

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.85/2025/EZ

Giri Gobardhan Forest Committee	Versus	Applicant(s)
State of Odisha & Ors.		Respondent(s)

Date of hearing: 15.05.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
 HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Sankar Prasad Pani, Advocate a/w
 Mr. Ashutosh Padhy, Advocate (in Virtual Mode)

ORDER

1. Heard Mr. Sankar Prasad Pani, learned Counsel assisted by Mr. Ashutosh Padhy, learned Counsel appearing (in Virtual Mode) for the Applicant.
2. The Applicant which is the Giri Gobardhan Forest Committee has filed this Original Application alleging illegal felling of trees over an area of around 5 Acres within the Badapari Demarcated Protected Forest (DPF) in Mouza-Badapari under Tangi Tahasil of Khordha District and putting fire in the forest by the private respondent nos.10 and 11 under the garb of ownership of the said land.
3. It is stated that the Forest in question is spread over an area of more than 700 acres. The forest is said to have dense vegetation and habitat of wild animals such as Sambar (*Rusa unicolor*), Rabbit, Khuranga, Peacocks, Deers, Wildboars, Jungle cats, Pangolin, Elephants and various types of Snakes and birds. It is stated that the forest in question is also a treasure of medicinal plants and the local healers use those herbs to cure different types

of diseases, hence, the site is equally important from the perspective of bio-diversity.

4. It is stated that the site is also Demarcated Protected Forest (DPF) recorded in the name of the Forest Department; at least 395.68 ac. of land falls within the Badapari mouza having kissam – Bagayat 2, Chhota Jungle, Parbat, Pahad and Puratan Patita; it is stated that the rest of the land is recorded in two other villages namely Bhobara and Nuagaon. The names of the villages and the area recorded therein in the name of Forest Department where the Demarcated Protected Forest (DPF) exists has been given in a chart in paragraph no.4 of the Original Application which reads as under:-

Sl No.	Name of the Mouza	Area in Ac.
1	Badapari	395.6810
2	Bhobara	95.7980
3	Nuagaon	128.5990

5. The allegation is that the private respondents who are stated to be the owner of land bearing Khata No. 438/894 and Plot Nos. 587, 590/2384, 588 and 601, Kisam – Bagayat (Orchard) encompassing a total area of 2.616 acres has been mutated in the name of the Respondent No.10 only in 2025.
6. It is alleged that the patch of land is part of Forest and there is Forest growth on the land even though the kisam is shown as Bagayat (Orchard); this patch is surrounded by Forest land within Demarcated Protected Forest (DPF) Boundary as evident from the Forest Pillars. It is alleged that the said respondents has illegally

felled trees from his private land as well as adjoining Forest land and Government land which falls within the Demarcated Protected Forest (DPF) without any permission or sanction from the Forest Committee.

7. The Respondent No.11 is stated to be the father of the Respondent No.10 and it is alleged that he has also felled trees along with Respondent No.10.
8. Matter requires consideration.
9. Issue notice to the Respondents, returnable within four weeks.
10. Mr. Partha Sarathi Nayak, learned Additional Government Advocate appearing (in Virtual Mode), accepts notice on behalf of the Respondent Nos.1, 2, 5, 6, 7 and 8, State Respondents, Government of Odisha.
11. Issue notice to the Respondent Nos.3, 4 and 9, Union of India, Ministry of Environment, Forest and Climate Change (MoEF&CC), Deputy Director General of Forests (C), MoEF&CC and Odisha Biodiversity Board respectively, returnable within four weeks.
12. Issue notice to the Respondent Nos.10 and 11, Bikash Kumar Das and Purna Chandra Das, private respondents, returnable within four weeks.
13. All the Respondents shall file their counter-affidavits within four weeks.
14. Considering the allegations made, we deem it appropriate to constitute a Fact Finding Committee comprising of the following Members:-
 - i. Collector and District Magistrate, District- Khordha or his representative not below the rank of Additional District Magistrate (ADM); and

- ii. Divisional Forest Officer (DFO), Khordha, or his representative.
- 15. The Committee shall visit the site in question and thereafter submit a Fact Finding Report on affidavit within four weeks with regard to the allegations made in the Original Application.
- 16. The District Magistrate, District – Khordha shall be the Nodal office for all logistic purposes and for filing the Fact finding Report on affidavit.
- 17. The Counsel for the Applicant shall serve e-copy/soft copy of the Original Application along with all its annexures upon Mr. Partha Sarathi Nayak, learned Additional Government Advocate for the State Respondents as well as upon the private respondents within 24 hours.
- 18. **List on 28.07.2025.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

May 15, 2025,
Original Application No.85/2025/EZ
OM