

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL: EASTERN ZONE BENCH, KOLKATA,
OA No.07 of 2025**

Alaya Samantaray	... Petitioner
-Versus-	
State of Odisha and others	... Opp.
Parties.	

**NOTES OF ARGUMENT ON BEHALF OF THE
RESPONDENTS 1 to 4 , 7 & 8**

1. That one Alaya Samantaray posing himself to be an activist has filed this application on apprehension challenging the very flagship program of Govt. of Odisha for “Eco retreat” situated at Pentha Beach in the district Kendrapara for a period of 90 days starting from 01.12.2024 to 28.02.2025. The very activity was only for setting of temporary tents for the visitors without any RCC or concrete structure and all the structures will be dismantle after completion of the event immediately and clean the beach area. For the said stipulated period the respondent authority obtained permission from the OCZMA authority and in strict compliance of the same program was set up for the visitors. Besides that the PCCF (WL) and CWLW and the DFO, Rajnagar was also granted permission who are monitoring the situation as has been imposed in the permission letter. It will not be out of place to mention here that since 2021 the said Eco treat of Pentha is being organized and this year is the 5th edition and the applicant having a vested

interest has all the way opposing the program which is being managed smoothly even without affecting the environment, wild life, Sea shore rather the tourist are being attracted for the smooth and hassles free management with all flora and fauna of the locality. Before starting of the season from the month of 15th November to 12th February the Respondent procured all the permissions from the authority concerned and the jurisdictional authority to organize the same and all the way priority has been given to the environment nesting of olive redley sea turtle and cleanness of the beach on priority basis. Apart from that for this 90 days management programme in the Eco tourism zone the Eco retreat having limited temporary tents of 25 in number and for the purpose of assistance and day to day requirement near about 60 local people are being engaged in different works which is the source of their livelihood and enriches their financial status.

That for smooth management of the Eco tourism system, there is an approved Bhitarkanika and National Park Management plan and accordingly one registered society in the name of Bhitarkanika Eco Tourism and Eco Development Society (BEES) has been constituted and got registered on 14.08.2007 under the Society Registration Act, 1860 and looking after entire ecotourism at Bhitarkanika and also facilitate the different systems for the visitors/ tourist like boating, ticket, security, cleaning and sweeping, sanitation and all other ancillary

works keeping in view the guidelines issued by the authority concerned. The applicant having personal interest has all the way opposing the very Eco retreat management at Pentha which is not only disappointing the tourist but also opposing the life and livelihood of the local people who have been engaged in the Tourism plan.

That the allegations as alleged are all baseless and being apprehensive without assessing the actual ecological damage has filed this application which was no basis at all. The very apprehension of harm to olive redley nesting is unfounded one as Pentha beach is far away and occasional sporadic nesting of olive redley happens for which it is being patrolled by the forest staff and prohibit the tourist to enter into the inter tidal zone and restricted area during the night hours. All the care and precaution by the Respondent while organizing the Eco retreat programme once in a year from 15th November to 12th February, so far the permanent construction and roads as alleged are all exaggerated facts which only to discourage the Eco retreat programme so also affect the life and livelihood of the local villagers.

The very averments and the assertions made by the applicant are all fictitious and somehow or other tried to frustrate the ecotourism management on the grab of environment which needs to be discourage by dismissing the OA. Moreover the respondent being the instrumentality of the State and taken all possible steps by acquiring permission has started the Eco Retreat

programme at Pentha sea beach, Rajnagar, Kendrapara and all the way concerned to explore the viability of Ecotourism in the State of Odisha and became pioneer to expose its nature's beauty, heritage, to promote the culture and unforgettable experience of cultural richness, lush greenery and financial development. Hence the OA be dismissed in the interest of justice.

Cuttack

Date:

Addl. Government Advocate

Satyabrata Mohanty.