainage channel is full of water. Also due to standing paddy crop on both sides of the channel, the site is inaccessible for the men and machineries. After monsoon and harvest of khariff crop, requisite renovation work will be started.

11. That it is respectfully submitted that the Financial Bid for Rejuvenation of Sukapaika Drainage Channel under Cuttack Sadar Assembly Constituency of Cuttack District RD 23280m to 30850m (Bed cutting, widening of bed & construction of VRBs) has been returned by the Engineer-in-Chief, Procurement for 80% land acquisition before approval of the Bid. District Administration has been requested and being followed up for acquisition of private land through Direct Purchase Method and mutation of Govt. land.

12. That it is respectfully submitted that in order to assess the location of Sukapaika Drainage Channel on 16.09.2023, the learned Addl.Govt.Advocate, Sri Shakti Prasad Panda and learned Addl.Govt.Advocate, Sri Saubhagya Ketan Nayak along with Sri Satyajit Nayak, Asst.Executive Engineer, (Estimator) Sri Soubhagya Ranjan Behera, Asst.Engineer and Sri Prasant Kumar Mallick , Asst.Engineer of Drainage Division ,Cuttack visited the spot .True copy of photographs are annexed herewith as Annexure- R6/Z (Series).

Samal ✓  
Pradyumn Kumar ✓

20/9/23

PRADIPTA KUMAR MOHANTY  
Notary, Cuttack Town  
Regd. No-ON-04/1995

13. That the facts stated above are true to the best of my knowledge and based on official record.

### VERIFICATION

I, Sri Bijay Kumar Samal, aged about 58 years, S/o.Late Lokanath Samal, at present working as Chief Engineer, Drainage, Gandarpur, Cuttack, At/PO: Gandarpur, P.S.- Chauliaganj, Dist.-Cuttack, do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge as derived from official records and that nothing material has been concealed there from.

Verified at Cuttack on this the 22<sup>nd</sup> day of September, 2023.

Cuttack.

Dt. 22.09.2023.

Bijay Kumar Samal  
22-9-2023  
VERIFICANT.  
Chief Engineer,  
Drainage, Cuttack-3

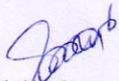
M  
PRADIPTA KUMAR MOHANTY  
Notary, Cuttack Town  
Regd. No-ON-04/1995

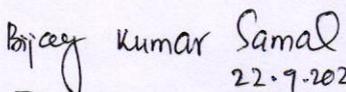
**AFFIDAVIT.**

I, Sri Bijay Kumar Samal, aged about 58 years, S/o.Late Sri Lokanath Samal, at present working as Chief Engineer, Drainage, Gandarpur, Cuttack, At/PO: Gandarpur, P.S.- Chauliaganj, Dist.-Cuttack, do hereby solemnly affirm and state as follows:-

1. That, I am the respondent No.6 in this Original application and have been duly authorized by Respondents No.2, 3 and 5 to swear this affidavit on their behalf also.
2. That the facts stated above are true to the best of my knowledge and based on official records.

Identified by:

  
Addl. Govt. Advocate.

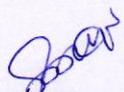
  
Deponent  
Chief Engineer,  
Drainage, Cuttack-3  
22.9.2023

**CERTIFICATE.**

Certified that due to non-availability of cartridge paper this counter affidavit has been typed in thick white paper.

Cuttack.

Dt. 22.09.2023.

  
Addl. Govt. Advocate.

Solemnly sworn before me by.....  
being Identified by.....  
at Cuttack Town Dated.....  
P.K. MOHANTY, Notary, Cuttack Town  
Regd. No-ON-04/1995

*B.K. Samal.*  
*S.K. Nayak A.G.A.*  
*22/09/2023*  
*22/09/2023*





**Sukapaika Drainage Channel Downstream of proposed Sluice**

**True Copy Attested**

*18/22/19*  
**Chief Engineer,  
Drainage, Cuttack-3**

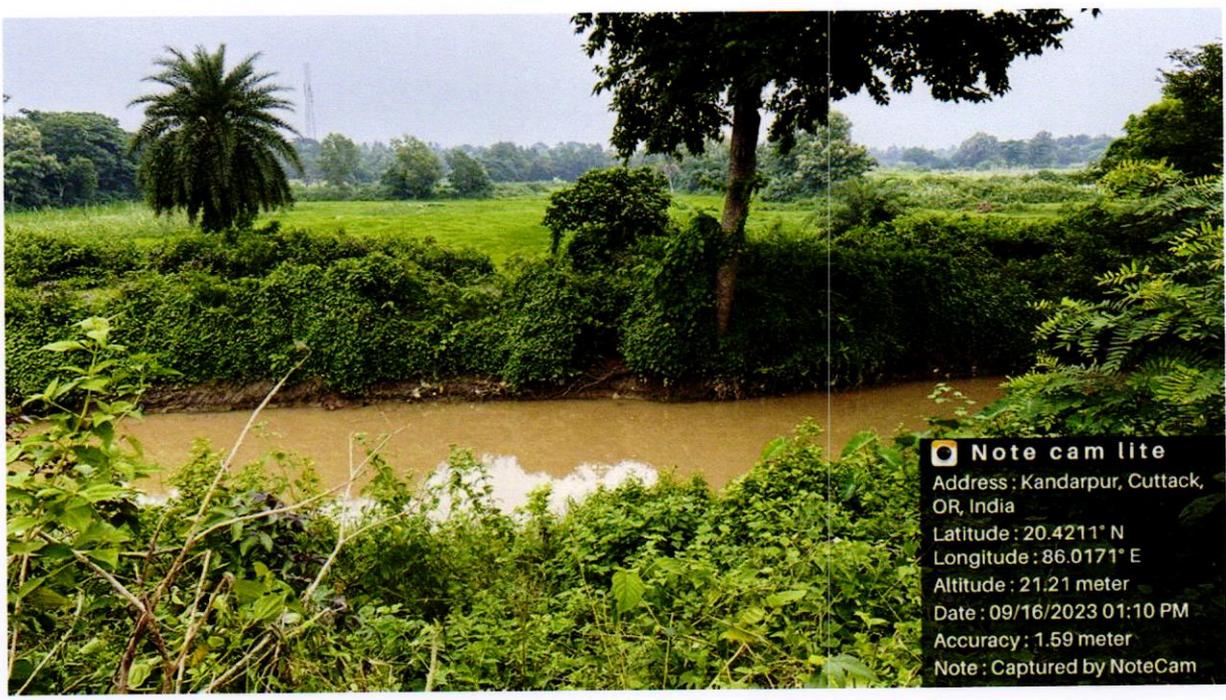


Note cam lite  
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754130, OR, India  
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Longitude : 86.0133° E  
Altitude : 24.56 meter  
Date : 09/16/2023 12:44 PM  
Accuracy : 0.99 meter  
Note : Captured by NoteCam

**Proposed Sluice on Mahanadi Right Embankment near Village Ayatpur and it is origin of Sukapaika Drainage Channel**

**True Copy Attested**

*[Signature]*  
**Chief Engineer,  
Drainage, Cuttack-3**



Cross Drainage work of Distributary No 01 of Taladanda Canal

**True Copy Attested**

*[Handwritten Signature]*  
**Chief Engineer,  
 Drainage, Cuttack-3**



Sukapaika Drainage Channel near village Sompur

**True Copy Attested**

  
**Chief Engineer,  
Drainage, Cuttack**