

BEFORE THE NATIONAL GREEN TRIBUNAL AT KOLKATA

MISC APPLICATION NO 20 OF 2023

ARISING OUT OF ORIGINAL Application No.1 of 2023

DR BIBHU DASH& ANOTHER

Applicant

VERSUS

BHUBANESWAR MUNICIPAL CORPORATION&Others

Respondents

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DATE: 18/07/2024

BHUBANESWAR

SANKAR PRASAD PANI



ADVOCATE FOR RESPONDENT NO 1

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-9437279278,

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**RESPONSE AFFIDAVIT ON BEHALF OF RESPONDENT NO 1
MANORAMA ESTATE WELFARE SOCIETY**

1. I, Sambit Kar S/o Late Radhanath Kar aged about 53 years, at present serving as **President of Manorama Estate Welfare Society** at Bomikhal, Bhubaneswar, 751010 do hereby solemnly affirm and declare as under:

2. That I am the President of the Respondent No 1 Society in the above mentioned Misc. Application and I am fully conversant with the facts and circumstances of the case and competent to swear this affidavit.

3. It is humbly submitted that the Bhubaneswar Municipal Corporation in its affidavit dated 22/09/2023 in Pararapg 5 states that Manorama estate is an old housing society constructed before

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2000 and it further states that the society is at comparatively lower level than the drainage passing near the Cuttack Road for which it is not possible to drain the rain water of the estate to the Main Drain.

4. That in para 6 the BMC suggest for construction of Internal Drains in the state and pump the drain water to nearest main drain while in para 7 it suggest for Roof Top rainwater harvest structure and para 8 suggests for Sewage Treatment Plant.

5. That the present deponent submits that the Estate is having its Internal Drain except a very small portion which the society will construct once the Main drainage channel is finalised by the BMC.

The deponent further submits that the BMC may consider to provide a connection to the Drain passing near Lane 2 of Nigamanand Nagar Colony which is in lower elevation than the society so the water can flow down along the natural gradient without requiring any Pumping station. Further the Drain constructed by Respondent No 8 which is now under the control of Bhubaneswar Municipal Corporation so that part of rain water in the upper elevation of the society can be drained and the pressure on rain water discharge can be distributed rather than on one part of the society.

6. That the Centralised Sewage Treatment Plant is not feasible as because the Society is an old one and located in varied contours

without having any uniform gradient. As such the issue of Sewage generated by the society are being taken care at the septic tanks and periodically cleared using the Tanker which dispose the same in the nearest Sewage Treatment Plant operated by the WATCO.

7. That in view of the aforementioned paras and considering the issue of sewage being treated in septic tanks and disposed through tankers in the nearest sewage treatment plant in accordance with the approvals granted by Bhubaneswar Development Authority and as such considering the contour/topography of the area, the feasibility of a centralised Sewage Treatment Plant within the estate is not feasible, the Honble Tribunal may dispose of the Application with direction to Bhubaneswar Municipal Corporation to allow the discharge of storm water to the nearest Drain at Lane 2 NigamanadNagar Colony and Drain near Shuvam Construction.

RESPONDENT NO 1 THROUGH



ADVOCATE

BEFORE THE NATIONAL GREEN TRIBUNAL AT KOLKATA

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DR BIBHU DASH & ANOTHER Applicant

VERSUS

BHUBANESWAR MUNICIPAL CORPORATION & Others Respondents

AFFIDAVIT

I, Sambit Kar S/o Late Radhanath Kar aged about 53 years, at present serving as President of Manorama Estate Welfare Society at Bomikhal, Bhubaneswar, 751010 do hereby solemnly affirm and declare as under:

1. That I am the President of the Respondent No 1 Society in the above mentioned Misc. Application and I am fully conversant with the facts and circumstances of the case and authorized by other applicants to swear this affidavit.
2. That I have read over the contents of the accompanying Response affidavit to the affidavit filed by BMC and the same is true and correct and is drafted on my instruction.



Sambit Kar
 DEPONENT
 PRESIDENT
 MANORAMA ESTATE WELFARE SOCIETY

VERIFICATION

I, do hereby solemnly affirm verify that the contents of the above application are true and correct to the best of my knowledge and belief and nothing material has been concealed there from. Verified at Bhubaneswar on 8/05/2024

VERIFICANT

The above named deponent(s) being duly identified by Ed. *S.P. Jay* at *Bhubaneswar* appears before me on **18 JUL 2024** at *Bhubaneswar* on oath that the contents of this affidavit are true to the best of his/her/their knowledge and belief.

Sambit Kar
 PRESIDENT
 MANORAMA ESTATE WELFARE SOCIETY

JANMEJAYA RAUTRAY
 NOTARY, GOVT. OF ODISHA
 BHUBANESWAR
 REGD. NO-ON-86/2012
 Mob. No. - 9337121273

Deponent(s) Notary, Bhubaneswar



Sankar Pani <sankarprasadpani@gmail.com>

Response affidavit in Bibhu Das Matter

1 message

Sankar Pani <sankarprasadpani@gmail.com>

Thu, Jul 18, 2024 at 6:37 PM

To: pbanerjeebihani@gmail.com, Tarun Patnaik <tarun.patnaik87@gmail.com>, "Rajib Ray, Advocate" <rajib.ray.official23@gmail.com>

Dear Madam/Sir

Please find the attachment

Warm Regards

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