

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

M.A. No.13/2022/EZ
In
Original Application No.55/2018/EZ

Tribunal On its Own Motion

Applicant(s)

Versus

State of Odisha & Ors.

Respondent(s)

Date of hearing: 26.09.2022

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

For Applicant(s) : *Suo Motu*
Mr. Sankar Prasad Pani, Advocate in O.A. (in Virtual Mode)

For Respondent(s) : Mr. Ashok Parija, Sr. Advocate & Advocate General a/w
Mr. Saubhagya Ketan Nayak, AGA, Mr. Shakti Prasad Panda, AGA
and Mr. Tarun Patnaik, ASC for R-1,2,3 & 7,
Mr. Gora Chand Roy Choudhury, Advocate for R-4 (in Virtual Mode),
Mr. Debasish Ghosh, Advocate for R-5 (in Virtual Mode),
Mr. Surendra Kumar, Advocate for CPCB (in Virtual Mode)

ORDER

1. Mr. Sankar Prasad Pani, learned Counsel for Original Applicant is present in Virtual Mode.
2. Affidavit dated 22.09.2022 has been filed by the Respondent No.3, Collector and District Magistrate-cum-Chairman, District Environment Impact Assessment Authority (DEIAA), Kendrapara; the same is taken on record.
3. In this affidavit, it is stated that due to flood, the work of preservation of the embankment of Brahmani River and Mahanadi River could not be commenced and the direction given by the Tribunal in its judgment order dated 18.11.2021 could not be complied with, but the fund for the above purpose has already been sanctioned vide letter dated 19.08.2022 as per Annexure-B-3.

4. Although the fund has been sanctioned but on which project this fund has to be spent, has not been outlined. The timeline has also not been given.
5. We, therefore, direct the State Respondents to file a fresh affidavit within four weeks bringing on record an Action Taken Report highlighting the works to be carried out by each department and the scheduled timeline for completion of the same.
6. **List on 23.11.2022.**

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B. Amit Sthalekar, JM

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Saibal Dasgupta, EM

September 26, 2022
M.A. No.13/2022/EZ
In
Original Application No.55/2018/EZ
SKB