



IN THE HIGH COURT OF ORISSA AT CUTTACK

SUO MOTU W.P.(C) PIL No.2140 of 2020

***Registrar (Judicial),
Orissa High Court, Cuttack Petitioner***

*Mr. Manoj Kumar Mishra
Senior Advocate
President, OHCBA*

*Mr. Avijit Pattnaik
Advocate
Secretary, OHCBA*

*Er. N.K. Mohanty
Amicus Curiae*

*Mr. Bijay Kumar Dash
Amicus Curiae*

-versus-

State of Odisha & others Opp. Parties

*Mr. Debasis Nayak-A
Addl. Govt. Advocate &
Advocate for C.M.C.*

CORAM:

JUSTICE S.K. SAHOO

JUSTICE V. NARASINGH

ORDER

30.10.2025

These matters are taken up through Hybrid arrangement (video conferencing/physical mode).



ISSUES RELATED TO TALADANDA CANAL

(i) BEAUTIFICATION AND EXPANSION OF TALADANDA CANAL

347-A.
30.10.2025

As per order no.345-A dated 23.10.2025, when this Court came to know from the reports submitted relating to sanitation arrangement in CMC that more than three crores are paid to the three agencies every month towards the contract amount for sanitation activities including desilting of drains and garbage disposal, looking at the appalling state of sanitation in Cuttack City, we asked the Deputy Commissioner (Sanitation) to remain present in person and he was directed to clarify on the following counts:-

- a)** Daily report submitted by mates from 01.09.2025 to 30.09.2025;
- b)** The report of the ward supervisors of all the three agencies from 01.09.2025 to 30.09.2025;
- c)** The evaluation report of the sanitation section on sanitation activities based on the MIS evaluation;
- d)** Penalty amount imposed on the sanitation agencies for the period from 01.01.2025 to 30.09.2025.



Pursuant to the order dated 23.10.2025, Mr. Jubuli Charan Behera, Deputy Commissioner (Sanitation), CMC is present in Court today and he files the compliance report dated 30.10.2025 as directed, which is taken on record.

In the compliance report, regarding serial nos.(a), (b) & (c) as stated above, it is stated that the concerned mates and Sanitary Inspectors engaged by CMC and Supervisors engaged by the agencies are submitting the sanitation reports jointly to the Sanitation Section.

Basing on the daily reports, the compilation & evaluation are done by MIS deployed at Sanitation Section. As the daily reports submitted by mates and ward supervisors for six (6) sanitation zones consisting of all the 59 wards of the CMC are extremely voluminous, reports pertaining to one (1) ward randomly selected from each of the six sanitary zones of the CMC have been annexed to the compliance report as Annexure-A/2.

In the compliance report regarding serial no.(d) as stated to above, it is stated that in case of non-performance/violation of terms of the contract, penalty is being imposed on the defaulting agencies. The penalty imposed on the sanitation agencies for the period from 01.01.2025 to 30.09.2025



mentioned below.

- M/S. JAGRUTI WELFARE ORGANISATION -
Rs.11,75,792/-
 - M/S. PRATYUSH - Rs.22,53,267/-
 - M/S.G.MANJU SERVICE PVT.LTD -
Rs.35,68,225/-
- TOTAL: - Rs.69,97,284/-

The details regarding the penalty imposed on sanitation agencies have been attached to the compliance report in a separate sheet as Annexure-B/2.

On 23.10.2025, the Nodal Officer of this Court recorded the video clippings regarding the state of paver blocks by the side of the Taladanda Canal and garbage stacked in and around Urban Hat area. The video also indicated rapid growth of bushes along the Taladanda Canal towards Nuabazar which was largely due to lack of steps taken to clear bushes, lack of monitoring and of proper maintenance. This Court had directed the CMC authorities to clear the same immediately and to ensure that the entire stretch is lighted properly and sought response of the concerned officials on these issues.



In the report dated 30.10.2025 of the Deputy Commissioner (Sanitation) CMC, it is stated that so far as bush cutting by the side of Taladanda Canal is concerned, the same is being undertaken by CMC along the Taladanda Canal and now, the bush cutting work is under progress. Similarly, the garbage in and around Urban Hat is being cleaned on regular interval.

Mr. Avijit Patnaik, Secretary, High Court of Orissa has filed a memo along with photographs depicting accumulation of garbage in ward nos.4, 18, 19, 27, 28, 29, 39, 47, 52, which are taken on record.

Copies of the photographs has handed over to the learned counsel for the CMC, who seeks some time to obtain instruction on the same.

The photographs of accumulation of garbage in different wards show that "all is not well" with the activities of the three agencies, who are charging more than three crores every month and in spite of payment of penalty for their laches, are not mending their activities. When the three agencies have received more than 28 crores as per agreement in last nine months, the penalty amount of around Rs.70 lakhs would not have created much impact on them.



During the deliberation, it was brought to the notice of this Court that Mr. Behera, Deputy Commissioner (Sanitation), CMC was earlier working as Executive Officer of Hinjilicut Municipality and he has joined on 27.09.2025. During the discussions, Mr. Behera, Deputy Commissioner (Sanitation), CMC apprises this Court that there are certain practices relating to sanitation activities, which were adopted when he was the Executive Officer of Hinjilicut Municipality, which showed remarkable results in addressing the problems relating to sanitation to a great extent and during his short tenure as the Deputy Commissioner (Sanitation), CMC, he has noticed certain shortcomings in the sanitation programmes of the CMC. He has assured this Court that he is in the process of discussing with the concerned agencies so that the issues relating to sanitation can be addressed in an effective manner justifying the huge amount spent on sanitation.

During the proceeding, learned President and Secretary of the Orissa High Court Bar Association drew the attention of the Court that in most of the areas of different wards, no dustbins have been provided by the CMC for which there is no scope to put the garbage in the designated place and which is also resulting in dumping of the same on the



public roads.

Mr. Behera, Deputy Commissioner (Sanitation), CMC states that a conscious decision was taken to remove the dustbins because they became the dumping points.

There is no dispute that dustbins are used in urban areas for garbage collection to prevent littering, maintain public health and aesthetics, and support waste management through proper disposal and recycling. They provide a central place for citizens to discard waste, which helps in controlling the spread of diseases, reduces the negative impact of litter on the environment, and is often more cost-effective and durable than other options. Of course, disadvantage of dustbins include public health risks from overflowing bins and attracting pests and other environmental issues on account of air and water pollution from decomposition and improper disposal.

This Court calls upon the Deputy Commissioner (Sanitation), CMC to explore the possibility of putting the dustbins as a test case in some places in different wards and to evaluate the sanitation position. In the event, the installation of such dustbins facilitate better management of garbage, the same may be explored on a regular basis. This aspect shall be considered on the next



sitting.

Concern was expressed by the President and Secretary of the Orissa High Court Bar Association regarding the use of polythene which is posing hazards including clogged drains and water logging, which can spread waterborne diseases like malaria and dengue. Burning polythene releases toxic gases that cause air pollution, respiratory issues and even cancer. Non-biodegradable polythene also pollutes land and water, harms animals, and its microplastics can enter the food chain and human bodies, potentially causing long-term health problems like hormonal disruption and cancer. It was submitted that this issue needs to be addressed on emergency basis during upcoming Baliyatra.

Alternatives to plastic bags include reusable bags made of cotton, jute, or canvas, which are durable and washable. For food storage, options like reusable silicone or beewax-lined bags, along with glass containers are preferable. Other alternatives include recycled paper bags and various types of bio-degradable and compostable bags, such as those made from plant-based materials like starch or bamboo.



Mr. Shibo Toppo, ADM, Cuttack, who is present through virtual mode, has assured this Court that necessary steps for sensitization and administrative steps to stop the use of polythene in Baliyatra shall be taken and viable alternatives which are eco-friendly shall be suggested to be used by the business community so that it does not affect their livelihood as well.

This Court expects that during Baliyatra, where there would be huge gathering, awareness programme for preventing polythene use and adopting reusable alternatives can be taken by the District Administration which would be for the betterment of the society. The message should be spread through various methods including social media and people should be educated so that the plastic use in our daily lives can be reduced to a great extent.

Mr. Avijit Patnaik, Secretary, High Court of Orissa has filed a memo along with a news item published in the vernacular Odia daily dated 28.10.2025, under the heading of "**URBAN HATARE GURUTARA ABYABASTHA, MASAKU DASA LAKHYA; TANKA AADAYA KARI BASI JAUCHI CMC**" (Serious Disorder in Urban Market, Monthly collection of Rs.10 lakh; CMC collecting money and



sitting idle), wherein it is mentioned that the Urban Hat is facing extreme disorder in terms of cleanliness and management. The CMC is collecting dues from small and large traders inside the Urban Hat. Even bicycles and motorcycles parked on the footpath outside the market are being charged parking fees. However, the CMC authorities have forgotten to provide basic amenities in the Urban Hat. Garbage is not being removed from the market. Unauthorized trucks are parked on the road inside the market for loading and unloading goods. Persons are sitting and selling goods inside the market in vehicles. Parking arrangements with payable fees have been made on the footpath paved with paver blocks outside the market. A fee of Rs.10/- is being collected for parking two-wheelers. There is no drinking water facility. Yet, the CMC is collecting Rs.15,000/- to 20,000/- daily from traders in the market. About Rs.20,000/- is also collected daily for vehicle parking. In this way, the urban market collects more than Rs.10 lakh monthly. However, the basic facilities of the Urban Hat remain neglected.

The memo along with the news item is taken on record.

Relating to the lack of basic amenities in Urban Hat area, Mr. Debasis Nayak, learned counsel



for the CMC assures this Court that the same shall be looked into along with the District Administration to take steps to provide a toilet complex and also make provision of safe drinking water.

It is also brought to the notice of this Court by the Deputy Commissioner (Sanitation), CMC that taking into account the concern expressed regarding the unhygienic condition of Urban Hat, now cleaning is taking place once every two hours and such cleaning is being monitored and photographs are taken and circulated in a Whatsapp group created for such purpose.

This Court hopes that the methods adopted to address the issue of hygiene of Urban Hat shall be applied in equal measure in Krushaka Bazar, CDA, Cuttack in consultation with the Regulated Market Committee (RMC).

Since there is no representation of RMC before this Court today, Mr. B.B. Choudhury, who is a representative of the said area shall intimate Mr. Satyabrata Mohanty, who usually appears for the RMC regarding orders passed today so that he will instruct RMC to coordinate with the CMC officials to address the issue of sanitation, toilet facilities as well as drinking water in Krushaka Bazar.



List this matter on 27.11.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

(ii) TALADANDA CANAL BOAT CLUB

347-B.
30.10.2025

When this issue was taken up on 23.10.2025, learned counsel for the CMC took time to obtain instruction on this aspect.

Learned counsel for the State has produced the written instruction dated 29.10.2025 of the Addl. Secretary to Govt., Tourism Department, Govt. of Odisha addressed to the Managing Director, OTDC Ltd., Bhubaneswar, wherein it is stated that as the boating club complex has been handed over to OTDC Ltd. for operation and management, request has been made to the concerned officials of OTDC Ltd. to access the requirement of lighting by site visit and taken necessary steps for proper lighting of the Taladanda Boating Club, Cuttack at the earliest.

The written instruction dated 29.10.2025 is taken on record.

Learned counsel for the State has also produced the status report of Taladanda Canal Boat



Club lighting arrangement on 29.10.2025, which is taken on record.

The extract of the status report is reproduced below for ready reference of the Court:

Status Report of Taladanda Canal Boat Club Lighting Arrangement as on 29.10.2025					
Sl no	Item of Work	Quantity in Nos	Qty which are in Working condition in Nos	Qty which need maintenance in Nos	Remarks
1	LED tube light(4')	5	5		The Work to be completed by 30.11.2025
2	LED tube light(2')	14	12	2	
3	LED Ceiling Light	42	36	6	
4	LED Surface Ceiling Light	9	9		
5	LED Step light	12	4	8	
6	LED Spot light	28	20	8	
7	LED Pendent light	16	15	1	
8	LED Hanging light	12	6	6	
9	LED Gate light	2	2		
10	LED Bollard light(Small)	10	6	4	
11	LED Bollard light	34	20	14	
12	Decorative light pole LED light	19	13	6	
13	High mast light pole with 6 nos LED Flood light	1	1		
13	LED street light	3	1	2	
13	LED Pendent Spot light	3	3		
13	LED Flood light	19	19		

Certified that the Information Provided as above is Correct to the best of my knowledge.

 Junior Engineer (Elect) OTDC Ltd.
 Junior Engineer (civil) OTDC Ltd.
 Assistant Engineer (Elect) OTDC Ltd.
 Assistant Engineer (Civil) OTDC Ltd.
 Superintendent Engineer OTDC Ltd.

Since it is stated that the entire boating club complex has been handed over to the OTDC for operation and management and the OTDC is not represented before this Court today, we called upon the learned AGA, Mr. Debasis Nayak to contact the Chairman, OTDC and apprise the concern of the Court and take necessary steps so that if possible, taking into account the safety measures, boating club can start at the earliest keeping in view the



upcoming Baliyatra.

List this matter on 27.11.2025.

Learned counsel for the State shall apprise this Court about the development made in the meantime.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

(iii) WIRE MESH FENCING AND DAMAGE FOOTPATH ON BOTH SIDES OF TALATANDA CANAL

347-C.
30.10.2025

As per order no.345-D dated 23.10.2025, this Court asked to file the compliance affidavit relating to wire mesh fencing and damage footpath on both sides of Taladanda Canal.

Mr. Bharat Kumar Sethi, Executive Engineer, Cuttack Municipal Corporation has filed an affidavit dated 30.10.2025, which is taken on record. The relevant paragraphs read as under:

"1. Regarding wire mesh fencing on the bridges of the Taladanda Canal, it is stated in the affidavit that the wire mesh fencing works of all the 08 numbers of bridges of Taladanda Canal have been completed. Out of the said 08 numbers of bridges,



wire mesh fencing work of 03 numbers of bridges have been completed by Water Resources Department and rest 05 numbers of bridges have been completed by the Cuttack Municipal Corporation (CMC). Further, sign boards have been displayed at prominent places for the public with a message "Not to Throw Garbage into the Canal". Regarding the Wire mesh fencing on both sides of Taladanda Canal, the same is being maintained by the Water Resources Department;

2. Regarding the damaged footpath on both sides of Taladanda Canal and laying of paver blocks, it is stated in the affidavit that the said work has been assigned to the Engineering Projects India Limited (EPIL), a Govt. of India Enterprise, Bhubaneswar. However, it is seen that the beautification and expansion work of Taladanda Canal has hardly progressed after the initial laying of the footpath by EPIL. Though several letters and reminders have been issued to EPIL instructing them to take immediate steps to complete the said work, but the work has been delayed. Hence, the Commissioner, CMC convened a meeting on 24.10.2025 with the officials of EPIL in which, the City Engineer, CMC, Executive Engineer, CMC, concerned Assistant Engineer, CMC, Junior Engineer,



CMC and the officials of EPIL were present. A copy of the CMC Letter No.12297 dated 23.10.2025 issued by the Commissioner, CMC to the General Manager, EPIL, Bhubaneswar has been annexed to the affidavit as Annexure-A/2;

3. It is further stated in the affidavit that after the said meeting, the Commissioner, CMC instructed officials from CMC and EPIL to jointly inspect the Taladanda Redevelopment and Beautification Project sites, as the project is one of the key matters under discussion in ongoing Public Interest Litigations (PILs) before this Court. The Commissioner, CMC emphasized the need for expedited completion of all pending works, adherence to approved designs and strict quality maintenance to ensure timely progress of the Taladanda Redevelopment and Beautification Project. Accordingly, as per the instruction of the Commissioner, CMC, the City Engineer, Health Officer, Deputy Commissioner (Sanitation), Executive Engineer-II, PMU staff of CMC, along with officials from EPIL, participated in the said visit on 24.10.2025 at 5.30 PM. The observations and decisions taken in respect of construction of damage footpath are as follows:



➤ From Jobra to Urban Haat (left side of Taladanda canal), at Jobra in front of Malgodown Police Station, some portion of the foot path is yet to be completed. EPIL can easily take up the work, as no hindrance was found during the visit. Accordingly, EPIL was instructed to start the work immediately and complete it as soon as possible.

➤ Although there was no hindrance in constructing the footpath near OTDC Food Court parking area, some portion of the foot path in that section is yet to be completed. EPIL was instructed to complete the footpath ensuring proper rainwater discharge arrangements.

➤ From the location of office of Survey of India building to Ranihat Chhaka (near Cuttack Sweet Stall), despite no hindrance, the footpath is yet to be constructed. EPIL was directed to complete the footpath work at the earliest as per approved design.

➤ From Pilgrim Bypass Road to Chhatra Bazar as well, footpath is yet to be constructed, despite no hindrance to such work. EPIL was instructed to complete the footpath work at the earliest as per the drawing and design by maintaining proper quality standards.



➤ Near Clock Tower, approximately 100 mtr. of footpath work is incomplete, despite there being no hindrance to such work. EPIL can take up the work immediately.

➤ From Chhatra Bazar bridge to Bisinabar Chhaka, maximum of the footpath has been completed by EPIL barring 300 mtr. footpath work. As there is no hindrance in that section, EPIL can start the work immediately.

➤ EPIL stated that in some of the portion where they have already completed the work, there have been some damage to the footpath by WATCO during construction of MSWC drain. City Engineer, CMC instructed EPIL to submit a revised estimate along with geo-tagged photographs of damaged portions and carry out necessary repairs immediately, maintaining proper documentation.

A copy of the said field visit report on Taladanda Redevelopment and Beautification works has been annexed to the affidavit as Annexure-B/2.

4. It is further stated in the affidavit that the Commissioner, CMC has directed the Officials of EPIL to complete the above works by the end of December, 2025. The agency has also assured to complete the work by the end of December, 2025.



List this matter on 08.01.2026.

On the next day, the learned counsel for the CMC shall apprise this Court about the status of the work entrusted to EPIL.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

**NEWS ITEMS PUBLISHED IN THE LOCAL DAILY
REGARDING CIVIC ISSUES IN CUTTACK CITY**

348.
30.10.2025

Mr. Avijit Patnaik, Secretary, High Court of Orissa has filed a memo along with a news item published in the vernacular Odia daily dated 29.10.2025, under the heading of "**CUTTACK BADA DAKTARAKHANA, DAIBA BHARASARE ROGI SAMPARKIYA**", wherein it is stated that SCBMCH, Cuttack is facing many fundamental problems. The relatives of the patients coming here are facing many difficulties. Due to the lack of necessary night shelter, they are spending the night in unsafe conditions outside the hospital premises. Taking advantage of this, thieves are cunningly roaming around the patients' relatives and robbing mobile phones, jewellery, money, and cash. As a result, the



patients and their relatives have to face harassment. Even during the rainy and cold days, it has been observed that the patients' relatives spend the night here, relying on charity. People have immense faith in SCBMCH, Cuttack. Every day, huge numbers of patients come here from within and outside the State with hope for good treatment. SCBMCH, Cuttack has become a refuge for poor, helpless, and critically ill patients. Over time, the stature of SCBMCH, Cuttack has increased. It has achieved many successes in treating patients with modern medical methods. Now, SCBMCH, Cuttack is being expanded and developed as an M.S. Plus, which can be connected as a major medical institution in eastern India. In this situation, if fundamental problems in SCBMCH, Cuttack could not be resolved, its impact would be on the patients and their relatives. Due to the lack of necessary testing machines and their non-functioning, patients have to wait for hours at the testing centres. Moreover, there is no waiting area or night shelter for patients' relatives. Therefore, relatives spend the night outside the wards or on the roadside near the hospital. While the Women and Maternity Department and the Orthopaedic Department have two night shelters nearby, other wards do not have any night shelter facilities. Many



departments like the Emergency Department and Neurology Department also lack shelter facilities and therefore, the relatives of the patients spend the night in front of the wards, on the steps or in the corridors. Since these places are not under CCTV surveillance, the risk of theft is increasing, and thieves are not caught. There is also a concern about undesirable incidents of misconduct. While SCBMCH, Cuttack is being expanded, special emphasis should be given to providing night shelters, drinking water, and toilet facilities as necessary, so that patients and their relatives can benefit. Especially, many patients' relatives have appealed that the State Government should pay special attention to this aspect.

The memo along with the news item is taken on record.

A copy of the news item has been handed over to the learned counsel for the State.

Matter be listed on 27.11.2025 when the other issues of SCBMCH, Cuttack would be taken up.

The learned counsel for the State shall obtain instruction in this regard and apprise this Court.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



**ISSUE RELATING TO DIFFERENTLY ABLED
GIRLS STUDENTS IN SHAILABALA WOMEN'S
AUTONOMOUS COLLEGE, CUTTACK**

349.
30.10.2025

When this issue was taken up on 23.10.2025, the Additional District Magistrate, Cuttack submitted the enquiry report dated 22.10.2025 indicating therein various problems and remedial measures for PwD students in Shilabala Women's Autonomous College, Cuttack and this Court asked the Director of Higher Education and the Special Secretary, Social Security & Empowerment of Persons with Disabilities Department to submit their responses vis-à-vis the enquiry report dated 22.10.2025 relating to the emergent measures as suggested.

This Court also called for a coordinated action by the Director, Higher Education Department as well as Social Security & Empowerment of Persons with Disabilities Department, District Administration and the Principal of Shailabala Women's Autonomous College, Cuttack and to have a joint meeting at the earliest to address the issue, in an effective manner and the decision so taken should be submitted to this Court by 28.10.2025.

Pursuant to the order no.346 dated 23.10.2025, learned counsel for the State has



produced the decisions taken report on the joint meeting held on 25.10.2025 in the Office Chamber of the Director, Higher Education, Odisha regarding the issues relating to differently abled girls students in Sailabala Women's Autonomous College, Cuttack, which is taken on record. In the said report, it is stated that a joint meeting was convened under the Chairmanship of Director, Higher Education on 25.10.2025 in the Office chamber of Director, Higher Education Department in compliance of the order of this Court dated 23.10.2025 with the participation of Sri Shibo Toppo, ADM, Cuttack, Sri Jiban Ballav Jena, Principal in-charge of Sailabala Women's Autonomous College, Cuttack, Sri Debiprasad Kar, representative of SSEPD Department and Sri Priyabrata Samantray, Chief Engineer Buildings.

It is further stated in the report that the above members are present in the meeting, discussed various issues pertaining to PwD girl students studying in Sailabala Women's Autonomous College, Cuttack as pointed out in the report of the Committee formed by this Court which after due visit to the College in person highlighted their findings in the said report. The members of the joint meeting also took the findings and observations so reflected in the report with much concern and after due



diligent and deliberate discussions, came up with solutionary measures which are reflected in the following report:

1. No. of PwD Students

It is submitted that actually there are 77 students of PwD category in the Sailabala Women's College, Cuttack for this academic year out of which number of Under Graduate students is 31, post Graduate students is 10 and Higher Secondary School Student is 36.

2. Types of Disability

It is revealed that out of 77 students, 3 are orthopedically handicapped/locomotor disability, one from neurological disorder, one is suffering from dwarfism and the rest 72 are visually challenged. Being a Women's College, all the students are girls. In December, 2015, the college had built a hostel dedicated exclusively for the students with disability. It is a G +1 building having provision of lift.

When the team constituted as per the order of this Court, visited the college on 17.10.25, 16 students with disability were already accommodated in M.S. PH Hostel and 39 were accommodated in other general hostels.



3. Dedicated Hostel facility

Taking a serious note of the fact that 39 students are accommodated in General Hostels and in consideration to the requirement of the students with disability, it is immediately decided to shift these students with disability numbering 39 (28 M.S Old Hostel + 04 M.S. PG Hostel + 07 S.B New Hostel) to the physically challenged hostel exclusively meant for them which is having the capacity for 60 students. The rest 22 students with disability are not boarders. Although it is a hostel for students with disability, it is found that to make it completely habitable for them with facilities necessary for such students, the inadequacy, if any, will be modified and proper facilities will be installed to make it habitable and conducive for the students with disability. This process has already been started by WATCO Division, Cuttack from 28.10.25 and will be completed within a day or two.

A joint meeting was convened on 25.10.2025, in the Office chamber of the Director Higher Education, where the decision was taken to immediately shift the 39 nos. of students with disability to M.S. PH Hostel, exclusively meant for them. Accordingly, an urgent meeting of the Residential Committee was convened under the



chairmanship of the Principal, vide notice no.1915 dtd.25.10.2025, at 4.00 p.m. on 25.10.2025, in presence of all members of the Residential Committee of the college. It was unanimously resolved to shift 39 nos. of students of different hostels to M.S. PH Hostel (rest 16 nos. of students are staying in the M.S. PH Hostel). On 26th October 2025, in presence of Superintendents of different hostels, initiative was made to shift all those 39 nos. of students to M.S. PH Hostel. At the time of shifting, disabled students of M.S. Old Hostel submitted an application, which was duly forwarded by the Superintendent of the said hostel, stating that they were not willing to shift from their parent hostel with a contention that, the facilities they are getting in that hostel will not be available in the hostel they are likely to be shifted. They have also emphasized on the NEP 2020 policy, which aims to bring parity for students with disabilities (PwD), through a comprehensive frame work that emphasizes inclusive and equitable education. The policy draws heavily on the rights of persons with disabilities (PwD Act, 2016) and focuses on moving away from a segregated system towards mainstream inclusive education.



They have also mentioned that intellectual development of students with disabilities (PwDs) from the psychological standpoint, which involves creating an inclusive and supportive environment through Individualized Education Plans (IEPS), differentiated instruction, as well as to promote a positive attitude in the staff and peers. Further, integrating them with general students in hostels offers them significant social, academic and personal development benefits, which includes increased sense of belongingness, improved social and communication skills, enhanced independence, wider social network, greater empathy and acceptance, reduced prejudice and stereotyping, so as to develop compassion, team work, new perspectives and problem-solving skills in them. Therefore, only 06 disabled students of S.B. New Hostel and 01 student from M.S. PG Hostel were shifted to M.S. PH Hostel exclusively meant for them. Appreciating the request of 39 such students who are in the General Hostels they are given the liberty to stay in their choice of Hostels.

4. **Special Path-ways**

Since it is a hostel meant for the students with disability, it has all the requisite facilities required for the purpose. It is observed that when



the hostel was constructed in the year 2015, it lacked tactile pathways inside the hostel as well as the approach road leading from the academic block of the college as well as in the campus.

The Assistant Executive Engineer, and Assistant Engineer PWD (R & B), RP line, Buxibazar, Cuttack have visited the campus and have assured to start the work of laying the tactile path, construction of ramps with railings, construction of disabled-friendly toilets, etc., very soon after taking measurements and submission of estimate. The work will be taken up on war footing basis and completed within a month time.

It was discussed that for the benefit of such students, the classrooms used by them will be relocated on the ground floor of the academic floor so that the students with disability will not have much difficulties in accessing the classrooms and the student who has to go to the other building located outside the boundary of the main building, will also have their classroom in the main building.

5. Inaccessible Class Rooms & Library

However, this is a century old educational institution accommodated in the residential complex of late Sri Madhusudan Das and Late Miss Shailabala Das in the centre of the City. Due to the lack of



space, horizontal expansion of the College is not possible. Apart from this, this is a composite college offering courses from +2 to P.G, utilizing the limited number of rooms with same infrastructure, for all the courses. There are a total 77 PwD category students pursuing their studies in the college, out of whom 36 students are of +2/HSS wing (Arts-34 and Science - 2), 31 students are of UG/+3 courses (Odia - 8, Pol. Science - 7, Sociology - 6, History - 5 English - 2, Chemistry -1 , Economics - 1 and Education -1) and 10 students are of PG courses {Odia - 5, Education -2 (including 1 with neurological disorder), Botany - 1, English - 1, and Zoology - 1). Although +2 Arts General classes are held in the Hall-1 (on ground floor) and Hall -2 (on 1st floor), the students must opt for other electives and one MIL of their choice and therefore, bringing all their classes to the ground floor is not practically feasible, while restricting their choice for electives will be unfair to them. The departments of History, Zoology and Sociology are on ground floors, whereas departments of Botany, Chemistry, Odia and Pol. Science are on 1st floors. However, the departments of Economics and Education are on the 2nd floor, while the department of English is on the 3rd floor of Arts Academic building. Persistent efforts have been



made to install the lift facility in the said Arts Academic building by the institution, which is likely to get materialized very soon. But as student of chemistry must attend practical classes in the laboratory, it is practically impossible to bring it down to the ground floor. Also, as the NEP 2020 policy seeks to foster inclusive education for equitable development of the PwD students in order to integrate them into the mainstream and as the PwD students themselves are hesitant to sacrifice classroom peer support and benefits of teamwork for the sake of exclusive classrooms and attention, persuading them to separate from their classmates would be unfair and detrimental to their progress.

The college has an adequate number of braille books numbering around 324 which caters to the needs of 34 students of +2 Arts stream. For degree college students, the college has decided to procure adequate number of braille books for the visually challenged students of the institution, by utilizing the amount of Rs.1,60,000/- (one lakh sixty thousand only) allotted under the materials and supplies head, as approved by the Higher Education Department for session 2025-2026, subject to the availability of such books for UG and PG students.



Further, though the college authority has contacted Prakash Narayan Rath, new Braille Press Berhampur, it is learnt that no such UG and PG Braille books are available with them. However, the SSEPD Department of Govt. of Odisha has provided a list of publishers/vendors of Braille books and the procurement of the same is in process.

The College vide letter no.4873 dated 27.10.2025 has also submitted requisition to SSEPD Department of Govt. of Odisha for purchase of Assistive Technology like Audio-Visuals Aids, screen reader Braille displays, magnification software, E-book, speech-tap-text-software, Duxbury Software, basic - DV5 Braille embosser (Braille writer and computer) etc. which is under active consideration of SSEPD Department.

6. Accessible Facilities

Two numbers of wheel chairs has been provided by the District Social Security Officer (DSSO), Cuttack for the students who are orthopedically handicapped. SSEPD Department has assured to provide more number of wheel chairs if needed in future.

All the visually impaired students have their own white canes and they are using the same. Whenever the need arises, as a precautionary



measure, the college has in its stock 10 nos. of more white canes, provided by the SSEPD Department which will be provided to them.”

The report dated 29.10.2025 of the Director, Higher Education, Odisha is taken on record.

Learned counsel for the State has produced the written instruction dated 28.10.2025 of the Superintending Engineer, Cuttack (R & B) Division No.I, Cuttack, which is taken on record. In the written instruction, it is stated that after making field visit to S.B. Women's (Auto) College, Cuttack, the estimate for the works “Construction of new toilet block, ramps with railings, tactile path both inside the College and Hostel premises and other allied facilities at S.B. Women's Autonomous College, Cuttack to make the campus disable friendly” is under preparation and it would be submitted for accordance of administrative approval and placement of funds. However, as per letter no.4750 Dt.17.10.2025 of the Principal, S.B Women's (Auto) College, Cuttack, necessary instructions have been given to Asst. Executive Engineer, Cuttack (R & B), Sub-Division No-III, Cuttack vide Letter No.16236/WE Dt.27.10.2025 to start the execution of the work immediately so as to complete the works



by 31.12.2025. A copy of the letter dated 27.10.2025 has been annexed to the written instruction dated 28.10.2025.

It is further mentioned in the written instruction that regarding installation of lift in the G+4 building of the Arts Block, the tender has been invited vide T.C.No.46 of 2025-26 Dt. 27.10.2025. A copy of the tender vide T.C.No.46 of 2025-26 Dt. 27.10.2025 has been annexed to the written instruction dated 28.10.2025 and the work would be completed by 18.02.2026.

The report of the Director of Higher Education, Mr. Kali Prasanna Mohapatra is taken on record. The report details the steps taken to address the issues relating to the differently abled students as was flagged in the joint enquiry report of Mr. Shibo Toppo, Additional District Magistrate, Cuttack and others including the representative of the Advocates' Committee, Ms. Padmalaya Mohapatra.

On perusal of the report, this Court places on record its appreciation for the sincere steps taken and the proactive approach of the Director of Higher Education, Mr. Mohapatra.

During the course of hearing, the issue relating to the differently abled students of the entire State came up for deliberation and this Court calls



upon the Director of Higher Education to take necessary steps in this regard so that the issue relating to the differently abled students across the State is addressed in a uniform manner so as to ensure that they are not deprived from pursuing their studies for lack of facilities to which they are constitutionally entitled to.

To take stock of the measures which have been put in place in S.B. Women's Autonomous College, this Court calls upon the Committee, who visited the Shailabala Women's Autonomous College, Cuttack on 17.10.2025, to visit the College again on 21.11.2025 to study the ground reality vis-à-vis the measures taken and submit a report.

If possible they shall interact with the concerned students to find out about their requirements which would ease the challenges they are facing. The report of the committee shall be taken up for consideration on 04.12.2025.

List this matter on 04.12.2025.

This Court directs that in the next sitting apart from the officials, the Principal of Shailabala Women's Autonomous College, Cuttack shall remain present either virtually or in person.



Registry is requested to communicate the same.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

ISSUE RELATING TO CREMATORIUMS AND THE GRAVEYARDS

350.
30.10.2025

The Secretary of the Bar Association, Mr. Pattnaik raised concern regarding the state of the crematoriums and the graveyards of the city. It is stated that they lack basic facilities for which there is great hindrance in performing the obsequies.

Taking note of the same, the ADM, Mr. Shibo Toppo who is also the Nodal Officer on behalf of the District Administration, is present through virtual mode as well as the Commissioner, CMC are called upon to submit a report regarding the number of crematoriums and the graveyards in the city and the state of basic facilities at such places like water, toilets, lighting and rest sheds and also the measures taken to maintain hygiene and cleanliness of the said crematoriums and the graveyards so also the availability of environmentally friendly cremation systems.



List this matter on 20.11.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

30th October 2025
Santoshi/Sipun