

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(Through Video Conferencing)**

Original Application No. 115/2021/EZ

Tribunal on its own Motion

(Re: illegal filling of Bijuli bandh (Water Body),

Sundargarh, Odisha

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 26.11.2021

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s) : Suo motu

For Respondent(s) :Mr. Ashok Prasad, Advocate for R-1,
Mr. Prasenjeet Mohapatra, ASC for R-2,4&5,
Ms. Papiya Banerjee Bihani, Advocate for R-3,
Mr. Gora Chand Roy Choudhury, Advocate for R-6

ORDER

1. This matter has been taken up by this Tribunal on the basis of news paper reporting in the National Daily 'Indian Express' News Paper and Local Daily 'The Sambad' dated 24.07.2021 wherein it has been alleged that illegal structures have been constructed on a wetland known as Bijli Bandh which is the largest water body in the District of Sundargarh, Odisha. It is alleged that under the garb of renovation and beautification of the said water body encroachment is being done.
2. It is also alleged that over the land which falls within the wetland, residence of Chief District Medical Officer and Superintendent of Police, Sundargarh have been erected and there is also one Community Center Narikalyan Kendra spread across 38.5 decimal as well as the building of the Public Health Department over an area of 18 decimal has been constructed on the said wetland. The Bijli Bandh water body is stated to have an area of 20.99 acres and it is stated that it serves as storage reservoirs in the monsoon-dependent areas.

3. It is also alleged that a tender has been invited for Rs.27.09 crores by the Water and Power Consultancy Services Limited (WAPCOS) under the Ministry of Jal Shakti, Govt. of India for unauthorized development of Bijli Bandh water body.
4. Matter requires consideration.
5. Issue notice to Respondent No.1, Ministry of Jal Shakti, Govt. of India, Respondent No.2, Govt. of Odisha, Respondent No.3, Odisha State Pollution Control Board, Respondent No.4, District Magistrate, Sundargarh District, Odisha, Respondent No.5, Odisha Wetland Authority and Respondent No.6, State Environment Impact Assessment Authority (SEIAA), Bhubaneswar, Odisha, returnable within four weeks.
6. Mr. Ashok Prasad, learned Counsel who is present in the court, accepts notice on behalf of the Respondent No.1.
7. Mr. Prasenjeet Mohapatra, learned Additional Standing Counsel who is present in another case, accepts notice on behalf of the Respondent Nos.2, 4 and 5.
8. Ms. Papiya Banerjee Bihani, learned Counsel who is present in the court accepts notice on behalf of the Respondent No.3.
9. Mr. Gora Chand Roy Choudhury, learned Counsel who is present in another case, accepts notice on behalf of the Respondent No.6.
10. All the learned Counsel shall file their counter affidavits within four weeks and exchange the same among themselves at least one week before the next date fixed.
11. The Registry shall provide e-copy/soft copy of the original application and annexures to all the learned Counsel for the Respondents.
12. **List on 11.01.2022.**

.....
B. Amit Sthalekar, JM

.....
Saibal Dasgupta, EM

November 26, 2021
Original Application No. 115/2021/EZ
MN