

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.**

IN THE MATTER OF:

**E.A NO.....18...OF 2020.
IN
E.A NO.....33...OF 2019.
IN
O.A NO.....572...OF 2016.**

IN THE MATTER OF:

SRI DIBAKAR BHOI

.....Applicant

VERSUS

STATE OF ODISHA THROUGH ITS CHIEF SECRETARY & ORS.

..... Respondent(s)

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Place: Jhatiada
07.04.2021

Filed by
Applicant in person

Date:

Dibakar Bhoi

SHRI DIBAKAR BHOI,
At- Jhatiada, P.O- Haripur,
Via- Amarda, Dist. Mayurbhanj,
Odisha, 757055.

Mob:6370358889,

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- 1. This Hon'ble Tribunal by Order dated 02.02.2021 read with earlier Order dated 15.09.2020 and 16.12.2019 directed to the Respondent No.06 to identify Floodplains of the river Kapali to ensure that no illegal**

constructions are made in such Floodplains. But Respondent No.06 without complying order dated 02.02.2021 read with earlier Order dated 15.09.2020 and 16.12.2019 of this Hon'ble Tribunal and without identifying Floodplain area to ensure that no construction are made in Floodplain area of the river Kapali, submitted report dated 26.03.2021 to this Hon'ble tribunal by treating the river Kapali AS A DRAIN which causing extreme damage to riverine ecology due to illegal constructions on Floodplains of river Kapali. The Present Report dated 26.03.2021 of Respondent No. 06 has already been rejected by this Hon'ble Tribunal by order dated 02.02.2021. Therefore the present report dated 26.03.2021 is not a compliance report but a clear cut complete violation report of order dated 02.02.2021 of this Hon'ble Tribunal.

2. Therefore, it is to point out that Respondent No. 06 in order to regularize and protect illegal constructions on Floodplains now again submitted report terming the River Kapali AS A DRAIN without mentioning anywhere in the Report the very word "RIVER" by clever drafting of Report dated 26.03.2021 with a view to circumvent the orders dated 02.02.2021 and order dated 15.09.2020 and order dated 16.12.2019 of this Hon'ble Tribunal.
3. That in view of aforesaid report dated 26.03.2021 of Respondent No 06. to this Hon'ble Tribunal which is clearly violating order dated 02.02.2021, this Hon'ble Tribunal be graciously pleased to take coercive action on Respondent No.06 with personal presence and to impose heavy cost on Respondent No. 06 for filing misleading Report dated 26.03.2021 treating the river Kapali AS A DRAIN in order to circumvent the orders dated 02.02.2021 and 15.09.2020 and 16.12.2019 of this Hon'ble Tribunal in E.A No. 18 of 2020.

Place: Jhatiada
07.04.2021

Filed by
Applicant in person

Date:

Dibakar Bhoi

(SHRI DIBAKAR BHOI)
Aged about 86 years
S/O: Late Dinabandhu Bhoi
At: Jhatiada,
PO: Haripur,
Via: Amarda,

**P.S: Rasgobindapur,
Dist.: Mayurbhanj,
ODISHA- 757 055,
Mob: 6370358889, E-
mail: dibakarbhoi2013@gmail.com**

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AFFIDAVIT

I, Dibakar Bhoi, S/O: Late Dinabandhu Bhoi, aged about 86 years' resident of At: Jhatiada, PO: Haripur, Via: Amarda, P.S: Rasgobindapur, Dist.: Mayurbhanj(Odisha)-757 055, the Applicant do here by affirm as under:

1. That I am the Applicant in person in aforesaid matter and competent to swear this Affidavit.
2. That Facts stated in aforesaid Objections are true and correct to my best of knowledge and belief and I have not suppressed any material facts in aforesaid Objections.
3. That all averments in Paras 1 to 2 are true and correct.
4. That this Affidavit could not be verified and attested before any Notary/Oath Commissioner/Executive Magistrate on account of ongoing Covid-19 Pandemic.

Dibakar Bhoi

DEPONENT

VERIFICATION

I, Dibakar Bhoi, S/O: Late Dinabandhu Bhoi, Aged about 86 years resident of At: Jhatiada, PO: Haripur, Via: Amarda, P.S: Rasgobindapur, Dist.: Mayurbhanj(Odisha)-757 055, Applicant do here by verify that the contents of this aforesaid Affidavit are to be true and correct and nothing material have been suppressed.

Dated at ...Jhatiada. on ...7th. April, 2021.

Dibakar Bhoi

DEPONENT