

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

ORIGINAL APPLICATION NO -----OF 2023

IN THE MATTER OF:

PRAKASH CHANDRA NAYAK & OTHERS APPLICANTS

VERSUS

STATE OF ODISHA AND OTHERS ... RESPONDENTS

INDEX

SI NO	PARTICULARS	PAGE NO
1	Memorandum of Application	1-23
2	Photos of the site in question as Annexure-1	24-28
3	Copy of News clippings is annexed here with as ANNEXURE-2	29-33
4	Email letter dated 16th December 2022 is annexed here with as ANNEXURE-3	34-37
5	Record of Rights of Khata No 1023 indicating the plots in question as Sabik Kisam Jungle as ANNEXURE-4	38-40
6	Copy of Record of Rights of Khata No 985/532 ANNEXURE-5	41-43
7	Copy of Environmental Clearance dated 18/02/2022 as ANNEXURE-6	44-55
8	Copy of the objection letter dated 4th Sept 2021 from WSO Annexure-7	56-59
9	The copy of the O.M dated 29/08/2016 as ANNEXURE-8	60
10	Copy of the letter dated 24 th October 2011 as ANNEXURE-9	61-62
11	Copy of the letter dated 21 st March 2014 as ANNEXURE-10	63
12	Vaklatnama	64-65

DATE: 11/01/2023 Cell-9437279278

SANKAR PRASAD PANI



ADVOCATE,

Plot No 2132/4814, NageswarTangi, Bhubaneswar 751002, sankarprasadpani@gmail.com

SYNOPSIS

Applicants are the villagers of Patarapada in Parajang Tahasil, Dhenkanal District where this project has started construction activity and the villagers are concerned of the illegal diversion of forest land for industrialization by IDCO Odisha without following the process laid down under Forest Conservation Act 1980. That in the meantime from 22nd November 2022, the project proponent has started felling the trees and cleared the forest land and started construction of boundary wall without obtaining Forest Clearance. The project site is also in violation OM dated 29th August 2016.

LIST OF DATES

18 TH FEB 2022	ENVIRONMENT CLEARANCE GRANTED TO PROJECT
6 TH SEPT 2022	LAND TRANSFERRED TO IDCO WITHOUT DIVERSION
22 nd November 2022	the project proponent has started felling the trees and cleared the forest land and started construction of boundary wall without obtaining Forest Clearance
16 TH DECEMBER 2022	REPRESENTATION OF VILLAGERS TO AUTHORITIES AGAINST CONSTRUCTION WORK ON FOREST LAND

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLAKATA

(Under Section 18(1) read with Section 14(1), 15 of the National Green
Tribunal Act 2010)

Application No2023/EZ

IN THE MATTER OF:

1. **Prakash Chandra Nayak, S/o Duryodhan Nayak** Aged about 47years
At- Patarpada Po- Patamandir PS- Parajang, Dist- Dhenkanal, Odisha,
2. **Bijay Kumar Sahoo, S/o Late Siba Sahoo** Aged about 66years At-
Patarpada Po- Patamandir PS- Parajang, Dist- Dhenkanal,
3. **Ripal Biswal, S/o Naba Kishr Biswal** Aged about 30years At- Patarpada
Po- Patamandir PS- Parajang, Dist- Dhenkanal
4. **Daktar Biswal, S/o Judhithir Biswal** Aged about 28 years At- Patarpada
Po- Patamandir PS- Parajang, Dist- Dhenkanal
5. **Ashok Kumar Biswal, S/o Bachhia Biswal** Aged about 36years At-
Mendhapada Po- Patamandir PS- Parajang, Dist- Dhenkanal
6. **Santanu Kumar Bhukta S/o Golak Bhukta, At/Po-Santhapada, PS-Talcher**
Dist-Angul, Odisha, 759104, **APPLICANTS**

VERSUS

1. **State of Odisha**, Represented by Additional Chief Secretary, Forest and
Environment Department, Government of Odisha, Kharbela Bhawan,
Bhubaneswar, 751001 fesec.or@nic.in , forestenv2016@gmail.com

2. **Additional Chief Secretary, Revenue and Dissaster Management Department,** Government of Odisha, Lokaseba Bhawan, Bhubaneswar751001 revsec.or@nic.in
3. **District Collector, Dhenkanal,** At/po/District Dhenkanal, Odisha, dm-dhenkanal@nic.in
4. **Divisional Forest Officer,** Dhenkanal, At/po/Dist- Dhenkanal, Odisha dfodhenkanal@gmail.com
5. **UNION OF INDIA,** Through Secretary, Ministry of Environment and Forests and Climate Change, Indira ParyavaranBhawan, Jorbagh, New Delhi – 110003secy-moef@nic.in
6. **Orissa Industrial Infrastructure Development Corporation (IDCO),** Represented by its Managing Director, At/p-IDCO Tower, Janpath, Bhubaneswar-751022, Email: cmd@idco.in
7. Managing Director, WESTERN INTEGRATED WASTE MANAGEMENT FACILITY PVT LTD, Plot No-16, Sector A Zone-B, Mancheswar Industrial Estate, Bhubaneswar, Odisha -751010...Email-
project.wiwm@gmail.com

RESPONDENTS

- I. The address of the Applicant is given above for the service of notices of this Application.
- II. The addresses of the Respondents are given above for the service of notices of this Application.

III. The Present Application Challenges the illegal transfer of forest land in favour of IDCO, a state government agency for industrial purposes without following the due process of Forest Conservation Act 1980.

IT IS MOST RESPECTFULLY SHOWETH:

1. The Applicants are the villagers of Patarapada in Parajang Tahasil, Dhenkanal District where this project has started construction activity and the villagers are concerned of the illegal diversion of forest land for industrialization by IDCO Odisha without following the process laid down under Forest Conservation Act 1980. That in the meantime from 22nd November 2022, the project proponent has started felling the trees and cleared the forest land and started construction of boundary wall without obtaining Forest Clearance. Photographs of the project site and on-going Contractions are attached with this letter as **ANNEXURE-1**
2. It is humbly submitted that after the project proponent and IDCO started clearing the land, felling the trees for commencement of construction, the villagers have objected to such illegal construction at the site and handed over representation to the district administration requesting to stop the construction work of the project. The protest at different times and the meeting of district administration was well covered in various newspapers on 1st December and 15th December 2022. Copy of News clippings is annexed here with as **ANNEXURE-2**

3. That the Villagers have also given a representation addressing the District Collector Dhenkanal which was received by Additional District Magistrate, Dhenkanal through hand on 17th December 2022. The same letter has also been sent to the authorities through email by the counsel of the applicants. Copy of Email letter dated 16th December 2022 is annexed here with as **ANNEXURE-3**
4. That the construction work was stopped for a brief period but again they continued in the month of January 2023 without addressing the issues raised by villagers and ignoring the involvement of Sabik Forest Land that requires prior approval under Forest Conservation act 1980.
5. The land schedule Map of IDCO suggests that around 93 Acres of land were brought under land Bank scheme including 12 Acres of GocharLand and 7.5acres of **Sabik kizam forest land**. In addition to this, the government land used for grazing of cows was also brought into the LandBank without any public notice. The gochar land still to be de-reserved and for that purpose no proclamation inviting objection of villagers have been made. Out of 93 Acres of land, around 70 Acres of land have been proposed to allocate for the M/s Western Integrated Waste Management Facility Pvt Ltd (hereinafter referred to as ‘the project proponent’) for Establishment of Common Hazardous Waste Treatment,

Storage and Disposal Facility (CHWTSDF) at Village: Patarapada, Teshil-Parjang, Dist-Dhenkanal, Odisha .

- 6.** It is further submitted that **Khata No 1023, Plot Number 5, Area-6acres, is recorded as Forest Land (Sabik Jungle)** and the same is reflected in the remark column of the RoR of the abovementioned plots. This area is around 6 acres and the same record has been apparently converted to non-forest kism land finally published on 31/05/ 1983. Record of Rights of **Khata No 1023** indicating the plots in question as Sabik Kism Jungle is annexed here unto as **ANNEXURE-4**
- 7.** That subsequently on 6th Sept 2022 the land has been transferred to IDCO in a different Khata 985/532 from khata no 1023 vide alienation case no 1/2021. Plot Number 3 and 5 admeasuring 12.5Acres have been transferred to IDCO for industrial purpose and plot no 5 is the Sabik Kism Jungle which has been transferred to IDCO without approval under Forest Conservation Act 1980. Copy of Record of Rights of Khata No 985/532 is annexed here with as **ANNEXURE-5**
- 8.** It is humbly submitted that, while transferring the land in favor of IDCO, it is pertinent to mention here that these entire plot are physically dense forest having various matured timber species. If any patch of the area is being allowed for industrial activity, then the entire landscape will be adversely affected.

9. That the Summary EIA available in the website of pollution control board suggests that the Hazardous Waste will be collected from 12 different districts of Western Odisha such as Jharsuguda, Sundargarh, Bargarh, Bolangir, Sambalpur, Angul, Keonjhar and Deogarh and the Unit will process and land fill the waste with capacity of 50, 000 Metric Ton per Annum including Direct landfill of 30,000TPA and Stabilization of 20,000 TPA of Hazardous Wastes, The unit will continue to landfill at the site for 25years and the total of 7,00,000 metric tons of hazzardous waste will be landfilled/burried at the site. Subsequently the capacity of waste treatment is reduced to 20,000Tons per Annum and the area is reduced from 70 Acres to 27 acres for which environmental clearance is granted on 18/02/2022 despite of open announcement by the Additional District Magistrate, Dhenkanal that a fresh public hearing will be conducted which is never conducted again. In the public hearing huge protest was made by all the surrounding villagers for which the ADM Dhenkanal has to declare the postponement of public hearing. Copy of Environmental Clearance dated 18/02/2022 is annexed here with as **ANNEXURE-6**
10. That as per the revised capacity of the land requirement has been reduced from 70 Acres (28.328Ha) to 27Acres. Initially the IDCO has acquired 12. Acres of land including 6 acres of Sabik Kisam forest land on which the construction has been started by IDCO and project proponent.

11. The elephant pathway crosses through the project site and thereby will obstruct the movement of elephants leading to more man-elephant conflicts. A Billboard displaying the elephant pathway has been placed right in front of the proposed site of the unit.

12. That the wildlife society of Odisha has given their objection to the proposed plant on 4th Sept 2021 narrating the impact of the project on the movement of elephants. The same is reproduced as follows

(1) Unlike other wild animals, Elephants are long ranging animals whose habitat cannot be restricted to a forest where they take shelter but must include the surrounding areas which they need and use for feeding, drinking and bathing. In this case, the nearby Barbanka RF is their year round shelter and is spread over 14 sq. km. Elephants regularly emerge from here and move around for food, drink and bath in the Brahmani river located about one km away. Apart from this, the proposed site is just 10 Kms away as the crow flies from the Maulabhanja -Jiridamali – Anantapur elephant corridor, one of the 14 identified Elephant Corridors in Odisha.

(2) Patarpada village, the project site is located in Dihadol Section of Mahabirod Forest Range, over an area of approximately 25 sq. km which has recorded very high number of human elephant encounters and crop depredation in recent past. Dihadol section is contiguous to the Muktapasi Section of Kamakhyanager West Forest Range which has 12 resident

Elephants which keep entering Dihadol Section. In the region around Patarpada, in the last five years (since 2016-17) there have been 55 instances of human elephant encounters in which 26 humans have lost their lives and 44 have been injured. During the same period 12 Elephants have lost their lives in the region. This fact has not been mentioned in the EIA report. Hence, the report should be rejected in total for omission of this critical fact. Due to presence of elephants, some of the most affected villages around Patarpada are – Panibhandar, Gailo, Kamara, Dengeisuni, Rodo, Katabahala, Mendhapada, Lodhoni, Kandarsingha, Aanlakata, Ria, Kumusi, Mahula, Palasahi, Damol, Basantipada, Majhika, Ramasahi, Khandualmunda and Kantabahal. These villages would see a rise in Human Elephant Conflict if the proposed waste management facility at Patarpada is allowed.

(3) The Human Elephant Conflict had peaked in 2018-19 and 2019-20. The Forest Department had to compensate over Rs. 1 crore to the affected people of Dihadol section in the last three years. The conflict had become so acute that the villagers in and around Patarpada pooled money from about 900 families and constructed a 14 Km long solar powered fence to protect about 1,250 acres of farm lands from Elephant raids. Apart from the local villages, the Forest department constructed a 6 km long solar powered fence around Barabanka RF and additionally about 9 Kms of solar power fence from Parjang ITI to Mandiabolo to provide protection to

farmlands of neighboring Kandarsingha village. Such mitigation measures by the Forest Department and local stake holders have managed to reduce the Human Elephant Conflict to some extent .However, setting up the Common Hazardous Waste Treatment, Storage and Disposal Facility at Patarpada village is a sure shot recipe to escalate the conflict once again to unbearable and tragic limits in which we apprehend severe loss of human lives and property.

(4) The summary EIA suggests that hazardous waste will be collected from 12 different districts of western Odisha such as Jharsuguda, Sundargarh, Bargarh, Bolangir, Sambalpur, Angul, Keonjhar, Deogarh etc. This would mean a continuous flow of heavy transport vehicles, more so during the nights when Elephants move out of forests to feed. The heavy vehicular movement would disturb their free movement and compel them to enter other areas giving rise to more Human Elephant Conflict.

(5) As is usually seen, such establishments would illuminate the area with strong lights including High Mast Lights which would be additional disturbance to elephants and their shelter forests. The strong lights would also affect the normal lives of other mammals, reptiles and birds living in adjacent forests.

(6) The EIA Summary report mentions that the water consumption will be 20 kl/day and the same will be drawn from underground water. This will severely deplete the water level in the Barabanka RF affecting survival of

the trees and saplings and also the existing water harvesting structures built by the Forest Department for elephants inside the Barabanka RF. It would also reduce water level in adjacent human habitations like ponds, wells and tube wells on which the local populace depend for drinking, bathing, washing, irrigation etc.

(7) The Minor Irrigation Project - Ganthi Bandha and the Barabanka Nullah, adjacent to the proposed project side, are currently used by elephants for drinking and bathing. These water sources would also be affected by sucking out of ground water as well as discharge of gaseous and liquid effluents from the Plant. .

(8) The summary EIA report fails to mention the presence of RFs whereas there are three RF nearby – the Barabanka North RF, Barabanka South RF and Khalpal RF, the first two being very close to the project site. (9) The summary EIA report further states that there is no forest land in or around the project side which is incorrect as there are Sabik Kisam forest land with fully grown trees which should be treated as a “deemed forest” as per the Supreme Court judgment in TN Godavarman case. Such small patches of forests are also used by elephants for fodder and shelter in this area and any diversions will escalate conflict. Copy of the objection letter dated 04/09/2021 is annexed here with as **ANNEXURE-7**

13. That the IDCO has started construction of Boundary wall with the red bricks which is banned for any construction activity within 300km radius

of any thermal Power Plant. Only flash bricks can be used in construction activity and there are five thermal power plants within a radius of 50KM of the present project site exist and hence redbrick use in the construction is illegal.

14. In order to enhance fly ash utilization, MoEF&CC has issued the following necessary directives through its gazette notification dated **25-01-2016 with following points for compliance**

a. **Mandatory use of fly ash based products for construction activity by every construction agency within a radius of 300 km from coal/lignite based power plants.**

b. Power plant to bear transportation cost of fly ash up to radius of 100 km and beyond radius of 100 km to 300 km, it shall be borne equally by the fly ash users and power plants.

c. Coal based power plant to bear entire cost of transportation of fly ash up to radius of 300 km in asset creation program of Government involving construction of building, roads, Dams.

15. That the present site is only 70km from another existing Hazardous waste Management Facility at Sukinda. This site is in violation of Office Memorandum dated 29th August 2016. The relevant portion of the OM is reproduced as follows

“In addition, the additional criteria in terms of distance between TSDFs as prescribed by Ministry's O.M. NO.12-30/2013-

HSMD dated 20106/2013 shall also be adhered to for setting up of new projects of common TSDF for hazardous waste in the country.

The O.M. mandates that the new project of common treatment facilities within a distance of 400 km radius of the existing TSDFs for hazardous wastes is not permissible.” The copy of the O.M dated 29/08/2016 is annexed here with as **ANNEXURE-8**

16. It is submitted that Forest Conservation Act came into force from 25/10/1980 and the entire conversion has been made without approval of central government, which is a violation of Section 2 of Forest Conservation Act 1980.

17. Further Revenue Department, State Government of Odisha in its letter dated 24/10/2011, letter no 43968 has clarified that the Govt. Land recorded in non-forest kism with a note of SabikKisam Jungle in the RoR finally published after 25/10/1980 but which was forest kism in Sabik Record, the forest conservation Act of 1980 will be applicable to all such forest lands. The same position has been reiterated in the letter dated 7th March 2014 written by MOEF, Government of India addressing to Chief Secretary, Government of Odisha Copy of the letter dated 24th October 2011 is annexed here unto as **ANNEXURE-9**

18. It is humbly submitted that the Apex Court Judgement in T N Godavarman Case where in the Hon’ble Court has clarified that the definition Forest has to be understood in dictionary meaning irrespective

of the owner of such land and in this case the land in question is a physical forest and hence attract the provisions of Forest Conservation Act for any non-forestry activities

19. It is humbly submitted that if the forest land is involved in any project, then no work should be allowed even in non-forest land. The respective paragraph of the clarification as guideline under Forest Conservation Rules is reproduced as follows

Para 4.4 Projects Involving Forest as well as Non-forest Lands. – Some projects involve use of forest land as well as non-forest land. State Governments/project authorities sometimes start work on non-forest lands in anticipation of the approval of the Central Government for release of the forest lands required for the projects. Though the provisions of the Act may not have technically been violated by starting of work on non-forest lands, expenditure incurred on works on non-forest lands may prove to infructuous if diversion of forest land involved is not approved. It has, therefore, been decided that if a project invites forest as well as non-forest land, work should not be started on non-forest land till approval of the Central Government for release of forest land under the Act has been given. The position of MoEFCC in the above para has been reiterated in its letter dated 21st March 2011. Copy of the Letter dated 21st March 2011 is annexed here unto as **Annexure-10**

20. That the objective of the Forest (Conservation) Act of 1980 is to prevent further destruction except where it was unavoidable and checks and balances could be built in. Thus, it has avoided arbitrary dis-reservation of large blocks of forests.

21. Section 2 of Forest Conservation Act of 1980 says that “Restriction on the de-reservation of forests or use of forest land for non-forest purpose: Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing- (i) That any reserved forest (within the meaning of the expression “reserved forest” in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved: (ii) That any forest land or any portion thereof may be used for any non-forest purpose: (iii) That any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organization not owned, managed or controlled by Government: (iv) That any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for re-forestation

22. It is humbly submitted that construction activity has been carried out without Approval of Central Government under Section 2 of Forest Conservation Act 1980. In K.M. Chinnappa v. Union of India, 2003 AIR

SCW 23, the Supreme Court observed that unless and until the Central Government's permission is obtained under the Forest (Conservation) Act, no forest land can be allowed to be used for non-forest purposes.

23. In *T.N. GodavarmanThirumulkpad vs. Union of India* WP© 202 of 1995 and order dated 12/12/1996, the Supreme Court examined the National Forest Policy and issued certain directions in the light of the provisions of the Central Act. Direction 1 is important and reads as under:

“In view of the meaning of the word "forest" in the Act, it is obvious that prior approval of the Central Government is required for any non-forest activity within the area of any "forest". In accordance with Section 2 of the Act, all on-going activity within any forest in any State throughout the country, without the prior approval of the Central Government, must cease forthwith. It is, therefore, clear that the running of saw mills of any kind including veneer or plywood mills, and mining of any mineral are non-forest purposes and are, therefore, not permissible without prior approval of the Central Government. Accordingly, any such activity is prima facie violation of the provisions of the Forest Conservation Act, 1980. Every State Government must promptly ensure total cessation of all such activities forthwith”.

24. The Hon'ble Supremecourt of India in T N Godavarman case (Supra) has clarified the scope of forest conservation act and definition of forest as the dictionary meaning irrespective of ownership. Relevant part of the judgment that is applicable in the present instance is reproduced here as follows:

“It has emerged at the hearing, that there is a misconception in certain quarters about the true scope of the Forest Conservation Act, 1980 (for short the ‘Act’) and the meaning of the word "forest" used therein. There is also a resulting misconception about the need of prior approval of the Central Government, as required by Section 2 of the Act, in respect of certain activities in the forest area which are more often of a commercial nature. It is necessary to clarify that position. The Forest Conservation Act, 1980 was enacted with a view to check further deforestation which ultimately results in ecological imbalance; and therefore, the provisions made therein for the conservation of forests and for matters connected therewith, must apply to all forests irrespective of the nature of ownership or classification thereof. The word "forest: must be understood according to its dictionary meaning. This description cover all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(i) of the Forest Conservation Act. The term "forest land", occurring in Section 2, will not

only include "forest" as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. This is how it has to be understood for the purpose of Section 2 of the Act. The provisions enacted in the Forest Conservation Act, 1980 for the conservation of forests and the matters connected therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof." This aspect has been made abundantly clear in the decisions of this Court in *Ambica Quarry Works and ors. versus State of Gujarat and ors.* (1987 (1) SCC 213), *Rural Litigation and Entitlement Kendra versus State of U.P.* (1989 Suppl. (1) SCC 504), and recently in the order dated 29th November, 1996 in *W.P.(C) No.749/95 (Supreme Court Monitoring Committee vs. Mussorie Dehradun Development Authority and ors.* The earlier decision of this Court in *State of Bihar Vs. Banshi Ram Modi and ors.* (1985 (3) SCC 643) has, therefore, to be understood in the light of these subsequent decisions. We consider it necessary to reiterate this settled position emerging from the decisions of this court to dispel the doubt, if any, in the perception of any State Government or authority. This has become necessary also because of the stand taken on behalf of the State of Rajasthan, even at this late stage, relating to permissions granted for mining in such area which is clearly contrary to the decisions of this court. It is reasonable to assume that any State Government which has failed to appreciate the correct position in

law so far, will forthwith correct its stance and take the necessary remedial measures without any further delay”.

- 25.** **Fait Accompli Situation and Post Facto Clearance:** That if the private respondent is not restrained from going ahead with the construction and change of land use, then it would complete the project causing irreversible damage to the environment and will then seek post-facto Forest Clearance from the authorities making it a fait accompli situation. Hon’ble Principal Bench of National Green Tribunal in number of cases and the recent one is in OA NO 37 of 2015 (S P Muthuraman Vs Union Of India) has hold all such post facto clearances are null and void.

GROUNDNS

a) That the non-forest use of forest land and in this case for industrial purpose without prior approval of central government is violating the provison of Section 2 of Forest Conservation Act 1980 and Order of Hon’ble Supreme Court in Godavarman Case in W.P(c) 202 of 1995 .That industrial activity in absence of any approval from central government is an offence under the forest conservation act of 1980 and violation of Hon’ble Supreme court order of 12-12-1996 in W.P © 202 of 1995..

LIMITATION

That the there is a subsisting cause of action because of the ongoing construction of boundary wall in forest land without forest clearance and

to that effect the representation of the applicant dated 16/12/2022 is still to be acted upon, hence the application is not barred by limitation.

PRAYER FOR INTERIM RELIEF

Stay the ongoing construction of the project on both sabik kism forest land and non-forest land pending disposal of the Original Application.

PRAYER

In light of the present facts and circumstances it is most respectfully prayed that this Hon'ble Tribunal may be pleased to

- A.** Restrain the state respondents and IDCO from accessing and using the forest land for industrial activity until approval of central government is obtained under Forest Conservation Act of 1980.
- B.** Hold and Declare that the conversion of Sabik forest land to non-forest kism is contrary to law and there by illegal
- C.** Hold and declare that lease granted in favour of IDCO and subsequent transfer to the project proponent as illegal and void for want of forest clearance.

Date 11/01/2023

APPLICANTS THROUGH



ADVOCATE

I undertake to file the English translation of news clippings as and when directed by the Honble Tribunal



ADVOCATE

AUTHORISATION

We, Bijay Kumar Sahoo, S/o Late Siba Sahoo Aged about 66 years, Ripal Biswal, S/o Nab Kishr Biswal Aged about 30years, Daktar Biswal, S/o Judhisthir Biswal Aged about 28, Ashok Kumar Biswal, S/o Bachhia Biswal Aged about 36years all are residents At- PatarpadaPo- Patamandir PS- Parajang, Dist- Dhenkanal and Santanu Kumar Bhukta S/o GolakBhukta, At/Po-Santhapada, PS- TalcherDist-Angul, Odisha, 759104, the applicants before Honble National Green Tribunal authorize I. Prakash Chandra Nayak, S/o DuryodhanNayak Aged about 47years At- Patarpada Po- Patamandir PS- Parajang, Dist- Dhenkanal, Odisha, to swear the affidavit on behalf of us for the purpose of filing of Original Application before Hon'ble National Green Tribunal(NGT) Kolkata

Date-11/01/2023

Prakash Chandra Nayak

Bijay Kumar Sahoo
Signatures

Ripal Biswal

Daktar Biswal

Ashok Kumar Biswal

Santanu Kumar Bhukta.

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO -..... OF 2023/EZ

IN THE MATTER OF:

PRAKASH CHANDRA NAYAK & OTHERS APPLICANTS

VERSUS

STATE OF ODISHA AND OTHERS ... RESPONDENTS

AFFIDAVIT

11 JAN 2023

I, Prakash Chandra Nayak, S/o Duryodhan Nayak Aged about 47years At- Patarpada Po- Patamandir PS- Parajang, Dist- Dhenkanal, Odisha, do hereby solemnly affirm, and declare as under:

1. That I am one of the applicant in the above mentioned Original Application AND authorized by other applicants to swear this affidavit
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That I have read over the contents of the accompanying Affidavit and the same is true and correct and is drafted on my instruction.

IDENTIFIED BY ME
ADVOCATE, BBSR

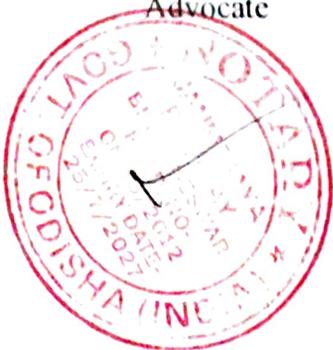
Prakash Chandra Nayak
DEPONENT

VERIFICATION

Verified on this the 11 day of January 2023 at Bhubaneswar that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By
Advocate

Prakash Chandra Nayak
DEPONENT



S.P. Jena
11 JAN 2023
5:30 PM
JANMEJAYA RAUTRAY
NOTARY, GOVT. OF ODISHA
BHU'BANESWAR
Regd. No-ON-86/2012
Mob No-9337121273
Deponent(s) Notary, Bhubaneswar

ANNEXURE-1

**PHOTOGRAPHS OF ONGOING CONSTRUCTION, CLEARING OF
THE FOREST LAND BY PROJECT PROPONENT AT PATARAPADA,
PARAJANG, DHENKANAL**



**Figure 1 CLEARING THE FOREST LAND BY PROJECT PROPONENT DATED
24/11/2022**



Figure 2 CONSTRUCTION WORK STARTED ON 9TH DECEMBER 2022



Figure 3 JCB MACHINE USED TO CLEAR THE FOREST LAND



Figure 4 CATTLE USE TO GRAZE IN THE LAND NOW PROPOSED FOR THE PROJECT



Figure 5 VILLAGERS OPPOSING THE CLEARING OF FOREST LAND





Figure 6 SIGNAGE OF ELEPHANT PATHWAY INFRONT OF THE PROPOSED PROJECT SITE

103 YEARS OF PUBLICATION
 Daily Edition in O.D. No. 288957
 P.R. No. 03(0)17/2021-2022

● **Cutback, Thursday 1 December 2022**

● ବନ୍ଦ: ଗୁରୁବାର ୧ ଡିସେମ୍ବର ୨୦୨୨

● ଅତି ଦିନା ୧୭ ଡି. ୧୪୩୦ ଘଣ୍ଟା

● ମନମାନ ୧୦ ଡି. ୧୯୫୪ ଶବ୍ଦ, ଶୁଦ୍ଧତା ଅଙ୍ଗୀ

● ଗ୍ରା. ୯୩ ୩୨୩-୩୨୨

● www.thesamaja.com
 www.samajapaper.com
 www.samajative.in

ଟ ୭.୦୦ (୧୮+୧୪ ପୃଷ୍ଠା)
 ★★★★★



ବର୍ତ୍ତମାନ ପରିଚାଳନା ପ୍ରକଳ୍ପ ବିରୋଧରେ ତେଜୁଛି ଅସନ୍ତୋଷ

ପରଜଳ, ୩୦୧୧: ପରଜଳ ଚନ୍ଦ୍ରପାଲ ଅନ୍ତର୍ଗତ ପାଟରପଦା ଗ୍ରାମରେ ହେବାକୁ ଥିବା ବର୍ତ୍ତମାନ ପରିଚାଳନା ପ୍ରକଳ୍ପ ଲୋକେ ସମ୍ପୂର୍ଣ୍ଣ ବିରୋଧ କରୁଥିଲେ ମଧ୍ୟ ପ୍ରକଳ୍ପ ହେବାକୁ ନେଇ ଲୋକଙ୍କ ମଧ୍ୟରେ ଅସନ୍ତୋଷ ଦେଖାଦେଇଛି । ଗ୍ରାମବାସୀଙ୍କ ନକଲି ସମ୍ବନ୍ଧରେ ନିଆଯାଇ ପ୍ରକଳ୍ପ ପରିବେଶ ମଞ୍ଜୁରୀ ଦେବା ପାଇଁ ମଧ୍ୟୁଧା ଚାଲିଥିବା ପୂର୍ବରୁ ଜିଲାପାଳଙ୍କ ଦ୍ଵାରା ସୋଇ ଅଭିଯୋଗ କରିଥିଲେ ପାଟରପଦା ପରିଚାଳନା କମିଟି । ଏକଦଶ ତଳେ ଗ୍ରାମର ନିମନ୍ତେଲା କ୍ରିକେଟ ପଡ଼ିଆଠାରେ ଯାହାକୁ ନେଇ ଏକ ଜନଶୁଣାଣୀ ହୋଇଥିଲା । ଯେଉଁ ପ୍ରକଳ୍ପ ପାଣ୍ଠାତ୍ୟ ଉତ୍ତ୍ରେଣେତ ବର୍ତ୍ତମାନ ପରିଚାଳନା ନାମକ ଏକ ଠିକା ଦାମ୍ଵା ଏଠାରେ ପ୍ରତିଷ୍ଠା ହେବାକୁ ଗାନ୍ଧୀ ପ୍ରଦୁଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼ ଡିଠି ନମ୍ବର- ୧୦୭୨୯/ ଡା ୦୨-୦୮-୨୦୨୧ ତାରିଖରେ ବିଜ୍ଞପ୍ତି ଜାରି କରିଥିଲେ । ଡା ୦୮-୦୯-୨୦୨୧ ତାରିଖରେ ପରିବେଶ ସମ୍ପର୍କୀୟ ଜନଶୁଣାଣୀ ଆଞ୍ଚଳିକ ପ୍ରଦୁଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼ କାର୍ଯ୍ୟାନୁଷ୍ଠାନରେ ହୋଇଥିଲା । ଉକ୍ତ ଶିବିରରେ ଅଞ୍ଚଳର ପ୍ରାୟ ୪ ହଜାର ଲୋକେ ନହେବାକୁ ଘୋର ବିରୋଧ ମଧ୍ୟ କରିଥିଲେ । ଲୋକଙ୍କ ବିରୋଧକୁ ନେଇ ଉପସ୍ଥିତ ଥିବା ତତ୍କାଳୀନ ଅତିରିକ୍ତ



ଜିଲାପାଳ ଶଶୀକାନ୍ତେଶ୍ଵର ଦାସ ଜନଶୁଣାଣୀ ସ୍ଵରୂପ ରଖାଯାଇ ବୋଲି ଗଣମାଧ୍ୟମରେ ମତ ପ୍ରକାଶ କରିଥିଲେ । ଲୋକଙ୍କ ବିରୋଧ ପରେ ମଧ୍ୟ ପ୍ରକଳ୍ପ ହେବାକୁ ଯାଉଥିବା ନେଇ କିଛି ଦିନ ତଳେ ସେ ଅଞ୍ଚଳକୁ ପ୍ରଶାସନର ଅନୁମତିକୁମେ ଗଢ଼ କଟା ହୋଇ ସପା କରାଯାଇଥିବା ନେଇ ସ୍ଥାନୀୟ ଲୋକେ କ୍ଷୁବ୍ଧ ପ୍ରକାଶ କରିଛନ୍ତି । ବର୍ତ୍ତମାନ ପ୍ରକଳ୍ପଟି ବିପଦଜନକ ଓ ଜନସ୍ଵାର୍ଥ ବିରୋଧୀ ଏବଂ ଏହା ଆମ ଅଞ୍ଚଳରେ କରା ନଯାଇ ବୋଲି ପ୍ରଶାସନକୁ ମଧ୍ୟ ନିବେଦନ

କରିବା ପରେ ପ୍ରଶାସନ କର୍ତ୍ତୃପାତ କରୁ ନଥିବା ଅଭିଯୋଗ କରିଛନ୍ତି ପରିଚାଳନା କମିଟି ସଭାପତି ବିଜୟକୁମାର ସାହୁ ଓ ଅଞ୍ଚଳବାସୀ । ବାନ୍ଧାମାନ ଅଭିଯୋଗ ପରେ ମଧ୍ୟ ଲୋକଙ୍କୁ ଅଞ୍ଚଳରେ ରଖି ବିପଦ ମୁହଁକୁ ଠେଲି ଏକ ଠିକାଦାମ୍ଵାକୁ ବିପଦଜନକ ବର୍ତ୍ତମାନ ପରିଚାଳନା ନିମନ୍ତେ ଏକର ଏକ କମି ଯୋଗାଇ ଦେଇଛନ୍ତି ସରକାର ଓ ପ୍ରଶାସନ । ଠିକାଦାମ୍ଵାକୁ ଜଙ୍ଗଲଜମି ଓ ଗୋଡ଼ର ଜମିକୁ ବେକି ଦେଇ ଲୋକଙ୍କୁ ବିପଦରେ ପକାଇଛି ଜିଲା ପ୍ରଶାସନ ଯାହାକୁ ନେଇ ଲୋକଙ୍କ ମଧ୍ୟରେ ଅସନ୍ତୋଷ ଦେଖାଦେଇଛି । ବର୍ତ୍ତମାନ ପରିଚାଳନା ପ୍ରକଳ୍ପଦ୍ଵାରା ବର୍ଷକୁ ପ୍ରାୟ ୨୫ ହଜାର ଟଙ୍କା ଯେଉଁ ବର୍ତ୍ତମାନ ପୋଡ଼ାଯିବ ସେଥିପାଇଁ ଭୁଗର୍ଭ ଜଳ ପୂର୍ଣ୍ଣ ହେବ । ପାଖାପାଖି ୭ଟି ଜିଲାର ବର୍ତ୍ତମାନ ଆଣି ପରିଚାଳନା କରାଯାଉ ଉକ୍ତ କମିଟି । ଏଥିନିମନ୍ତେ ସ୍ଥାନୀୟ ଲୋକେ ଏହାକୁ ବନ୍ଦ କରାଯାଇ ବୋଲି ବିରୋଧ କରିଥିଲେ । କିନ୍ତୁ ଲୋକଙ୍କ ବିଶ୍ଵାସରେ ବିଷ ଜରି ଦେଇଛି ଜିଲା ପ୍ରଶାସନ, ତାର ମନମୁଖୀ କାର୍ଯ୍ୟରେ ପାଟରପଦା ଗ୍ରାମ ଓ ତାର ଆଖପାଖ ଅଞ୍ଚଳର ଲୋକେ ଆଜି ପୁଣି ଜାତୀୟ ସବୁଜ ପ୍ରଧାନତା, ମାନବର ହାଲକୋଟର ଦ୍ଵାରା ହେବେ ବୋଲି ମନ କଲେଣି ।

Figure 2 NEWS PUBLISHED ON 1ST DECEMBER 2022 SAYING THE VILLAGERS HAVE OBJECTED TO THE PROPOSED CONSTRUCTION OF BOUNDARY WALL BY THE PROJECT PROPONENT

REGISTRATION
 P. No. 100/2017
 P. No. 100/2017-2022
 Angul, Friday 16 December 2022
 ପ୍ରଥମ ପୃଷ୍ଠା ୧୫ ଟଙ୍କା ମଧ୍ୟରେ
 ଦ୍ୱିତୀୟ ପୃଷ୍ଠା ୧୦ ଟଙ୍କା ମଧ୍ୟରେ, ତୃତୀୟ ପୃଷ୍ଠା ୫ ଟଙ୍କା ମଧ୍ୟରେ
 ଉପର ଓ ତଳ ପୃଷ୍ଠା ୫ ଟଙ୍କା ମଧ୍ୟରେ
 www.thesamaja.com
 www.samajapaper.com
 www.samajainfo.in
 ଟ 5.00 (୧୫ ପୃଷ୍ଠା)

ସମାଜ

The Samaja
 ପ୍ରତିଷ୍ଠାତା- ଶ୍ରୀମତୀ ଲକ୍ଷ୍ମୀବତୀ ଦେବୀ
 PRINTED AT CHITACH, SAHIBPUR, BALESWAR, JAYPORE

ଅପରାଧୀମାନଙ୍କୁ ବିଧିବଦ୍ଧ କରିବା ।
 ପଞ୍ଚମାସରେ ମଧ୍ୟ ସମାଜ ସଫଳ ।।



କେବଳ ସମାଜରେ ମିଳେ, ସମ ସମାଜରେ ମିଳେ ମଧ୍ୟ ସମାଜରେ
 କିମ୍ପାକାରୀମାନଙ୍କୁ ବିଧିବଦ୍ଧ କରିବା ।।

ବର୍ଜ୍ୟବସ୍ତୁ ପରିଚାଳନା ପ୍ରକଳ୍ପକୁ ବିରୋଧ କରି ଧାରଣା

ରାଜ୍ୟପାଳଙ୍କ ଉଦ୍ଦେଶ୍ୟରେ ଦାବିପତ୍ର ପ୍ରଦାନ

ପରଜଙ୍ଗ, ୧୫/୧୨: ଜେକାନାଳ ଜିଲ୍ଲା ପରଜଙ୍ଗ ବ୍ଲକ ପାଟରପଦା ଗାଁରେ ନିର୍ମାଣ ହେଉଥିବା ବର୍ଜ୍ୟବସ୍ତୁ ପରିଚାଳନା ପ୍ରକଳ୍ପକୁ ବିରୋଧ କରି ପରଜଙ୍ଗ ତହସିଲ କାର୍ଯ୍ୟାଳୟ ପରିସରରେ ବିଜେପି ପକ୍ଷରୁ ଧାରଣା ଦିଆଯାଇଛି । ବିଜେପି ରାଜ୍ୟ କାର୍ଯ୍ୟକାରିଣୀ ସଦସ୍ୟ ବିଭୂତି ଭୂଷଣ ପ୍ରଧାନଙ୍କ ନେତୃତ୍ୱରେ ପୂର୍ବତନ ରାଜ୍ୟସଭା ସଦସ୍ୟ ରୁଦ୍ରନାରାୟଣ ପାଣି ଏବଂ ବିଜେପିର ବରିଷ୍ଠ ନେତା ତଥା ପରଜଙ୍ଗ, କୁଆଲୋ ଓ ସାଆନ୍ଦା ମଣ୍ଡଳର ସଭାପତିଙ୍କ ସମେତ କାର୍ଯ୍ୟକର୍ତ୍ତା ଉପସ୍ଥିତ ଥିଲେ । ପାଟରପଦା ବଳିଗାଡ଼ିଆ ଠାରେ ନିର୍ମାଣ ହେଉଥିବା ବର୍ଜ୍ୟବସ୍ତୁ ପରିଚାଳନା ପ୍ରକଳ୍ପ ଯୋଗୁଁ ଆଖ ପାଖ ୮ଟି ପଞ୍ଚାୟତ ଯଥା ପାଟରପଦା, ରୋଡ଼, କନ୍ଦରସିଂହା, ରେଣ୍ଡାପାଟ, କୁମୁସି, ଲୋଧଣା, ସାଆନ୍ଦା ଓ ଚାନ୍ଦପୁର ଆଦି ପ୍ରଭାବିତ ହେବାର ଆଶଙ୍କା



ରହିଛି । ଯାହାକୁ ନେଇ ବିଜେପି ପକ୍ଷରୁ ପରଜଙ୍ଗ ତହସିଲ କାର୍ଯ୍ୟାଳୟ ପରିସରରେ ଧାରଣା ଦେବା ସହ ରାଜ୍ୟପାଳଙ୍କ ଉଦ୍ଦେଶ୍ୟରେ ତହସିଲଦାରଙ୍କୁ ଆନ୍ଦୋଳନକାରୀ ଦାବିପତ୍ର ପ୍ରଦାନ କରିଥିଲେ । ଗତ ବର୍ଷ ସେପ୍ଟେମ୍ବରରେ ପାଟରପଦା ନିର୍ମାଣ ତରଫରେ ଜଣଶୁଣାଣି ଶିବିରରେ ସ୍ଥାନୀୟ ଲୋକମାନେ ଏହାକୁ ଘୋର

ବିରୋଧ କରିଥିଲେ । ବିରୋଧ ସତ୍ତ୍ୱେ ବି ବର୍ଜ୍ୟବସ୍ତୁ ପରିଚାଳନା ପ୍ରକଳ୍ପ ତିଆରି ହେବାକୁ ନେଇ ଜନସାଧାରଣଙ୍କ ମଧ୍ୟରେ ଅସନ୍ତୋଷ ପ୍ରକାଶ ପାଇଛି । ତେବେ ଲୋକଙ୍କ ସ୍ୱାସ୍ଥ୍ୟ ଓ ସମସ୍ୟାକୁ ଆଖି ଆଗରେ ରଖି ପ୍ରଶ୍ନାବନ ନିଷ୍ପତ୍ତି ନେବା ସହ ତୁରନ୍ତ ଏହି ବର୍ଜ୍ୟବସ୍ତୁ ପରିଚାଳନା ପ୍ରକଳ୍ପ ବନ୍ଦ କରିବାକୁ ବିଜେପି ଦାବି କରିଛି ।

Figure 3 BJP POLITICAL PARTY STAGING DEMONSTRATION IN FRONT OF PARAJANG TAHASIL AGAINST THE PROPOSED WASTE MANAGEMENT PLANT

ବର୍ଜ୍ୟବସ୍ତୁ କାରଖାନା ନିର୍ମାଣକୁ ବିରୋଧ: ୧୫ରେ ଆନ୍ଦୋଳନ

ପର୍ଜଙ୍ଗ, ୧୨।୧୨ (ଇମିସ): ପର୍ଜଙ୍ଗ ବ୍ଲକ୍ ପାଟରପଦା ମୌଜାରେ ବର୍ଜ୍ୟବସ୍ତୁ କାରଖାନା ନିର୍ମାଣକୁ ସ୍ଥାନୀୟ ଜନସାଧାରଣ ବିରୋଧ କରୁଛନ୍ତି। ଏହା ସତ୍ତ୍ୱେ କମ୍ପାନି ନିର୍ମାଣ କାମ ଆରମ୍ଭ କରୁଥିବାରୁ ଆସକ୍ତା ୧୫ ତାରିଖରେ ତହସିଲ କାର୍ଯ୍ୟାଳୟ ସମ୍ମୁଖରେ ବିଜେପି ଜନସାଧାରଣଙ୍କୁ ନେଇ ବିଷୋଭ ପ୍ରଦର୍ଶନ କରିବ ବୋଲି ଆଜି ଲିଖିତ ଭାବେ ପ୍ରଶାସନକୁ ଜଣାଇଛି। ପ୍ରକାଶ ଆଉକି ବର୍ଜ୍ୟବସ୍ତୁ କାରଖାନା ନିର୍ମାଣେ ଗତବର୍ଷ ସେପ୍ଟେମ୍ବର ୮ ତାରିଖରେ ଆଞ୍ଚଳିକ ପ୍ରଦୃଷ୍ଟ ବୋର୍ଡ ପକ୍ଷରୁ ନିମତ୍ତଲଳାଠାରେ ଜନଶୁଣାଣି ହୋଇଥିଲା। ପାଟରପଦା, ଲୋଧଣୀ, କନ୍ଦରସିଂହା, କୁମୁସୀ, ରୋଡ଼, ରେଣ୍ଡାପାଟ ପଞ୍ଚାୟତର ୨୦ରୁ ଉର୍ଦ୍ଧ୍ୱ ଗ୍ରାମର ହଜାର ହଜାର ମହିଳା

ପୁରୁଷ ବିରୋଧ କରିଥିଲେ। ସେଦିନ ଉପସ୍ଥିତ ଥିବା ଅତିରିକ୍ତ ଜିଲ୍ଲାପାଳ ଶଶାଙ୍କ ଶେଖର ଦାସ ଲୋକଙ୍କ ବିରୋଧକୁ ଦେଖି କହିଥିଲେ କି, ପୁନର୍ବାର ଜନ ଶୁଣାଣି ହେବ। ଏହା ସତ୍ତ୍ୱେ କମ୍ପାନି କର୍ତ୍ତୃପକ୍ଷ ନିର୍ମାଣ କାର୍ଯ୍ୟ ଆରମ୍ଭ କରିଛି। ଏଥିଯୋଗୁଁ ଭୂତଳ-ଜଳ ପ୍ରଦୃଷ୍ଟ ହେବ। ଏଥି ସହ ୭ଟି ଜିଲ୍ଲାରେ ଥିବା କାରଖାନାରୁ ବର୍ଜ୍ୟବସ୍ତୁକୁ ଭାରୀଯାନରେ ଆଣିବା ଦ୍ୱାରା ଶବ୍ଦ ପ୍ରଦୃଷ୍ଟ ହେବାର ଆଶଙ୍କା କରାଯାଇଛି। ଜଙ୍ଗଲ ପରିବେଶ ମଧ୍ୟ ନଷ୍ଟ ହେବ। ଏହାର ପ୍ରତିବାଦରେ ବିଜେପି ପକ୍ଷରୁ ଆଜି ସାଆନ୍ଦା ମଣ୍ଡଳ ସଭାପତି ପ୍ରଶାନ୍ତ ନାୟକ, କୁଆଳୋ ମଣ୍ଡଳ ସଭାପତି ଦୟାନିଧି ସାହୁ, ପର୍ଜଙ୍ଗ ମଣ୍ଡଳର କାର୍ଯ୍ୟକର୍ତ୍ତାମାନେ ପ୍ରଶାସନକୁ ଲିଖିତ ଭାବେ ଜଣାଇଛନ୍ତି।

103 YEARS OF PUBLICATION
 Daily Edition R.N. No. 48857
 P.N. No. CK(C)17/2021-2023

■ Angul, Tuesday 6 December 2022

■ ପ୍ରଚ୍ଛଦପଟ୍ଟ, ମହାନବମୀ ୬ ଡିସେମ୍ବର ୨୦୨୨

■ ପତ୍ରିକା ଦିନା ନିକ, ୧୪୩୦ ଡଲ

■ ମାଗଣାରେ ୧୫ ଦିନ, ୧୯୪ ଟଙ୍କା, ଶୁଭ୍ରପତ୍ର ପ୍ରକାଶନ

■ ଗାନ୍ଧୀ-୯୩ ବାଟନ-୩୩୨

■ www.thesamaja.com
 www.samajapaper.com
 www.samajavive.in

ଟ ୬.୦୦ (୧୬ ପୃଷ୍ଠା)



ନକଲି ଦସ୍ତଖତରେ ପ୍ରକଳ୍ପ ସ୍ଥାପନ ମସୁଧା, ଜିଲାପାଳଙ୍କୁ ଅଭିଯୋଗ

ପରଜଙ୍ଗ, ୫:୧୨: ପରଜଙ୍ଗ ବ୍ଲକ ପାଟଣପଦା ଗ୍ରାମରେ ପାଣ୍ଠାଳୟ ରଖିଗ୍ରେଡ଼ ବ୍ୟକ୍ତିବିଶ୍ୱ ପରିଚାଳନା ନାମକ ଏକ ଠିକା ସଂସ୍ଥା ପ୍ରକଳ୍ପ ସ୍ଥାପନ ନିମନ୍ତେ ରାଜ୍ୟ ପ୍ରଦୁଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼ କାର୍ଯ୍ୟକ୍ରମ ଚିଠି ନମ୍ବର-୧୦୭୨୯/ଡା ୦୨/୦୮/୨୦୨୧ ରିଖରେ ବିଜ୍ଞପ୍ତି ଜାରି କରିଥିଲେ । ଏ ନେଇ ଡା ୦୮/୦୯/୨୦୨୧ ଦିନରେ ପାଟଣପଦା ଗ୍ରାମର ନିମତ୍ତେକା ପଡ଼ିଆଠାରେ ପରିବେଶ ସମ୍ପ୍ରଦାୟ ଜନଶୁଣାଣି ଶିବିର ଅନୁଷ୍ଠିତ ହୋଇଥିଲା । ସେହି ଜନଶୁଣାଣି ଶିବିରରେ ସ୍ଥାନୀୟ ଅଞ୍ଚଳର ଚାଚୋଟି ପଞ୍ଚାୟତର କହୁସଂଖ୍ୟାରେ ଲୋକ ଆସି ପ୍ରକଳ୍ପକୁ ବିରୋଧ କରିଥିଲେ । ଲୋକଙ୍କ ବିରୋଧ ନେଇ ଉପସ୍ଥିତ ଥିବା ଡକ୍ଟରାନ ଡେକାନାଲ ଜିଲା ଅତିରିକ୍ତ ଜିଲାପାଳ ଶଶୀକାନ୍ତଶେଖର ଦାଶ ଜନଶୁଣାଣୀ ସ୍ଥିତିର ରଖାଗଲା ବୋଲି ରଖମାଧ୍ୟମରେ ନିଜର ମତପ୍ରକାଶ କରିଥିଲେ । ଜନଶୁଣାଣୀ ସ୍ଥିତିର ରଖାଗଲା ବୋଲି ରଖମାଧ୍ୟମରେ ପ୍ରକାଶ

ପାଇଥିଲେ ମଧ୍ୟ କିଛି ଦିନ ପରେ ପାଟଣପଦା ପଞ୍ଚାୟତକୁ ଏକ ଚିଠି ଆସିଥିଲା ଯେଉଁଥିରେ ରକ୍ଷେଖ ରହିଛି ଜନଶୁଣାଣୀରେ ପ୍ରକଳ୍ପ ସ୍ଥାପନ ଲାଗି ୪୮ ଜଣ ସପକ୍ଷ ଓ ୧୫ ଜଣ ବିପକ୍ଷ ବୋଲି ଜଣାପଡ଼ିଥିଲା । ଯେଉଁ ସପକ୍ଷ ଓ ବିପକ୍ଷବାଦୀଙ୍କ ଦସ୍ତଖତ ଉକ୍ତ ଚିଠିରେ ରକ୍ଷେଖ ରହିଛି ତାହା ସମ୍ପୂର୍ଣ୍ଣ ନକଲି ବୋଲି ତାହାକୁ ଯାଞ୍ଚ କରାଯାଇ ପୁନର୍ବାର ଜନଶୁଣାଣୀ କରାଯାଇ ବୋଲି ପାଟଣପଦା ପରିଚାଳନା କମିଟି ସଭାପତି ବିଜୟକୁମାର ସାହୁଙ୍କ ଅଧିକାରରେ ଡା ୧/୧୧/୨୧ ରିଖରେ ଡେକାନାଲ ଜିଲାପାଳଙ୍କୁ ଚେଟି ଏକ ଲିଖ୍ଟର ଅଭିଯୋଗ କରିଥିଲେ । ଅଭିଯୋଗ ଉପରେ ଚଦନ୍ତ କରାଯିବ ବୋଲି ଡେକାନାଲ ଜିଲାପାଳ ମୌଖିକ ଭାବେ ପରିଚାଳନା କମିଟିକୁ କହିଥିଲେ ବୋଲି ଶ୍ରୀ ସାହୁ ପ୍ରକାଶ କରିଛନ୍ତି । କିଛି ଦିନ ହେବ ଉକ୍ତ ପ୍ରକଳ୍ପ ପାଇଁ ଜମି ଅଧିଗ୍ରହଣ କରାଯାଇ କାର୍ଯ୍ୟ ଆରମ୍ଭ ହେବାକୁ ନେଇ ଅଞ୍ଚଳରେ ଅସନ୍ତୋଷ ଚେତିଦାରେ ଲାଗିଛି ।

ନକଲି ଦସ୍ତଖତର ଯାଞ୍ଚ ଓ ପୁନଃ ଜନଶୁଣାଣୀ କରି ପ୍ରକଳ୍ପ ସ୍ଥାପନ ଲାଗି ଚିନ୍ତା କରାଯାଉ । ସାତ ଦିନରୁପରେ କାର୍ଯ୍ୟାଦିଷ୍ଟାନ ଗ୍ରହଣ କରା ନଗଲେ ଜିଲାପାଳଙ୍କ କାର୍ଯ୍ୟକ୍ରମ ସମ୍ମୁଖରେ ଶାନ୍ତିପୂର୍ଣ୍ଣ ଭାବେ ଅନୁଗମରେ ବସିବେ ବୋଲି ସୋମବାର କାମାଖ୍ୟାନଗର ଉପଖଣ୍ଡ ସରାଗୁହଠାରେ ଜିଲାପାଳଙ୍କ ନିକଟ ଅଭିଯୋଗ ଜନଶୁଣାଣୀ ଶିବିରରେ ପାଟଣପଦା ପରିଚାଳନା କମିଟି ସଭାପତି ଶ୍ରୀ ସାହୁ, ସମ୍ପାଦକ ନରୋତ୍ତମ ସାହୁ, ସରପଞ୍ଚ ଜ୍ୟୋତ୍ସ୍ନାମୟା ବିଶ୍ୱାଳ, ରିପଲ ବିଶ୍ୱାଳ, ବ୍ରହ୍ମ ବିଶ୍ୱାଳ, ଅରବିନ୍ଦ ନାୟକ ତେତାଦନା ଦେଇଛନ୍ତି । ଅଞ୍ଚଳିକ ପ୍ରଦୁଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼ ଓ ଜଣେ ଅତିରିକ୍ତ ଜିଲାପାଳ ଏହାର ଚଦନ୍ତ କରିବା ପାଇଁ ସେ ନିର୍ଦ୍ଦେଶ ଦେଇଛନ୍ତି ବୋଲି ପ୍ରକାଶ କରିଛନ୍ତି ଡେକାନାଲ ଜିଲାପାଳ । ପରିବେଶ ପ୍ରଭାବ ଆକଳନ ବିଜ୍ଞପ୍ତି ଅନୁସାରେ ଜନଶୁଣାଣୀ ହେଉଛି ପରିବେଶ ମଞ୍ଜୁରୀର ଏକ ଅବିଚ୍ଛେଦ୍ୟ ଅଙ୍ଗ । ଏ ପରିପ୍ରେକ୍ଷରେ ଲୋକଙ୍କ ମତାମତକୁ ଉପେକ୍ଷା କରାଯାଇଛି । ଜନଶୁଣାଣୀ

ଶିବିରରେ ଉପସ୍ଥିତ ତଥା ଅଧିକାରୀ କରୁଥିବା ଅତିରିକ୍ତ ଜିଲାପାଳ ଶଶୀକାନ୍ତଶେଖର ଦାଶ ରଖମାଧ୍ୟମକୁ ଦେଇଥିବା ବିଦୁଷିକ ଦେଖାଗଲେ ଜଣାଯାଏ ଉକ୍ତ ଜନଶୁଣାଣୀଟି ବାଟିଲ କରାଯାଇଛି । ବାଟିଲ ହୋଇଥିବା ଜନଶୁଣାଣୀ ପୁନର୍ବାର ହୋଇ ନାହିଁ ତେଣୁ ଜନଶୁଣାଣୀର ରିପୋର୍ଟି ଏକ ଚଞ୍ଚଳକତା କରି ସପକ୍ଷତା ହୋଇଥିବା ଦର୍ଶାଇ ପରିବେଶ ମଞ୍ଜୁରୀ କରାଯାଇ ସାଧାରଣ ଜନତାଙ୍କୁ ଅଜ୍ଞାନରେ ରଖାଯାଇଛି । ଲୋକ ଆଇନର ଆଶ୍ରୟ ନେବା ପୂର୍ବରୁ ଜିଲାପାଳ ଉକ୍ତ ଭୁଲକୁ ସଂଶୋଧନ କରିବା ଆବଶ୍ୟକତା ରହିଛି । ସଂଶୋଧନ କରି ପୁନର୍ବାର ଜନଶୁଣାଣୀ ନିମନ୍ତେ ପ୍ରଦୁଷଣ ନିୟନ୍ତ୍ରଣ ବୋର୍ଡ଼କୁ ସୂଚାରିତ କରନ୍ତୁ ବୋଲି ପରିବେଶ ଆଇନକାରୀ ଶଙ୍କରପ୍ରସାଦ ପାଣି ମତପ୍ରକାଶ କରିଛନ୍ତି । ଏଥିପ୍ରତି ଜିଲା ପ୍ରଶାସନ ପକ୍ଷରୁ ସଠିକ୍ ଭାବରେ କାର୍ଯ୍ୟାଦିଷ୍ଟାନ ଗ୍ରହଣ କରା ନଯାଏ ଚେତେ ଆଇନର ଆଶ୍ରୟ ନେବାକୁ ସାମାଜିକକର୍ମୀ ଶାନ୍ତରୁମ୍ବର ଲୁକ୍ତ କରିଛନ୍ତି ।

NEWS PUBLISHED ON 6TH DECEMBER 2022 NARRATING THE GRIEVANCE OF VILLAGERS TO DM DHENKANAL SAYING VILLAGERS SIGNATURE HAVE BEEN FORGED



DEmand for stop work by Western Integrated Waste Management Facility at Patarapada, Dhenkanal

1 message

Sankar Pani <sankarprasadpani@gmail.com>

Fri, Dec 16, 2022 at 5:47 PM

To: dm-dhenkanal@nic.in, dfodhenkanal@gmail.com, seiaaodisha@gmail.com, SPCB Odisha <paribesh1@ospboard.org>, member.secy@ospboard.org

Date: 16th December 2022**Email/Speedpost/ByHand**

1. The District Collector, Dhenkanal

At/Po/PS-Dhenkanal, Odisha. dm-dhenkanal@nic.in2. Divisional Forest Officer, Dhenkanal At/Po/PS- Dhenkanal dfodhenkanal@gmail.com

3. The Chairman

State Environment Impact Assessment Authority (SEIAA)

5RF-2/1, Acharya Vihar, Unit – IX

Bhoi Nagar, Bhubaneswar, Odisha. seiaaodisha@gmail.com

4. The Chairman, State Pollution Control Board, Odisha

Paribesh Bhawan, A/118, Nilakantha Nagar, Unit – VIII

Bhubaneswar. paribesh1@ospboard.org

5. The Chairman-cum-Managing Director,

Odisha Industrial Infrastructure Development Corporation (IDCO). Bhubaneswar, EMAIL:

cmd@idco.in

Sub- Illegal Construction by Integrated Waste Management on Sabik Kisam Forest Land in Patarapada Mouza, Parajang, Dhenkanal in violation of Forest Conservation Act 1980

Dear Sir,

On behalf the villagers of Patarapada in Parajang Tahasil, Dhenkanal District where this project has started construction activity and the villagers are concerned of the illegal diversion of forest

land for industrialization by IDCO Odisha without following the process laid down in Forest Conservation Act 1980.

1. The land schedule Map of IDCO suggests that around 93 Acres of land were brought under land Bank scheme including 12 Acres of Gochar Land and some patches of Sabik kism forest land. In addition to this the government land in the possession of villagers for generations was also brought into the LandBank without any public notice. The gochar land still to be de-reserved and for that purpose no proclamation inviting objection of villagers have been made. Out of 93 Acres of land, around 70 Acres of land have been proposed to allocate for the waste management facility.

2. That the Summary EIA available in the website of pollution control board suggests that the Hazardous Waste will be collected from 12 different districts of Western Odisha such as Jharsuguda, Sundargarh, Bargarh, Bolangir, Sambalpur, Angul, Keonjhar and Deogarh and the Unit will process and land fill the waste with capacity of 50, 000 Metric Ton per Annum including Direct landfill of 30,000TPA and Stabilization of 20,000 TPA of Hazardous Wastes, The unit will continue to landfill at the site for 25years and the total of 7,00,000 metric tons of hazzardous waste will be landfilled/burried at the site

3. The establishment of the project is proposed to be on 70 Acres (28.328Ha) of land which 57acres is recorded as Gochar Kism in the revenue record and as per the provisions of Orrisa Government Land Settlement Act, 1962, such Gochar Land cannot be alienated for any purpose without being de-reserved in accordance with law.

4. The elephant pathway crosses through the project site and thereby will obstruct the movement of elephants leading to more man-elephant conflicts. A Billboard displaying the elephant pathway has been placed right in front of the proposed site of the unit. There is no reference to the elephant pathway in the EIA report

5. It is further submitted that **Khata No 1023 and Plot Numbers 5(6acres), 159 (1.5acres) are recorded as Forest Land (Sabik Jungle)** and the same is reflected in the remark column of the

RoR of the abovementioned plots. This area is around 7.5 acres and the same record has been apparently converted to non-forest kism land **finally published on 31/05/ 1983**. Record of Rights of Khata No 1023 indicating the plots in question as **Sabik Kism Jungle** is annexed here unto as **ANNEXURE-1**

6. It is humbly submitted that, while transferring the land in Favour of IDCO, all these plot are physically dense forest having various matured timber species. The same were in existence till recently cleared by the project proponent and all these because of the protection given by the villagers and the forest land could maintain its sanctity. If any patch of the area is being allowed for industrial activity, then the entire landscape will be adversely affected.

7. It is submitted that Forest Conservation Act came into force from 25/10/ 1980 and the entire conversion has been made without approval of central government, which is a violation of Section 2 of Forest Conservation Act 1980.

8. Further Revenue Department, State Government of Odisha in its letter dated 24/10/2011, letter no 43968 has clarified that the Govt. Land recorded in non-forest kism with a note of SabikKism Jungle in the RoR finally published after 25/10/1980 but which was forest kism in Sabik Record, the forest conservation Act of 1980 will be applicable to all such forest lands. Copy of the letter dated 24th October 2011 is annexed here unto as **ANNEXURE-**

9. The same position has been reiterated in the letter dated 7th March 2014 written by MOEF, Government of India addressing to Chief Secretary, Government of Odisha. Copy of the letter dated 7th March 2014 is annexed here unto as **ANNEXURE-**

10. That in the meantime from 22nd November 2022, the project proponent has started feeling the trees and cleared the forest land without obtaining Forest Clearance. Photographs of Contractions are attached with this letter

11. It is worthwhile to mention that the Additional District Magistrate the public hearing for grant of environment clearance was held on 8th September 2022 and on that day because of

37

huge protest from the villagers the ADM, Dhenkanal and the presiding officer of public hearing declared that the public hearing is postponed and another fresh public hearing will be conducted. No such public hearing has been conducted as of now and in the meantime the private company has started construction.

12. It is humbly submitted that the Apex Court Judgement in T N Godavarman Case where in the Honble Court has clarified that the definition Forest has to be understood in dictionary meaning irrespective of the owner of such land and in this case the land in question is a physical forest and hence attract the provisions of Forest Conservation Act for any non-forestry activities

In view of the afore mentioned paras we request you to stop contraction work of the project proponent and take necessary action against the erring company

Sincerely

Sankar Prasad Pani,

Advocate for Villagers of Patarapada

--
Sankar Prasad Pani, Environment Lawyer
National Green Tribunal Kolkata & Orissa Highcourt
Res-Plot No 2132/4814(B), Nageswar Tangi,
Bhubaneswar, 751002
Cell- 9437279278
Skype- sankar.pani

 Patarapada TSDF Advocate Letter.pdf
3387K



Schedule I Form No.39-A

ଖତିୟାନ

ମୌଜା : ପାଟର ପଦା

ତହସିଲ : ପରଜଙ୍ଗ

ଥାନା : ପରଜଙ୍ଗ

ତହସିଲ ନମ୍ବର : "79"

ଥାନା ନମ୍ବର : "106"

ବିଲ୍ଲା : ଡେକାନାଲ

ଜମିଦାରଙ୍କ ନାମ ଓ ଖେତର ବା ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		ଓଡ଼ିଶା ସରକାର ଖେତର ନମ୍ବର				
1) ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		1023				
2) ପ୍ରକାର ନାମ, ପିତାର ନାମ, ଜାତି ଓ ବାସସ୍ଥାନ		ଆବାଦ ଯୋଗ୍ୟ ଅନାବାଦୀ ।				
3) ସ୍ଵର						
4) ଦେୟ :	ଜଳକର	ଖଜଣା	ସେସ୍	ନିସ୍ତାର ସେସ୍ ଓ ଅନ୍ୟାନ୍ୟ ସେସ୍ ଯଦି କିଛି ଥାଏ	ମୋଟ	5) କ୍ରମବର୍ଦ୍ଧନଶୀଳ ଖଜଣାର ବିବରଣୀ
6) ବିଶେଷ ଅନୁସଙ୍ଗ ଯଦି କିଛି ଥାଏ		ପୁର ନମ୍ବର 213 କୁ ଖାତା ନମ୍ବର 99 ରେ ଦେଖ ।				
BLANK SPACE FOR STAMPING						
ଅନ୍ତିମ ପ୍ରକାଶନ ତାରିଖ - 31/05/1983						
ଖଜଣା ଧାର୍ଯ୍ୟ ତାରିଖ -						

ରାଷ୍ଟ୍ରୀୟ ସୂଚନା ବିଜ୍ଞାନ କେନ୍ଦ୍ର 01/09/2021 05:40:26 IP :49.37.41.164

RoR Back Page

Khatiyon Page

Print

ପଲ୍ଲୀ ବଣି		ଦ :- ସରକାରି			ପ୍ରଧାନ,, ପିତା :-ବନମାଳି ପ୍ରଧାନ,, ଜାତି :-ଚଷା,, ବାସସ୍ଥାନ :-ନିଜଗାଁ, ସାବକ କିସମ ଜଙ୍ଗଲ ।
162 ପଲ୍ଲୀ ବଣି	ତଇଲା ବୁଇ	ଉ :- ସରକାରି ଦ :- ସରକାରି	0	9100	ବେଆଇନ ଦଖଲ, ଗମେଶ୍ୱର ବିଶ୍ୱାଳ,, ପିତା :- ନିଧି ବିଶ୍ୱାଳ,, ଜାତି :-ଚଷା,, ବାସସ୍ଥାନ :-ନିଜଗାଁ, ସାବକ କିସମ ଜଙ୍ଗଲ ।
5 ବଳିଗଡ଼ିଆ BALUGADIA	ତଇଲା ବୁଇ TAILA -2-	ଉ :- ସରକାରୀ ଦ :- ସରକାରୀ	6	0000	ବେଆଇନ ଦଖଲ, ନବ ପ୍ରଧାନ,, ପିତା :-ଅର୍ଜୁନ ପ୍ରଧାନ,, ଦର୍ଶନୀ ପଧାନ,, ପିତା :-ରୁଷି ପଧାନ,, ପିତବାସ ପଧାନ,, ପିତା :- ଦଣ୍ଡପାଣୀ ପଧାନ,, ହୃଦାନନ୍ଦ ନାୟକ,, ପିତା :- ବାସୁ ନାୟକ,, ସଙ୍ଗି ନାୟକ,, ପିତା :-ବଙ୍କା ନାୟକ,, ତମ୍ବୁରୁ ଧର ବିଶ୍ୱାଳ,, ଜାତି :-ଚଷା,, ବାସସ୍ଥାନ :-ନିଜଗାଁ, ସାବକ କିସମ ଜଙ୍ଗଲ ।
118 ବଡ଼ପୁରା	ତଇଲା ବୁଇ	ଉ :- ନିଜି ଦ :- ସରକାରି	0	2400	ବେଆଇନ ଦଖଲ, ବିର ବିଶ୍ୱାଳ,, ପିତା :-ଚକ ବିଶ୍ୱାଳ,, ଜାତି :-ଚଷା,, ବାସସ୍ଥାନ :-ନିଜଗାଁ, ସାବକ କିସମ ଜଙ୍ଗଲ ।
120 ବଡ଼ପୁରା	ତଇଲା ବୁଇ	ଉ :- ରାମଚନ୍ଦ୍ର ନାୟକ ଦ :- ସରକାରି	0	2400	ବେଆଇନ ଦଖଲ, ବିର ବିଶ୍ୱାଳ,, ପିତା :-ଚକ ବିଶ୍ୱାଳ,, ଜାତି :-ଚଷା,, ବାସସ୍ଥାନ :-ନିଜଗାଁ, ସାବକ କିସମ ଜଙ୍ଗଲ ।
89 ବଡ଼ପୁରା	ତଇଲା ବୁଇ	ଉ :- ସରକାରି ଦ :- ମକରା ବିଶ୍ୱାଳ	0	5800	ବେଆଇନ ଦଖଲ, କରୁଣା ପ୍ରଧାନ,, ପିତା :-ଅକ୍ବର ପ୍ରଧାନ,, ଜାତି :-ଚଷା,, ବାସସ୍ଥାନ :-ନିଜଗାଁ, ସାବକ କିସମ ଜଙ୍ଗଲ ।
47 ବଡ଼ପୁରା	ତଇଲା ବୁଇ	ଉ :- ସରକାରି ଦ :- ସରକାରି	0	2400	ବେଆଇନ ଦଖଲ, ବୃନ୍ଦାବନ ବିଶ୍ୱାଳ,, ମନୁ ବିଶ୍ୱାଳ,, ପିତା :-ଅଇଁଠୁ ବିଶ୍ୱାଳ,, ଜାତି :-ଚଷା,, ବାସସ୍ଥାନ :- ନିଜଗାଁ, ସାବକ କିସମ ଜଙ୍ଗଲ ।
343 ମହନା ଗଣ୍ଡି	ବାଜେଫସଲ ଏକ	ଉ :- ଜୟକୃଷ୍ଣ ପ୍ରଧାନ ଓଗେର ଦ :- ସରକାରି	0	2300	ବେଆଇନ ଦଖଲ, ଭାବ ପ୍ରଧାନ,, ପିତା :-କଣ୍ଡିଆ ପ୍ରଧାନ,, ଜାତି :-ଚଷା,, ବାସସ୍ଥାନ :-ନିଜଗାଁ, ସାବକ କିସମ ଜଙ୍ଗଲ ।

SABIR
KISAM
JUNGLE

✓

✓

ENGLISH TRANSLATION OF

ANNEXURE-4

KHATIYAN

MOUZA- PATARPADA

TAGHASIL-PARAJANG

THANA/POLICE STATION- PARAJANG

TAHASAIL NUMBER-79

THANA NUMBER- 106

DISTRICT-NAYAGARH

NAME OF ZAMINDAR			GOVERNMENT OF ODISHA		
KHATIYAN NO			1023		
NAME OF TENANT			ABAD JOGYA ANABADI		
TITLE					
FEES	WATER CESS	CESS	NISTAR	TOTAL	ENHANCED CESS
LAST DATE OF PUBLICATION 31/05/1983					

KHATIYAN NO -1023 MOUZA- PATARPADA DIST-DHENKANAL						
PLOT NO	KISAM	DATILS KISAM	ACRE	DECIM AL	HAC TRE	REMARK
7	8	9	10		11	12
5 BALIG ADIA	TAILA -2		6	0000		UNAUTHORISED OCCUPATION: NABAPRADHAN, S/O ARJUNA PRADHAN, DARSHANI PRADHAN, S/O RUSHI PRADHAN, PITABAS PRADHAN, S/O DANDAPANI PRADHAN, HRUDANDA NAYAK, S/O BASU NAYAK, SANGI NAYAK S/O BANKA NAYAK, DAMBURU BISWAL, CASTE- CHASA, <u>SABIK KISAM JUNGLE</u>

41

Schedule I Form No.39-A

ଖତିୟାନ

ମୌଜା : ପାଟର ପଦା
 ଥାନା : ପରଜଙ୍ଗ
 ଥାନା ନମ୍ବର : 106

ଚହସିଲ : ପରଜଙ୍ଗ
 ଚହସିଲ ନମ୍ବର : 79
 ଜିଲ୍ଲା : ଭୁବନେଶ୍ୱର

ଜମିଦାରଙ୍କ ନାମ ଓ ଖେତାଟ ବା ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		ଓଡ଼ିଶା ସରକାର ଖେତାଟ ନମ୍ବର				
1) ଖତିୟାନର କ୍ରମିକ ନମ୍ବର		985/532				
2) ପ୍ରଜାର ନାମ, ପିତାର ନାମ, ଜାତି ଓ ବାସସ୍ଥାନ		ପରିଚାଳନା ନିର୍ଦ୍ଦେଶକ , ଓଡ଼ିଶା ଶିଳ୍ପଭିତ୍ତିଭୂମି ଉତ୍ପାଦନ ନିଗମ,ଭୁବନେଶ୍ୱର				
3) ସ୍ୱତ୍ୱ						
4) ଦେୟ :	ଜଳକର	ଖଜଣା	ସେସ୍	ନିଷ୍ଠାର ସେସ୍ ଓ ଅନ୍ୟାନ୍ୟ ସେସ୍ ଯଦି କିଛି ଥାଏ	ମୋଟ	5) କ୍ରମବର୍ଦ୍ଧନଶୀଳ ଖଜଣାର ବିବରଣୀ
		12500.00	9375.00	1000.00	22875.00	
6) ବିଶେଷ ଅନୁସଙ୍ଗ ଯଦି କିଛି ଥାଏ						
BLANK SPACE FOR STAMPING						
ଅକ୍ତିମ ପ୍ରକାଶନ ତାରିଖ - 31/05/1983						
ଖଜଣା ଧାର୍ଯ୍ୟ ତାରିଖ -						

ଖତିୟାନର କ୍ରମିକ ନଂ : 985/532		ମୌଜା : ପାଟର ପଦା			ଜିଲ୍ଲା : ଢେଙ୍କାନାଳ	
ପ୍ଲଟ ନମ୍ବର ଓ ଚକର ନାମ	କିସମ ଓ ପ୍ଲଟର ଖଜଣା	କିସମର ବିସ୍ତାରିତ ବିବରଣୀ ଓ ଚୌହଦି	ରକବା			ମତ୍ରବ୍ୟ
			ଏ.	ଡି.	ହେକ୍ଟର	
7	8	9	10	11	12	
3	ପଡ଼ିତ		6	5000	2.6305	ଆଲାଭନେଶନ କେ. ନଂ. 02/2021 ଡା 06.09.2022 ରିଖ ଛୁ. ପୂ. ଖାତା ନଂ. 1023 ରୁ ।
5 ବଳିଗଡ଼ିଆ	ପଡ଼ିତ	ଭ :- ସରକାରୀ ଦ :- ସରକାରୀ	6	0000	2.4281	ଆଲାଭନେଶନ କେ. ନଂ. 01/2021 ଡା 06.09.2022 ରିଖ ଛୁ. ପୂ. ଖାତା ନଂ. 1023 ରୁ ।
2 plots			12	5000	5.0586	

ENGLISH TRANSLATION OF

ANNEXURE-5

KHATIYAN

MOUZA- PATARPADA

TAGHASIL-PARAJANG

THANA/POLICE STATION- PARAJANG

TAHASAIL NUMBER-79

THANA NUMBER- 106

DISTRICT-NAYAGARH

NAME OF ZAMINDAR			GOVERNMENT OF ODISHA		
KHATIYAN NO			985/532		
NAME OF TENANT			MANAGING DIRECTOR, INDUSTRIAL DEVELOPMENT CORPORATION, ODISHA		
TITLE					
FEES	WATER CESS	CESS	NISTAR	TOTAL	ENHANCED CESS
	12500.00	9375.00	1000.99	22875/-	
LAST DATE OF PUBLICATION 31/05/1983					

KHATIYAN NO -985/532 MOUZA- PATARPADA DIST-DHENKANAL						
PLOT NO	KISAM	DATIL S KISAM	ACRE	DECIMAL	HAC TRE	REMARK
7	8	9	10		11	12
3	PATITA		6	5000		ALIENATION CASE NO 2/2021 DATED 6/09/2022 BROUGHT FROM KHATA NO 1023
5 BALIG ADIA	PATITA		6	0000		ALIENATION CASE NO 1/2021 DATED 6/09/2022 BROUGHT FROM KHATA NO 1023

ENVIRONMENTAL
CLEARANCE

Government of India
Ministry of Environment, Forest and Climate Change
(Issued by the State Environment Impact Assessment
Authority(SEIAA), Orissa)

To,

The MD
 WESTERN INTEGRATED WASTE MANAGEMENT FACILITY PVT LTD
 plot No-16, Sector A Zone-B, Mancheswar Industrial Estate, Bhubaneswar,
 Odisha -751010

Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/OR/MIS/69018/2020 dated 15 Nov 2021. The particulars of the environmental clearance granted to the project are as below.

- | | |
|--|---|
| 1. EC Identification No. | EC22B032OR149346 |
| 2. File No. | 69018/04-MIS/11-2021 |
| 3. Project Type | New |
| 4. Category | B1 |
| 5. Project/Activity including Schedule No. | 7(d) Common hazardous waste treatment, storage and disposal facilities (TSDFs) |
| 6. Name of Project | Establishment of Common Hazardous Waste Treatment, Storage and Disposal Facility (CHWTSDf) at Village: Patarapada, Teshil- Parjang, Dist- Dhenkanal, Odisha |
| 7. Name of Company/Organization | WESTERN INTEGRATED WASTE MANAGEMENT FACILITY PVT LTD |
| 8. Location of Project | Orissa |
| 9. TOR Date | 22 Oct 2020 |

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 18/02/2022

(e-signed)
Sri Susanta Nanda
 Member Secretary
 SEIAA - (Orissa)

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.

This is a computer generated cover page.

PARIVESH

*(Pro-Active and Responsive Facilitation by Interactive,
 and Virtuous Environmental Single-Window Hub)*





STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY ODISHA, BHUBANESWAR

(Constituted under the EP Act, 1986 and EIA Notification, 2006 by the MoEF & CC, Govt. of India)
5RF-2/1, Unit-IX, Bhubaneswar-751022, Tel: 0674-2541029, E-mail-seiaaorissa@gmail.com

Letter No _____

Dt. _____

SEIAA File No. 69018/04-MIS/11-2021

Project: Application of M/s Western Integrated Waste Management Facility Pvt Ltd for EC of Setting up a Common Hazardous Waste Treatment, Storage and Disposal Facility (CHWTSDf) at Village: Patarapada, Teshil- Parjang, Dist-Dhenkanal of Sri. Swayam Prakash Jena, Managing Director-Environmental Clearance reg.

Ref: Your online application dated 15.11.2021 for issue of EC vide File No: SIA/OR/MIS/69018/2020.

Sir,

This has reference to your online application seeking environmental clearance of the project proposal mentioned above. The proposal falls in the sub category 7(d)- 'Common hazardous waste treatment, storage and disposal facilities (TSDFs)' in the schedule of EIA Notification, 2006 as amended from time to time. The proposal has been appraised on the basis of the documents enclosed with the application, such as form-1, prefeasibility report, approved mining plan, form-2, final EIA /EMP, public hearing proceedings, and clarifications furnished to SEAC in response to their observations.

The Project Proposal in nutshell:

1. This is a proposal of M/s Western Integrated Waste Management Facility Pvt. Ltd for establishment of Common Hazardous Waste Treatment, Storage and Disposal Facility (CHWTSDf) located at Village: Patarapada, Tahasil - Parjang, Dist-Dhenkanal filed by Sri. Swayam Prakash Jena, Managing Director.
2. The proposed project will be established and operated by M/s Western Integrated waste Management Facility, Odisha who have approached the Industrial Infrastructure Development Corporation (IDCO) and State pollution Control Board to set up TSDf in central Odisha to cater the need of Odisha industries common hazardous waste treatment, storage and disposal facility (CHWTSDf) at Village- Patarapada, Teshil- Parjang, Dist-Dhenkanal, Odisha. This is the

DH

2nd Common Hazardous Waste Treatment, Storage and Disposal Facility (CHWTSDF) coming up in the State

3. Earlier, an application for Environmental Clearance had been previously made and was recommended for EC by SEAC for the location at Banjari, Deogarh vide file No SIA/OR/MIS/37224/2019 dated 20th July 2019. Since, the project area fell inside the boundary of Badrama-Kalasuni Wildlife Sanctuary, the project proponent has shifted the location from Banjari, Deogarh to Parjang, Dhenkanal.
4. The Term of Reference (ToR) for the project was issued vide SEIAA's letter no. 9326/SEIAA dated 22.10.2020 for undertaking detailed EIA studies.
5. Public hearing was conducted on 08.09.2021 at Nimatail Cricket Playground, Patarapada (Khata No. 1023, Plot No. 41) of Parjang Tahasil, District- Dhenkanal. Before the conduct of public hearing, the proposed plant area was 70 Acres with proposed capacity of 50,000 TPA waste disposal, TOR was issued accordingly by SEIAA. However, during the Public hearing, few issues were raised in regard to the proposed project land. To comply with the suggestions and issues raised during the public hearing, the proposed land area was reduced to 27.91 Acres and subsequently the project capacity was reduced from 50,000 TPA to 20,000 TPA.
6. **Location and Connectivity:** – The Project Site is a part of the Survey of India Toposheet No. F45T1, F45T5. The Geographical co-ordinate of the project site is: Latitude: 20°52'46.88"N and Longitude: 85°20'39.82" E. The total plot area of the project is 27.91 Acres (11.294 Ha). The proposed project will be set up in Plot No- 1 of village - Patrapada, District - Dhenkanal.
7. **Installed Capacity:** The total revised capacity of the proposed project of secured landfill and stabilization treatment will be 20000 TPA (Direct landfill: 12000TPA, Treatment/Stabilization: 8000 TPA). The Facility is located strategically at Patrapada, Dhenkanal District which is the common boundary of industrial cluster like Jajpur, Angul and Keonjhar and also the project is designed to cater to over more than 200 industrial units within Western Odisha who are generating Hazardous waste.
8. **Water Requirement:** The total water requirement for the project will be approx. 10 KLD and water for the project will be extracted from ground water. The waste water will be treated in ETP and treated waste water will be used in dust suppression. Leachate and effluent from landfill will be treated in Effluent Treatment plant (ETP) and Solar evaporation pond (SEP). The Domestic waste water will be treated in portable STP.
9. **Power Requirement:** The power requirement for the project will be met through 100 KVA from CESU. In case of power failure, D.G. Set shall be used (124 KVA capacity) in emergency only.
10. **Hazardous & Solid waste Management:** All hazardous waste containers will be provided with a general label as given in Form - 8 in Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2021. Transportation will be done with covered vehicles (Truck, tripper, containers) with GPS online tracking. The land fill area will be covered with appropriate soil layer

DL

after dumping of hazardous waste as per requirement to prevent any bad odour. Separate rain water drains will be provided to avoid contamination of surface water. During rainy season, the landfill will be covered with HDPE liner to avoid water contamination. Periodic chemical analysis of nearby surface water/ground water will be conducted to monitor the water quality. During rainy period, temporary cover (HDPE/Plastic sheets) shall be provided. Greenbelt shall be developed along the periphery of the project boundary for control of odour, if any. Hazardous waste manifest (Form 10) will be implemented in line with Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2021 for the project.

11. **Green Belt:** Greenbelt will be developed all along the boundary of the project and along the roads within the project i.e. 33% of total project area i.e. 9.21Acres.
12. **Employment Potential:** Total employment during operation period will be 40 including support staff, skilled and unskilled workers.
13. The EIA study has been carried out by collecting Baseline Data from December 2019 to February 2020 (Winter Season).
14. The project cost is estimated to be Rs. 26 Crores. For the EMP, there is a provision of budget of Capital Cost – 202 lakhs, and recurring cost – 20.5 lakhs/annum.
15. The Environment Consultant M/s Visiontek Consultancy Services Pvt. Ltd., Bhubaneswar along with the proponent made a detailed presentation on the proposal before the SEAC on 07.12.2021.
16. The SEAC have appraised the proposal in its meeting dated 07.12.2021 and have recommended for grant of Environmental Clearance for the project valid for a period of 7 years, stipulating various conditions.

The State Environment Impact Assessment Authority (SEIAA), Odisha after considering the proposal and recommendations of SEAC, hereby accords Environmental Clearance to the project valid for a period of 7 years under the provisions of EIA Notification 2006 and subsequent amendments thereto, subject to strict compliance of all conditions stipulated below.

Stipulated Conditions:

A. Specific conditions:

1. The project proponent shall convert the "Kissam" of the land to "Industrial use" from the concerned Revenue Authority before going for construction activity.
2. Transport of hazardous waste from small industries shall be ensured while keeping rate for HW facilitating with provision of rewards for safe disposal.
3. Leachate generated from the land fill facility shall be treated properly in a well-designed ETP of adequate capacity and treated water shall be reused in the land fill facility.

by

4. The proponent shall install a STP of adequate capacity for treatment of domestic effluent generated from land fill facility.
5. Specific mitigative measures shall be adopted while handling of very hazardous / toxic substances like aluminum dross residue, spent catalyst, mercury, spent resins from Thermal powers plants, waste generated from spent pot lining (SPL) processing unit. A detailed SOP shall be prepared and kept ready at the site and a copy of the same be submitted to SEIAA/ Regional office, MOEF and CC, GOI. to educate the workers at the site, who will handle these hazardous / toxic substances.
6. Under no circumstances, the proponent shall process any hazardous waste like spent pot lining (SPL), aluminum dross etc. at the land fill site.
7. Disaster Management Plan shall be prepared considering rain climatology & wind climatology with 30 years data on logical climate to tackle the situation in case of heavy rain, flood & wind.
8. The proponent shall prepare an effluent monitoring programme with periodicity, confirming to "Zero discharge" and use the same for future monitoring of effluent generated from the land fill facility and copy of the same submitted to SEIAA/Regional office MOEF and CC, GOI.
9. The Sub-Committee of SEAC will visit the site within six months from the date of issue of Environmental Clearance to verify the progress of the project as well as conditions stipulated in Environmental Clearance. However, either during the visit of the SEAC Sub-committee and/or at any time, if it is noticed that stipulated conditions on which EC is granted is not in place or found otherwise, steps will be taken for revocation of EC granted.

B. Statutory compliance:

1. The project proponent shall obtain forest clearance under the provisions of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project.
2. The project proponent shall obtain clearance from the National Board for Wildlife, if applicable.
3. The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report (incase of the presence of schedule-I species in the study area).
4. The proponent shall obtain necessary permission from concerned department for felling off trees if any.
5. The proponent shall provide a garland drain alongside the project boundary to arrest possibility of infiltration of waste water / treated waste water to the

Dee

surrounding water bodies. The proponent shall take adequate measures to avoid any possibilities of seepage to underground or to surrounding water bodies.

6. The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board.
 7. The Project proponent should ensure that the TSDF fulfils all the provisions of Hazardous and other Wastes (Management and Trans-boundary Movement) Rules, 2016.
 8. The project proponents shall adhere to all conditions as prescribed in the Protocol for 'Performance Evaluation and Monitoring of the Common Hazardous waste treatment, storage and disposal facilities' published by the CPCB in May, 2010.
 9. The project proponent shall obtain the necessary permission from the concerned authority, in case of drawl of ground water / surface water.
 10. A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
 11. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable by project proponents from the respective competent authorities.
- I. Air quality monitoring and preservation:**
12. The project proponent shall monitor fugitive emissions in the plant premises at least once in every quarter through labs recognized under Environment (Protection) Act, 1986.
 13. The project proponent shall install monitoring system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM₁₀ and PM_{2.5} in reference to PM emission, and SO₂ and NO_x in reference to SO₂ and NO_x emissions) within and outside the plant area at least at four locations (one within and three outside the plant area at an angle of 120°each), covering upwind and downwind directions as per the provision of CPCB guidelines.
 14. The fugitive emission in the work place environment and raw material storage area shall be monitored regularly. The emission shall strictly conform to the standards prescribed by the concerned authorities from time to time.
 15. Gas generated in the land fill should be properly collected, monitored and flared up.
 16. Diesel shall be used as a fuel for standby DG Sets and a stack of adequate height shall be provided for the DG Set as per the prevailing norms.
 17. A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 02 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and

DH

increased habitation being carried out or proposed to be carried out by the project or other agencies in this 02 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.

II. Water quality monitoring and preservation:

18. The project proponent shall install Continuous Effluent Monitoring System with respect to standards prescribed in Environment (Protection) Rules 1986 and connected to SPCB and CPCB online servers and calibrate these systems from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
19. Sufficient number of Piezometer wells shall be installed in and around the project site to monitor the ground water quality in consultation with the State Pollution Control Board / CPCB. Trend analysis of ground water quality shall be carried out each season and information shall be submitted to the SPCB, Odisha, the Regional Office of MoEF & CC and SEIAA, Odisha.
20. The project proponent shall submit monthly summary report of continuous effluent monitoring and results of manual effluent testing and manual monitoring of ground water quality to Regional Office of MoEF & CC, Zonal office of CPCB, Regional Office of SPCB and SEIAA, Odisha along with six-monthly monitoring report.
21. There shall be no discharge in nearby river(s)/pond(s).
22. The depth of the land fill site shall be decided based on the ground water table at the site.
23. The Company shall ensure proper handling of all spillages by introducing spill control procedures for various chemicals.
24. All leachates arising from premises should be collected and treated in the ETP followed by RO. RO rejects shall be evaporated in MEE. Toxicity Characteristic Leaching Procedure (TCLP) test to be performed on leachates.
25. Storm water drain shall be passed through guard pond. Process effluent/any wastewater shall not be allowed to mix with storm water. The Project Proponent shall ensure separate approved line for discharge of process effluent and that of storm water. During transfer of materials, spillages shall be avoided and garland drains be constructed to avoid mixing of accidental spillages with domestic wastewater and storm water drains.
26. The Company shall review the unit operations provided for the treatment of effluents, specially the sequencing of MEE after tertiary treatment, the source of permeate when no R.O. is recommended and the treatment of MEE condensate. The scheme for treatment of effluents shall be as permitted by the Pollution Control Board under the provisions of Consent to Establish.

24

27. Leachate water or wheel wash effluent shall be treated in the effluent treatment plant followed by RO to achieve Zero Liquid Discharge (ZLD).
28. Total fresh water use shall not exceed the proposed requirement as provided in the project details. Prior permission from competent authority shall be obtained for use of fresh water.
29. Sewage Treatment Plant shall be provided to treat the wastewater generated from the project. Treated water shall be reused within the project.
30. A certificate from the competent authority for discharging treated effluent/ untreated effluents into the Public sewer/ disposal/drainage systems along with the final disposal point should be obtained.
31. Rain water run off from hazardous waste storage area shall be collected and treated in the Effluent Treatment Plant.

III. Noise monitoring and prevention:

32. Noise level survey shall be carried as per the prescribed guidelines and report in this regard shall be submitted to Regional Office of the MoEF & CC and SEIAA, Odisha as a part of six-monthly compliance report.
33. The ambient noise levels should conform to the standards prescribed under E(P)A Rules, 1986 viz. 75 dB(A) during day time and 70 dB(A) during night time.
34. Acoustic enclosures for DG sets, noise barriers for ground-run bays, ear plugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.

IV. Energy Conservation :

35. Energy conservation measures like installation of CFLs / LED for the lighting the area inside the premises building should be integral part of the project design and should be in place before project commissioning. Used CFLs, TFL and LED shall be properly collected and disposed off/sent for recycling as per the prevailing guidelines/rules of the regulatory authority to avoid mercury contamination.

V. Waste management:

36. The TSDF should only handle the waste generated from the member units.
37. Periodical soil monitoring to check the contamination in and around the site shall be carried out.
38. No non-hazardous wastes, as defined under the Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016, shall be handled inside the premises.
39. The Project proponent shall not store the Hazardous Wastes more than the quantity that has been permitted by the CPCB/SPCB.
40. The solid wastes shall be segregated, managed and disposed as per the norms of the Solid Waste Management Rules, 2016.
41. A certificate from the competent authority handling municipal solid wastes should be obtained, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project.

DM

42. Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Rules, 2016.

VI. Greenbelt:

43. The unit shall develop green belt in an area of 9.21 acres (33% of the proposed plant area) as proposed. Green belt of 10 m width shall be developed along the periphery of the plant with three layers of trees. Green belt shall comprise rows of varying height tall trees of native species with thick foliage, along the periphery of the unit premises.
44. Top soil shall be separately stored and used in the development of green belt.
45. The Company shall harvest rainwater from the roof tops of the buildings and storm water drains to recharge the ground water and use the same water for the process activities of the project to conserve fresh water.

VII. Public Hearing and Health Issues:

46. All the issues raised in the public hearing shall be comprehensively addressed/ complied within a time bound manner. The project proponent shall adhere to their commitments made during the public hearing held on 08.09.2021.
47. Traffic congestion near the entry and exit points from the roads adjoining the project site shall be avoided. Parking should be fully internalized and no public space should be utilized.
48. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
49. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
50. Occupational health surveillance of the workers shall be done on a regular basis.

VIII. Corporate Environment Responsibility:

51. As per the MoEF & CC, Govt. of India Office Memorandum dated 30.09.2020, the project proponent is required to prepare and implement Corporate Environment Responsibility (CER) Plan. The activities proposed under CER shall be restricted to the affected area around the project. The company shall undertake all relevant measures for improving the socio-economic conditions of the surrounding area. CSR activities shall be undertaken by involving local villages and administration. The activities proposed for CER shall be implemented and to be completed within three years and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement and to the District Collector. It should be posted on the website of the project proponent.

DM

52. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest /wildlife norms/ conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the Regional Office, MoEF & CC and SEIAA, Odisha as a part of six-monthly report.
53. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
54. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Regional Office of MoEF&CC, Bhubaneswar along with the Six Monthly Compliance Report.
55. Self-environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.

IX. Miscellaneous:

56. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the SEIAA, Odisha. The advertisement shall be made within Seven days from the date of receipt of the Clearance letter and a copy of the same shall be forwarded to the Regional Office of MoEF & CC, Bhubaneswar and in addition this shall also be displayed in the project proponent's website permanently.
57. The company shall also comply with all the environmental protection measures and safeguards proposed in the documents submitted to SEIAA/SEAC. All the recommendations made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.
58. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.

Signature

59. A copy of this Environmental Clearance letter shall be displayed on the website of the Odisha State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tahsildar's office for 30 days.
60. It shall be mandatory for the project management to submit six (06) monthly compliance reports on post environmental monitoring in respect of the stipulated terms and conditions in this Environmental Clearance to the State Environment Impact Assessment Authority (SEIAA), Odisha, SPCB & Regional Office of the Ministry of Environment & Forest, Odisha in hard and soft copies on 1st June and 1st December of each calendar year and the same will be uploaded in the website of the MoEF & CC for monitoring of EC conditions.
61. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the Odisha State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF & CC, Govt. of India by E-mail.
62. The proponent shall submit/upload six monthly reports on the status of compliance of the stipulated Environmental Clearance conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF&CC, Govt. of India, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
63. The project proponent shall inform the Regional Office of MoEF&CC, Bhubaneswar as well as the SEIAA, Odisha, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
64. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
65. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
66. No further expansion or modifications in the plant shall be carried out without prior approval of the SEIAA, Odisha.
67. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
68. The SEIAA, Odisha may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.

DH

69. The SEIAA, Odisha reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
70. The Regional Office of MoEF & CC, Bhubaneswar shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/ monitoring reports.
71. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts/NGT and any other Court of Law relating to the subject matter.
72. Any appeal against this EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Yours faithfully,


Member Secretary

Copy to :

1. **Joint Secretary (Environment)**, Ministry of Environment, Forests and Climate Change Govt. of India, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003 for information.
2. **Additional Chief Secretary**, Forests & Environment Dept., Government of Odisha for information.
3. **Member Secretary**, State Pollution Control Board, Odisha, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-8, Bhubaneswar for information.
4. **Additional Principal Conservator** of Forests, Regional Office (EZ), Ministry of Environment & Forests, A-31, Chandrasekharpur, Bhubaneswar for information.
5. **Member Secretary**, CGWA, 18/11, Jamnagar House, ManSingh Road, New Delhi-110011 for information.
6. **Collector, District Magistrate**, Dhenkanal, for kind information and necessary action.
7. **Secretary**, SEAC, Paribesh Bhawan, A/118, Nilakantha Nagar, Unit-VIII, Bhubaneswar for kind information.
8. Guard file for record/Website/Parivesh Portal.




Member Secretary

Signature Not Verified

Digitally signed by Sri Susanta Nanda
Member Secretary

Date: 2/18/2022 4:39:48 PM



Fwd: Objections to the Environment Clearance and public hearing to be held on 8th September,2021 to set up a Common Hazardous Waste Treatment, Storage and Disposal Facility at Patarpada village, Parjang block, Dhenkanal - Objections to the project

1 message

Biswajit Mohanty <kachhapa@gmail.com>
Reply-To: kachhapa@gmail.com
To: Sankar Pani <sankarprasadpani@gmail.com>

Sat, Sep 4, 2021 at 11:23 AM

FYI.

Biswajit bhai

----- Forwarded message -----

From: **Biswajit Mohanty** <kachhapa@gmail.com>

Date: Sat, Sep 4, 2021 at 11:22 AM

Subject: Objections to the Environment Clearance and public hearing to be held on 8th September,2021 to set up a Common Hazardous Waste Treatment, Storage and Disposal Facility at Patarpada village, Parjang block, Dhenkanal - Objections to the project

To: <dm-dhenkanal@nic.in>, Seiaa, Bhubaneswar <seiaaorissa@gmail.com>, SPCB Odisha <paribesh1@ospboard.org>, <cmd@idco.in>, <mssc.cpcb@nic.in>, <ccb.cpcb@nic.in>, <roez.bsr-mef@nic.in>, <fesc.or@nic.in>, odisha wildlife <odishawildlife@gmail.com>



Wildlife Society of Orissa

Ref. No. : WC/32/ 2021

Dated : 4th September, 2021.

URGENT

By Email

OBJECTIONS TO GRANT OF ENVIRONMENT CLEARANCE AND TO THE PUBLIC HEARING PROPOSED ON 8TH SEPTEMBER, 2021 TO SET UP A COMMON HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITY AT PATARPADA VILLAGE, PARJANG BLOCK, DHENKANAL, ODISHA BY WESTERN INTEGRATED WASTE MANAGEMENT FACILITY PVT. LTD

To,

The District Collector, Dhenkanal
At/Po/PS-Dhenkanal, Odisha
dm-dhenkanal@nic.in

The Chairman State Environment Impact Assessment Authority (SEIAA)
5RF-2/1, Acharya Vihar, Unit – IX,
Bhoi Nagar, Bhubaneswar, Odisha.
seiaaorissa@gmail.com

The Chairman State Pollution Control Board, Odisha Paribesh Bhawan,
A/118, Nilakantha Nagar, Unit – VIII

Bhubaneswar.
paribesh1@ospcboard.org

The Chairman-cum-Managing Director, Odisha
Industrial Infrastructure Development Corporation (IDCO),
Bhubaneswar.
cmd@idco.in

Dear Sirs,

Re:Public Hearing for Environment Clearance to be held on 8thSeptember,2021 to set up a Common Hazardous Waste Treatment, Storage and Disposal Facility at Patarpada village, Parjang block, Dhenkanal, Odisha by Western Integrated Waste Management Facility Pvt. Ltd - Our objections to the project

Wildlife Society of Orissa has been working for protection and conservation of wildlife in Odisha since the last 25 years. We focus on protection of Elephants, their habitats and traditional movement paths/corridors as well as mitigating human elephant conflict. Most of our work is in Dhenkanal district which happens to be one of the most affected Human Elephant conflict zones in India.

We are very concerned to hear that a Common Hazardous Waste Treatment, Storage and Disposal Facility is being planned at Patarpada village which lies in the Dihadol forest section of Mahabirod Forest Range. The environmental public hearing is scheduled to be held on 8thSeptember,2021 .

We strongly object to the project since as per the information provided in the summary Environmental Impact Assessment (EIA) for the project available in the website of Odisha State Pollution Control Board has grossly ignored the impact of the project on endangered Elephants - our National Heritage Animal and the expected resultant escalation in Human Elephant Conflict once the project is commissioned.

The EIA has a **material omission** by failing to mention the presence of a Scheduled I species (*Asiatic Elephant*) in the project site and adjacent landscape. This grave omission is despite the fact that there are about 25 resident Elephants living in adjacent Barabanka RF .Moreover, about 100 to 125 elephants congregate in the same forest every year during crop season.

We have stated below the adverse impact of the proposed project on the elephants, the local populace and the environmental damage that it would cause to the region.

(1) Unlike other wild animals, Elephants are long ranging animals whose habitat cannot be restricted to a forest where they take shelter but must include the surrounding areas which they need and use for feeding, drinking and bathing. In this case, the nearby Barabanka RF is their year round shelter and is spread over 14 sq. km . Elephants regularly emerge from here and move around for food, drink and bath in the Brahmani river located about one km away. Apart from this, the proposed site is just 10 Kms away as the crow flies from the Maulabhanja -Jiridamali – Anantapur elephant corridor, one of the 14 identified Elephant Corridors in Odisha.

(2) Patarpada village, the planned project site is located is in Dihadol Section of Mahabirod Forest Range, over an area of approximately 25 sq. km which has recorded very high number of human elephant encounters and crop depredation in recent past. Dihadol section is contiguous to the Muktapasi Section of Kamakhyanagar West Forest Range which has 12 resident Elephants which keep entering Dihadol Section. In the region around Patarpada, in the last five years (since 2016-17) there have been 55 instances of human elephant encounters in which 26 humans have lost their lives and 44 have been injured. During the same period 12 Elephants have lost their lives in the region. **This fact has not been mentioned in the EIA report.** Hence, the report should be rejected in total for omission of this critical fact.

Due to presence of elephants, some of the most affected villages around Patarpada are – Panibhandar, Gailo, Kamara, Dengeisuni, Rodo, Katabahala, Mendhapada, Lodhoni, Kandarsingha, Aanlakata, Ria, Kumusi, Mahula, Palasahi, Damol, Basantipada, Majhika, Ramasahi, Khandualmunda and Kantabahal. These villages would see an rise in Human Elephant Conflict if the proposed facility at Patarpada is allowed.

(3) The Human Elephant Conflict had peaked in 2018-19 and 2019-20. The Forest Department had to compensate over Rs. 1 crore to the affected people of Dihadol section in the last three years. The conflict had become so acute that the villagers in and around Patarpada pooled money from about 900 families and constructed a 14 Km long solar powered fence to protect about 1,250 acres of farm lands from Elephant raids.

Apart from the local villages, the Forest department constructed a 6 km long solar powered fence around Barabanka RF and additionally about 9 Kms of solar power fence from Parjang ITI to Mandiabolo to provide protection to farmlands of neighboring Kandarsingha village.

Such mitigation measures by the Forest Department and local stake holders have managed to reduce the Human Elephant Conflict to some extent .However, setting up the Common Hazardous Waste Treatment, Storage and Disposal Facility at Patarpada village is a sure shot recipe to escalate the conflict once again to unbearable and tragic limits in which we apprehend severe loss of human lives and property.

(4) The summary EIA suggests that hazardous waste will be collected from 12 different districts of western Odisha such as Jharsuguda, Sundargarh, Bargarh, Bolangir, Sambalpur, Angul, Keonjhar, Deogarh etc. This would mean a continuous flow of heavy transport vehicles, more so during the nights when Elephants move out of forests to feed. The heavy vehicular movement would disturb their free movement and compel them to enter other areas giving rise to more Human Elephant Conflict.

(5) As is usually seen, such establishments would illuminate the area with strong lights including High Mast Lights which would be additional disturbance to elephants and their shelter forests. The strong lights would also affect the normal lives of other mammals, reptiles and birds living in adjacent forests.

(6) The EIA Summary report mentions that the water consumption will be 20 kl/day and the same will be drawn from underground water. This will severely deplete the water level in the Barabanka RF affecting survival of the trees and saplings and also the existing water harvesting structures built by the Forest Department for elephants inside the Barabanka RF. It would also reduce water level in adjacent human habitations like ponds, wells and tube wells on which the local populace depend for drinking, bathing, washing, irrigation etc.

(7) The Minor Irrigation Project - Ganthi Bandha and the Barabanka Nullah, adjacent to the proposed project side, are currently used by elephants for drinking and bathing. These water sources would also be affected by sucking out of ground water as well as discharge of gaseous and liquid effluents from the Plant.

(8) The summary EIA report fails to mention the presence of RFs whereas there are three RF nearby – the Barabanka North RF , Barabanka South RF and Khalpal RF, the first two being very close to the project site.

(9) The summary EIA report further states that there is no forest land in or around the project side which is incorrect as there are Sabik Kisam forest land with fully grown trees which should be treated as a “deemed forest” as per the Supreme Court judgment in TN Godavarman case. Such small patches of forests are also used by elephants for fodder and shelter in this area and any diversions will escalate conflict.

(10) Dangerous chemicals and toxic gases like Sulphur oxide, Carbon dioxide, Carbon monoxide, Dioxin, Nitrogen oxide etc. to be generated by the proposed unit will not only affect the health and lives of the local populace but also that of elephants and other wild animals like smaller mammals like wild boar, deer, jackal and even reptiles and birds of surrounding forests.

(11) Emission of particulate matter - PM2.5 & PM 10 generated from the project as fine particles can remain suspended in air in the form of dust, soot and liquid droplets would impact the clean air. When these particles will be washed down by rains they shall pollute the forest streams. This would set up a cascading effect on the drinking water source for elephants apart from impacting local flora and other endangered fauna seen in this area now.

We urge you to consider and take into record our above objections and not to grant Environment Clearance to the proposed unit or permit the setting up of the proposed Common Hazardous Waste Treatment, Storage and Disposal Facility at Patarpada village of Parjang Block of Dhenkanal district.

We have annexed two pages with photographs taken recently that provide clear and visible evidence about presence of elephants close to the project site.

With kind regards,
Yours sincerely,

Biswajit Mohanty, Ph.d, Secretary,
Wildlife Society of Orissa.

Copy forwarded for information and necessary action to:

1. The Member Secretary, State Environmental Impact Assessment Authority (SEIAA), [Orissa, 5RF-2/1. Unit – IX, Bhubaneswar – 751022](#). Email - seiaaorissa@gmail.com
2. Dr. Prashant Gargava, Member Secretary, Central Pollution Control Board, Paribesh Bhawan, East Arjun Nagar, New Delhi-110032. mscb.cpcb@nic.in
3. Shri Tanmay Kumar, IAS, Chairman, Central Pollution Control Board, Paribesh Bhawan, East Arjun Nagar, New Delhi-110032. ccb.cpcb@nic.in
4. Deputy Inspector General of Forest, Minister of Environment, Forest and Climate Change, Integrated Regional Office (EZ), A/3, Chandrasekharpur, Bhubaneswar-751023. Email - roez.bsr-mef@nic.in
5. Additional Chief Secretary, Department of Forest & Wild life, Government of Odisha, Secretariat, Bhubaneswar-751001. Email fesec.or@nic.in
6. The Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden, Odisha, Prakruti Bhawan, Plot No. 1459, Sahid Nagar, Bhubaneswar-751007 with a request not to grant wildlife clearance to the said project. Email: odishawildlife@gmail.com

--
This email (with any attachments) is intended for the attention of the addressee(s) only. If you are not the intended recipient, please inform the sender straight away before deleting the message without copying, distributing or disclosing its contents to any other person or organisation. Unauthorised use, disclosure, storage or copying is not permitted

--
This email (with any attachments) is intended for the attention of the addressee(s) only. If you are not the intended recipient, please inform the sender straight away before deleting the message without copying, distributing or disclosing its contents to any other person or organisation. Unauthorised use, disclosure, storage or copying is not permitted

F.No.23-122/2016-HSMD
Government of India
Ministry of Environment, Forest and Climate Change
(HSM Division)

August 29, 2016

OFFICE MEMORANDUM

Sub: Distance criteria for setting up of Treatment Storage and Disposal Facility (TSDF)
– Clarification reg.

The subject matter of setting up of Treatment Storage and Disposal Facility (TSDF) for hazardous waste has been examined in the Ministry.

2. In this regard, it is to state that Central Pollution Control Board (CPCB) guidance document - "Criteria for Hazardous Waste Landfill" of 2001 prescribes the locational criteria in terms of distance of location of facilities from lake / pond, river, flood plain, highways, public park etc. Copy of the said guidance document is available on CPCB website.

3. In addition, the additional criteria in terms of distance between TSDFs as prescribed by Ministry's O.M. No.12-30/2013-HSMD dated 20/06/2013 shall also be adhered to for setting up of new projects of common TSDF for hazardous waste in the country. The O.M. mandates that the new project of common treatment facilities within a distance of 400 km radius of the existing TSDFs for hazardous wastes is not permissible.

4. The copy of the O.M. is enclosed herewith for reference.

Encl: as above



(Bishwanath Sinha)

Joint Secretary to the Government of India

Chairman

All SPCBs / PCC as per list enclosed

Copy to: The Chairman, Central Pollution Control Board, New Delhi

BY FAX

**GOVERNMENT OF ORISSA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

No.GE(GL)-S- 76/2010- *43968* / R & DM. Dtd. *24/10/2011*

From

Shri R. K. Sharma, IAS
Commissioner-cum- Secretary to Government

To

All Collectors

Sub: Government land recorded in non-forest kism with a note of "Sabik Kism Jungle" in the RoR finally published after 25.10.1980 but which was forest kism in Sabik record – application of Forest (Conservation) Act, 1980 – Clarification regarding.

Madam/Sir,

There have been doubts about the applicability of Forest (Conservation) Act, 1980 to the lands recorded as non-forest kism in RoR published after 25.10.1980 but which carry an entry of 'Sabik kism jungle' in the remarks column.

This matter has been examined in consultation with Forest & Environment Department and it is noted that section 2 of the Forest (Conservation) Act, 1980 restricts the dereservation of forests or use of forest land for non-forest purpose except with prior approval of Government of India, MoEF for such non-forest use.

Further, the Hon'ble Supreme Court, in their order Dt. 12.12.1996 passed in WP(C) No. 202/1995 have observed that

" The term 'forest land' occurring in section 2, will not only include 'forest' as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of its ownership. This is how it has to be understood for the purpose of section 2 of the Act. The provisions enacted in the Forest Conservation Act, 1980 for the conservation of forests, and the matters connected

therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof

In consideration of this position, Government have been pleased to clarify that the provisions of Forest (Conservation) Act, 1980 would be applicable to any type of forest land including the land recorded as non-forest land in Hal records published after 25.10.1980 which was of "Jungle" kism in its respective Sabik record as on 25.10.1980 irrespective of the fact that the said non-forest kism land in Hal record does not find place in the District Level Committee Report which formed the basis for the affidavit filed by the State Government before the Apex Court.

You are, therefore, requested to take appropriate action in the matter accordingly.

Yours faithfully,



Commissioner-cum- Secretary to Government
Memo No. 43969 /R&D.M. dtd. 24/10/2011

Copy forwarded to Secretary, Board of Revenue, Orissa, Cuttack/ all RDCs for information and necessary action.



Commissioner-cum- Secretary to Government
Memo No. 43970 /R&D.M. dtd. 24/10/2011

Copy forwarded to Forest & Environment (Forest) Department/ CMD, IDCO for information and necessary action.



Commissioner-cum- Secretary to Government
Memo No. 43971 /R&D.M. dtd. 24/10/2011

Copy forwarded to OIC, IMU Cell/ LR&GE(A)/(B)/(C) Branch of Revenue & D.M. Department for information and necessary action.



Deputy Secretary to Government

F. No. 2-1/2003-FC
Government of India
Ministry of Environment & Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003
Dated: 21st March, 2011.

To

The Chief Secretary / Administrator,
All States and Union Territories.

Sub: Revision of para 4.4 of the guidelines on Forest (Conservation) Act, 1980 regarding projects involving Forest as well as Non-forest Lands.

Ref: Ministry's letter of even number dated 6th January, 2011 and withdrawal of the same vide dated 17th February, 2011.

Sir/Madam,

Consequent upon withdrawal of Ministry's letter dated 6th January, 2011 regarding revision for para 4.4 of the guidelines on Forest (Conservation) Act, 1980 pertaining to projects involving forests as well as non-forest lands, I am directed to reiterate that the status-quo on the guideline is being restored.

Therefore, the para 4.4 of the Guideline on Forest (Conservation) Act, 1980 shall finally be read as reproduced below -

"4.4 Project involving Forest as well as Non-forest Lands

Some projects involve use of forest land as well as non-forest land. State Governments / project authorities sometimes start work on non-forest lands in anticipation of the approval of the Central Government for release of the forest lands required for the projects. Though the provisions of the Act may not have technically been violated by starting of work on non-forest lands, expenditure incurred on works on non-forest lands may prove to be infructuous if diversion of forest land involved is not approved. *It has, therefore, been decided that if a project involves forest as well as non-forest land, work should not be started on non-forest land till approval of the Central Government for release of forest land under the Act has been given.*"

Yours faithfully,



(Umakant)

Assistant Inspector General of Forests

Copy to:-

1. The Secretary (Forests), All States / UTs
2. All PCCF/Nodal Officers (All States/UTs).
3. All Regional Offices.
4. All concerned officers of F.C. Division.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard file.



(Umakant)

Assistant Inspector General of Forests

BEFORE THE NATIONAL GREEN TRIBUNAL

Original Application No. Prakash Chandra Nayak of 2022
Prakash Chandra Nayak
Prakash Chandra Nayak & Others

of 2022
APPLICANT

Versus

STATE OF ODISHA & Ors

RESPONDENTS

KNOW ALL to whom these present shall come I, Bijaya Kumar sahu, Patarpada, Parajang, Dhenkanal, ODISHA the above named APPLICANTs do hereby appoint (herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him :-**Sankar Prasad Pani**, Advocates, Plot No 2132/4814 B, Nageswartangi, Bhubaneswar, 751002 ENROLMENT NO O-785/07, sankarprasadpani@gmail.com , cell-9437279278

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us. To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct any other Legal Practioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called. And I /we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof. IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 10th day of ~~August~~ Jan 2022 Accepted subject to the terms of fees.

Jan
Spani

Advocate

Spani

x Bijaya Kumar Sahu

Client

x Prakash Chandra Nayak
x Dakshin Biswal

x Ripal Biswal

Client

x Ashok Kumar Bala

Santanu Ku Bhurela

① Ripal Biswal

At/~~PO~~ - Patasapada

P.O - Patanandix

P.S - Pasjang

DBT - Dhenkanal - 759120

② Daktar Biswal

At - Patasapada

P.O - Patanandix

P.S - Pasjang

DBT - Dhenkanal - 759120

③ Ashok Kumar Biswal

At - Mendhapada

P.O - Patanandix

P.S - Pasjang

DBT - Dhenkanal - 759120

④ Prakesh Ch Nayak, At/PO - Patasapada, Pasjang
Dhenkanal

759120

⑤ Santanu Ku Bhutta, At/PO - Santhapada, Raicher,
Anwar.

759104