

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

O.A. NO. 188 OF 2024

IN THE MATTER OF

SAURAV NARAYAN

.....APPLICANT

VERSUS

BIHAR STATE POLLUTION CONTROL BOARD & ORS.

.... RESPONDENTS

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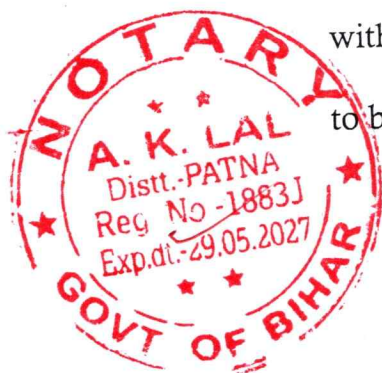
granted the contract to M/S Shree Nestbuild Infra Pvt. Ltd., for effective abatement of pollution, conservation and rejuvenation of River Ganga under the 'Namami Ganga Programme'. However, the applicant conducted tests on samples of water flowing in drains from 6 out of 16 drains in Patna and found that the samples from all the six sites had exceeded the permissible limit for waste water discharge on inland surface as prescribed by the Central Pollution Control Board, New Delhi, on all major parameters namely Biological Oxygen Demand (BOD); Chemical Oxygen Demand (COD) and Total Suspended Solids (TSS) and Fecal Coliform (FC).

3. That the Hon'ble Tribunal vide its order dated 13.09.2024 directed impadment of the National Mission for Clean Ganga (NMCG); the Additional Chief Secretary, Environment, Forest and Climate Change Department, Government of Bihar, and the District Magistrate, Patna, in the array of Respondents and constituted a three-member committee to visit the site in question and submit its fact-finding report with regard to the allegations made in the Original Application. The three-member committee comprised of (i) Senior Scientist, Bihar State Pollution Control Board; ii) District Magistrate, Patna, or his representative not below the rank of Additional District Magistrate; and iii) Municipal Commissioner, Patna, or his representative of senior rank.



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4. That the answering respondent vide its letter dated nominated Sri Arun Kumar, Board Analyst, as committee member on behalf of the State Board and requested the Respondent No. 8 and Respondent No. 02 to nominate a committee member. Respondent No. 02 nominated Sri Ramasis Sharan Tiwari, Dy. Municipal Commissioner, Patna Municipal Corporation, Patna as its representative; Vide letter dated 26.10.2024 Respondent No. 08 nominated Additional District Magistrate (General), as its representative. Considering the impending Diwali and Chaath Puja festival the committee fixed the date of inspection as 08.11.2024.
5. That the answering respondent in the meantime on 17.10.2024 collected samples from 6 drains and analyzed it in the Central Laboratory and found the following for the respective sites: -
- (i) **Aanta Ghat:** - the BOD was 18 mg/l; COD was 80 mg/l; TSS was 80; FC 35×10^6 . In Aanta Ghat every parameter was as per the prescribed standard except Fecal Coliforms (FC).
 - (ii) **Barharwa Ghat:-** the BOD was 100mg/l; COD was 208mg/l; TSS was 144 mg/l and FC 92×10^6 . In Barharwa Ghat BOD, TSS and FC were found to be beyond the parameters.
 - (iii) **Rani Ghat:-** the BOD was 62 mg/l; COD was 128mg/l; TSS was 44 mg/l and FC 35×10^6 . In Rani Ghat COD & TSS were found to be within the prescribed standards, whereas, BOD and FC were found to be beyond the prescribed parameters.



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- (iv) **Masjid Ghat:-** the BOD was 22 mg/l; COD is 80 mg/l; TSS was 104 mg/l and FC 92×10^6 . In Masjid Ghat the BOD and COD levels were within the prescribed parameters, TSS was marginally found to be beyond the prescribed standards, whereas, FC was found to be beyond the prescribed parameters.
- (v) **Loharwa Ghat:-** the BOD was 63 mg/l; COD was 96 mg/l; TSS was 160 mg/l and FC is 24×10^7 . In Loharwa Ghat BOD, TSS and FC were found to be beyond the prescribed standards.
- (vi) **Gaai Ghat:-** the BOD was 38 mg/l; COD was 64 mg/l and TSS was 148 mg/l. In Gaai Ghat BOD, TSS and FC were found to be beyond the prescribed standards.

A copy of the analysis report
is annexed and marked as
Annexure-1.

6. That the sewerage system of city of Patna has not been fully developed and the work is ongoing for construction of proper sewerage system in the city of Patna and then entire sewage should be diverted to STPs through respective network for treatment. At present, there are four STPs in city of Patna (i) Beur STP; (ii) Saidpur STP; (iii) Pahari STP; and (iv) Karmalichak STP. The sewage treated in the aforesaid STP falls in Punpun river. The sewage of the drains from which samples were collected by the applicant are the drains which carry mostly domestic waste water and are

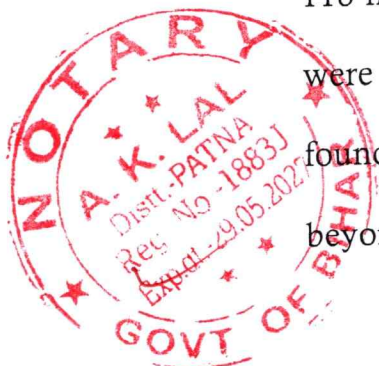


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not connected to any STP and is not treated before entering the River Ganga. Further, out of the Six drains from which samples were collected by the applicant all the drains except Aanta Ghat has flow of less than 1 MLD.

7. That the joint committee inspected the sewage of the drains on 08.11.2024 and samples were also collected and analyzed in the central laboratory. The result of the analysis is produced hereunder: -

- i. **Aanta Ghat:** - the BOD was 32 mg/l; COD was 80 mg/l; TSS was 60; FC 92×10^7 . In Aanta Ghat every parameter was as per the prescribed standard except Fecal Coliforms (FC) and BOD was marginally above the prescribed standards.
- ii. **Barharwa Ghat:-** the BOD was 90mg/l; COD was 240mg/l; TSS was 68 mg/l and FC 23×10^7 . In Barharwa Ghat BOD and FC were found to be beyond the parameters.
- iii. **Rani Ghat:-** the BOD was 70 mg/l; COD was 140 mg/l; TSS was 74 mg/l and FC 28×10^8 . In Rani Ghat COD & TSS were found to be within the prescribed standards, whereas, BOD and FC were found to be beyond the prescribed parameters.
- iv. **Masjid Ghat:-** the BOD was 28 mg/l; COD was 40 mg/l; TSS was 118 mg/l and FC 92×10^6 . In Masjid Ghat the BOD and COD levels were within the prescribed parameters, whereas TSS was marginally found to be beyond the prescribed standards, whereas, FC was beyond the prescribed parameters.



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- v. **Loharwa Ghat:-** the BOD was 120 mg/l; COD was 320 mg/l; TSS was 226 mg/l and FC was 54×10^{13} . In Loharwa Ghat BOD, TSS and FC were found to be beyond the prescribed standards.
- vi. **Gaai Ghat:-** the BOD was 44 mg/l; COD was 80 mg/l; TSS was 98 mg/l and FC was 24×10^{10} . In Gaai Ghat BOD, TSS and FC were found to be beyond the prescribed standards.

A copy of the analysis report
is annexed and marked as
Annexure-2.

8. That it is stated that the Hon'ble National Green Tribunal, New Delhi, in the matter of O.A. No. 606 of 2018, is monitoring the issue of solid as well as liquid waste management. In the said matter the Hon'ble Tribunal vide order dated 04.05.2023 noted that the gap in sewage treatment in State of Bihar is 2193 MLD, and directed the Chief Secretary, Bihar, to take appropriate steps for ensuring that the gap in sewage treatment is bridged and directed that Rs. 4000 crores be kept as ring-fenced account for solid and sewage management. Further in the said matter the Chief Secretary, Bihar was directed to file a six-monthly progress report with respect to each city, town and village in terms of quality of sewage and solid waste generation treatment and the gap.





9. That in view of the above it is stated that the State of Bihar is taking steps to bridge the gap in sewage generation and its treatment and in Patna, two STPs at Digha (capacity 100 MLD) and Kankarbagh (50 MLD) is being constructed.
10. That it is stated that the issue of sewage management is being monitored by the Hon'ble NGT, PB, and the State of Bihar is filing its six-monthly progress report before the Hon'ble Tribunal, as such the instant case is multiplicity of proceedings and therefore may be disposed of.
11. That I have read the contents of the affidavit and have understood the same.

Identify the Deponent signature/L.I. who has signed in my presence

[Handwritten Signature]
DEPONENT

VERIFICATION

Verified at Patna on 20th day of November, 2024, that the averments made in the present affidavit are true and correct to the best of my knowledge and information derived from records of the matter and Annexures are true copy of the original, no part of it is false and nothing material has been concealed therefrom.



[Handwritten Signature]
DEPONENT

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ID. Card No.: 107
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Resi. Address: ARUN KUMAR, 14 SHANTI NIKETAN COLONY, P.O. BANADURPUR HOUSING COLONY, KANKARBAGH, PATNA-800026
Contact No.: 9771023456

IF FOUND PLEASE RETURN TO:
 Bihar State Pollution Control Board, Parivesh Bhawan,
 Patliputra Industrial Area, P.O. Sadaquat Ashram Patna-800 010
 Phone No.: -0612-2261250/2262268; Fax No.: -0612-2261050
 e-mail: bspcb@yahoo.com, website: http://bspcb.bih.nic.in

BIHAR
बिहार राज्य प्रदूषण नियंत्रण पथद
BIHAR STATE POLLUTION CONTROL BOARD
 (Environment & Forest Department, Govt. of Bihar)
 Parivesh Bhawan, Patliputra Industrial Area, Patna-800 010



Name: ARUN KUMAR
Designation: SCIENTIST

Arun Kumar
Holder's Signature

[Signature]
Member Secretary

for C.A.
Arun Kumar
 20/11/2024

NOTARY
 A. K. LAL
 Distt.-PATNA
 Reg No -1883J
 Exp.dt.-29.05.2027
GOVT OF BIHAR

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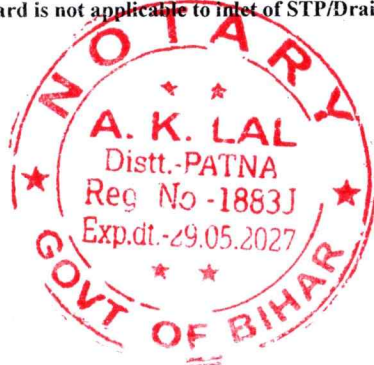
Bihar State Pollution Control Board

Parivesh Bhawan, Patliputra Industrial Area, Patliputra, Patna-800 010

Report of Drain

Parameters	Standard for final treated effluent of STP as per the Hon'ble NGT order dated-30.04.2019 in O.A. 1069/2018	Drain at Anta Ghat, Patna	Drain at Gai Ghat, Patna	Drain at Barharwa Ghat, Patna	Drain at Rani Ghat, Patna	Drain at Masjid Ghat, Patna	Drain at Loharwa Ghat, Patna
Reference No	...	1698	1700	1702	1703	1697	1699
Date of Sampling	...	17-10-2024	17-10-2024	17-10-2024	17-10-2024	17-10-2024	17-10-2024
Nature of Sample	...	Drain	Drain	Drain	Drain	Drain	Drain
pH	5.5-9.0	7.15	7.14	7.26	7.65	7.05	7.22
BOD (mg/L)	10	18	38	100	62	22	63
FC (MPN/100 ml)	230	35*10 ⁶	17*10 ⁶	92*10 ⁶	35*10 ⁶	92*10 ⁸	24*10 ⁷
COD (mg/L)	50	80	64	208	128	80	96
Total Suspended solids (mg/L)	20	80	148	144	44	104	160

Note- Standard is not applicable to inlet of STP/Drain.



Shabnam Rani (JRF)
14/11/24

Shabnam Rani
14/11/2024
Board Analyst
Bihar State Pollution Control Board
PATNA

Annexure - 2

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Bihar State Pollution Control Board

Parivesh Bhawan, Patliputra Industrial Area, Patliputra, Patna-800 010

Report of Drain

Parameters	Standard for final treated effluent of STP as per the Hon'ble NGT order dated-30.04.2019 in O.A. 1069/2018	Drain at Gai Ghat, Patna	Drain at Masjid Ghat, Patna	Drain at Anta Ghat, Patna	Drain at Rani Ghat, Patna	Drain at Loharwa Ghat (East), Patna	Drain at Loharwa Ghat (West), Patna	Drain at Barharwa Ghat, Patna
Reference No	...	1942	1943	1944	1945	1946	1948	1947
Date of Sampling	...	08-11-2024	08-11-2024	08-11-2024	08-11-2024	08-11-2024	08-11-2024	08-11-2024
Nature of Sample	...	Drain	Drain	Drain	Drain	Drain	Drain	Drain
pH	5.5-9.0	7.93	7.59	6.66	7.38	7.55	7.49	7.44
BOD (mg/L)	10	44	28	32	70	75	120	90
FC (MPN/100 ml)	230	24*10 ¹⁰	92*10 ⁹	92*10 ⁷	28*10 ⁸	54*10 ¹²	54*10 ¹³	23*10 ⁷
COD (mg/L)	50	80	40	80	140	120	320	240
Total Suspended solids (mg/L)	20	98	118	60	74	112	226	68

Note- Standard is not applicable to inlet of STP/Drain.

Shebnam Rani (JRF)
18/11/24



Board Analyst
18/11/2024
Bihar State Pollution Control Board
PATNA