

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

O.A. NO. 206 OF 2024/EZ

IN THE MATTER OF

Ravindra Kumar .....Applicant(s)

Versus

State of Bihar .....Respondent(s)

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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
O.A. NO. 206 OF 2024/EZ  
IN THE MATTER OF

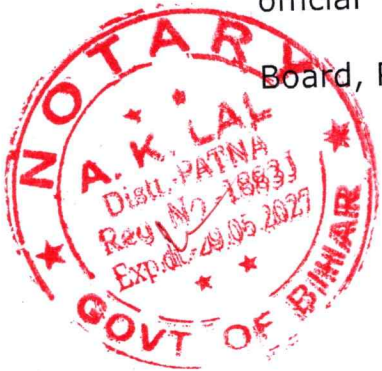
Ravindra Kumar .....Applicant(s)  
Versus  
State of Bihar .....Respondent(s).

COMPLIANCE REPORT ON BEHALF OF THE COMMITTEE  
CONSTITUTED BY THE HON'BLE TRIBUNAL VIDE ITS ORDER  
DATED 04.09.2024.

I, Abhimanyu Singh, aged about 32 years, Son of R.K. Singh, resident of Sardar Patel Colony, P.S.- Digha, P.O.- Sadaquat Ashram, Patna- 800010, do hereby solemnly affirm and state as follows:

A.K. Lal  
Notary Public  
Patna

1. That I am presently posted as Law Officer in Bihar State Pollution Control Board, Patna. I am authorized to file the present compliance report on behalf of the committee. I am aware of the facts of the present case on the basis of the official records maintained at Bihar State Pollution Control Board, Patna, and inspection report, that I believe to be true.



Sl. No. 7183 Date 18/12/24

Abhimanyu Singh  
who is identified by Advocate. He has solemnly affirmed and declared contents of this affidavit apart from this nothing stamp/Leaves etc. r/s 3 & Sub Rule 4 & rule of N.P. 2. - 9th beta, 1st 10/11/24

2. That the instant matter has been registered suo moto based on a letter petition wherein it has been alleged that Nagar Parishad (Municipal Council) Bihta, Patna is throwing garbage in Abadi area causing huge air pollution, contaminating ground water, soil etc. and also causing health hazard to the local residents.
3. That in light of the above letter petition the Hon'ble National Green Tribunal, Principal Bench, constituted a joint committee comprising of District Magistrate, Patna; Bihar State Pollution Control Board and Central Pollution Control Board. Further, directed the committee shall visit the site, collect relevant information and ensure the provision of SWM, Rules, 2016 are strictly complied with by the local body.
4. That in light of the above order the committee visited the site on 28.10.2024. Sri Manish Kumar, DCLR, Danapur, (representative of the District Magistrate, Patna; Sri Toufic Aslam, Scientist 'C' CPCB, RD, Kolkata and Sri Nalini Mohan Singh, Scientist, BSPCB, were the members of the committee. The committee in their inspection report has noted its observation in two sections, i.e, information collected from Nagar Parishad, Bihta and physical observation at the site. The



information provided by the Nagar Parishad, Bihta, Patna are hereunder: -

- i. Nagar Parishad, Bihta, was formed in the year 2021, previous to that this area was designated as a panchayat. So, it is a newly formed ULBs in the district of Patna, Bihar;
- ii. Population of Nagar Parishad, Bihta as per census 2011 is 47549 and present population is about 66,035;
- iii. Door-to-Door collection, transportation of waste is carried out by 07 vehicles & 30 trolley. Nearly 14 MT is collected per day and transported to the dumpsite at Kishunpur, Bihta, outside the area of Nagar Parishad, Bihta. Household dustbins are provided to residents to carry out source segregation. Awareness programs are organized from time-to-time;
- iv. For dumping and processing of waste, a land is required and so, the Executive Officer, Nagar Parishad, Bihta, has requested for a piece of land from Circle Officer, Bihta, but no land has been provided;
- v. The site in question is not an active dumping site and dumping has been stopped from last six months;



- vi. The General body of the Empowered Standing Committee of Nagar Parishad, Bihta, has passed many resolutions for processing of wet and dry waste, for purchasing machineries, for getting land on lease, for spreading awareness among citizens and for proper monitoring establishing a project monitoring unit;
- vii. Officials of Nagar Parishad Bihta have been trained in Solid Waste Management, so they can comply with the solid waste management rules, 2016, in Nagar Parishad, Bihta;
- viii. As Nagar parishad, Bihta is a newly constituted ULB, so it needs time to construct all the necessary infrastructure to carry out all it planning in a proper way.

The Physical Observation at the Site:-

- i. The Site mentioned in the application (newspaper article) was on the other side of the road going to village Lal;
- ii. The dumpsite is located along the periphery of a school, i.e., T.P. High School, BIhta;
- iii. As reported by Circle Officer, Bihta and Amin Nagar Parishad, Bihta, the description of the site mentioned



in Khatiyan survey is khata- 296, khesra- 206, Rakba- 1.42 acre and it is Government of India property;

- iv. The dumpsite is an unauthorized disposal site being used for municipal waste dumping. As informed by Nagar Parishad, Bihta, the site is no longer an active dumping site;
  - v. No garbage was found at the site and there was only some scattered waste. Scattered patch of disposed unsegregated municipal solid waste were observed at the site in question on the day of inspection; as informed by the Nagar Parishad Bihta & Local people there has been no additional dumping at the site from the last six months;
  - vi. After enquiring from the local people/by-standards present, it was found that the dumping of waste at this place has been stopped nearly 6 months ago;
  - vii. No fire incidence was observed on the day of inspection.
5. That in light of the findings of the inspection the committee, the committee came to the following conclusion: -
- i. Nagar Parishad, Bihta, is newly formed urban local body;



- ii. Door-to-Door collection is carried out and the waste is transported and dumped for the time being at Kishunpura, Bihta, i.e, outside of the town area. Nagar Parishad Bihta, has published a notification to get land on lease for scientific disposal of municipal solid waste;
  - iii. No garbage was dumped at the site in question except some scattered waste;
  - iv. No fire incidence was observed on the date of visit.
6. That based on the findings of the inspection the committee has recommended the following recommendations: -
- I. Nagar Parishad, Bihta should ensure processing of waste in accordance of SWM Rules,2016. Further it should be ensured that the segregated components of solid waste are disposed off in environmentally sound manner.
  - II. Nagar Parishad, Bihta should start source segregation and material recovery Facility for fresh solid waste in order to deal with the fresh waste in accordance of SWM Rules,2016.
  - III. Revenue Department of Government of Bihar to ensure availability of land for scientific processing of waste and also for landfill site.



- IV. Urban Development and Housing Department of Government of Bihar to ensure to provide permission for solid waste management (composting, Plastic recycling, material recovery facility etc.) to Nagar Parishad Bihta.
- V. Nagar Parishad, Bihta should take all measures to prevent fire Incidence.
- VI. Nagar Parishad, Bihta should take all measures to prevent fire incidence.
- VII. Nagar Parishad, Bihta to ensure to bring to action the resolutions of General body & ESC(Empowered Standing Committee) of Nagar Parishad, Bihta for complying SWM Rules,2016.
- VIII. The land under consideration should be fenced and any kind of garbage disposal further at the impugned site should be strictly prevented /prohibited by the Nagar Parishad Bihta.

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



7. That from the above stated facts it appears that Nagar Parishad, Bihta is taking steps to implement solid waste management rules, 2016 and dumping of solid waste at the site in question has been stopped.

8. That I have read the contents of the affidavit and have understood the same.

*Identity of the Deponent signed by who has signed in my presence*

*Jeeef Prakash*

*A. Singh*  
18/12/24  
DEPONENT

**VERIFICATION**

Verified at Patna on 18<sup>th</sup> day of December, 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.

*A. Singh*  
18/12/24  
DEPONENT





भारतीय विशिष्ट पहचान प्राधिकरण  
 भारत सरकार  
 Unique Identification Authority of India  
 Government of India



E-Aadhaar Letter

नामांकन क्रमांक/Enrolment No.: 2020/75026/01033

Abhimanyu Singh (अभिमन्यु सिंह)

सूचना

S/O: Ranjan Kumar Singh, Kailash Vatika, Saradar Patel Colony, P n m Mall, Kurji, Phulwari, Patna, Bihar - 800010

- आधार पहचान का प्रमाण है, नागरिकता का नहीं।
- पहचान का प्रमाण ऑनलाइन ऑथेंटिकेशन द्वारा प्राप्त करें।
- यह एक इलेक्ट्रॉनिक प्रक्रिया द्वारा बना हुआ पत्र है।

आपका आधार क्रमांक/ Your Aadhaar No.:

INFORMATION

6676 5880 1871

- Aadhaar is a proof of identity, not of citizenship.
- To establish identity, authenticate online.
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- कृपया अपना नवीनतम मोबाइल नंबर तथा ई-मेल पता दर्ज कराएं. इससे आपको विभिन्न सुविधाएं प्राप्त करने में सहायता होगी.
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भारतीय विशिष्ट पहचान प्राधिकरण  
 UNIQUE IDENTIFICATION AUTHORITY OF INDIA



अभिमन्यु सिंह  
 Abhimanyu Singh  
 जन्म तिथि/ DOB: 12/06/1992  
 पुरुष / MALE



पता:

आत्मज: रंजन कुमार सिंह,  
 कैलाश वाटीका, सरदार पटेल  
 कॉलोनी, पी एन एम माल,  
 कुर्जी, फुलवारी, पटना,  
 बिहार - 800010

Address:

S/O: Ranjan Kumar Singh, Kailash Vatika, Saradar Patel Colony, P n m Mall, Kurji, Phulwari, Patna, Bihar - 800010

6676 5880 1871

6676 5880 1871

आधार-आम आदमी का अधिकार

Aadhaar-Aam Admi ka Adhikar

Annexure - 1

Joint Committee Report in the Hon'ble NGT Matter O.A. No. 901 / 2024 On Issue Related to Dumping of Solid Waste in Abadi Area in Nagar Parishad, Bihta.

1. Background

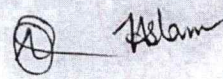

Hon'ble National Green Tribunal (NGT), Principal Bench, New Delhi passed an order in O.A. No 901/2024 dated 04-09-2024 in matter of Ravindra Kumar V/s State of Bihar. The issue is related to throwing of garbage in Abadi area causing huge air pollution, contaminating ground water, soil etc and also causing health hazards to the local residents. Further the complain was that local body is liable for handling, management, processing and disposal of solid waste in a scientific manner but in utter violation of statutory responsibility enshrined under Solid Waste Management Rules (SWM), 2016 the local body is throwing away garbage/solid waste in the Abadi area and thereby causing damage to the environment. A paper cutting was attached with the application dated 01.12.2023 showing fire incidence at above said dumpsite.

To investigate the matter the Hon'ble NGT Principal Bench, Delhi constituted a joint committee comprising the District Magistrate, Patna; Bihar State Pollution Control Board (BPCB); and Central Pollution Control Board (CPCB). The Committee was directed to visit the site and collect relevant information and submit a compliance report within two months to the Registrar Eastern Zone Bench at Kolkata of Tribunal. District Magistrate, Patna was appointed as Nodal Agency of the said Committee.

In accordance of above direction, a Joint Committee comprising of following officers carried out the site visit in the Nagar Parishad, Bihta on 28<sup>th</sup> October 2024.

1. Shri Manish Kumar, DCLR, Danapur (Representative of the District Magistrate, Patna)
2. Shri. Toufic Aslam, Scientist 'C' CPCB, RD KOLKATA
3. Shri Nalini Mohan Singh, Scientist, BSPCB



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The Complainant was also tried to be contacted but his mobile no. was switched off.

Meeting of the Joint Committee was conducted at the office of BSPCB, Patna on 28.10.2024 at 9:00 a.m. In this meeting issues raised by the Complainant were discussed for better understanding of the issue and an inspection of the site was planned.

Subsequently, the Committee members reached at the site in question and carried out the detailed inspection.

## 2. Observation during site visit

The observations of the Committee are covered under two sections, i.e. information collected from Nagar Parishad Bihta on the subject matter and physical observations at the site.



### 2.1 Information Provided by Nagar Parishad, Bihta, Patna.

(1) Nagar Parishad, Bihta was formed in the year 2021, previous to that this area was designated as a panchayat. So it is a Newly formed ULBs in the district of Patna, Bihar

(2) Population of Nagar Parishad, Bihta as per Census 2011 is 47549 and present population is about 66,036.

(3) Door-to-Door Collection, transportation of waste are carried out by 07 vehicles & 30 trolley (thelas). Nearly 14 MT is collected per day and transported to the dumpsite at Kishunpur, Bihta outside the area of Nagar Parishad, Bihta. Household dustbins are provided to residents to carry out source segregation. Awareness programmes are organized from time-to-time.



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(4) For dumping and processing of waste, a land is required and so, the Executive Officer, Nagar Parishad, Bihta has requested for a piece of land from Circle Officer, Bihta but no land piece is provided yet [REDACTED]

(5) The site mentioned above is not an active dumping site now. Dumping is stopped at this site from last 6 months.

(6) UDHD, Bihar has sent a letter to all ULBs of Bihar to get permission for any tender related to Integrated Solid Waste Management to avoid doubling of Scheme & Wastage of money [REDACTED]

(7) The General body and Empowered Standing Committee of Nagar Parishad, Bihta has passed many resolutions for processing of wet & dry waste, for purchasing machineries, for getting land on lease, for spreading awareness among citizens and for proper monitoring, establishing a Project Monitoring Unit [REDACTED]

(8) Officials of Nagar Parishad Bihta have been trained in Solid Waste Management, so they can comply with the Solid Waste Management Rules, 2016 in Nagar Parishad, Bihta.

(9) As Nagar Parishad, Bihta is a newly constituted ULB, so it needs time to construct all the necessary infrastructure to carry out all its planning in a proper way.



[Signature]

## 2.2 Site Observation :-

After Reaching at the Site following things were observed:-

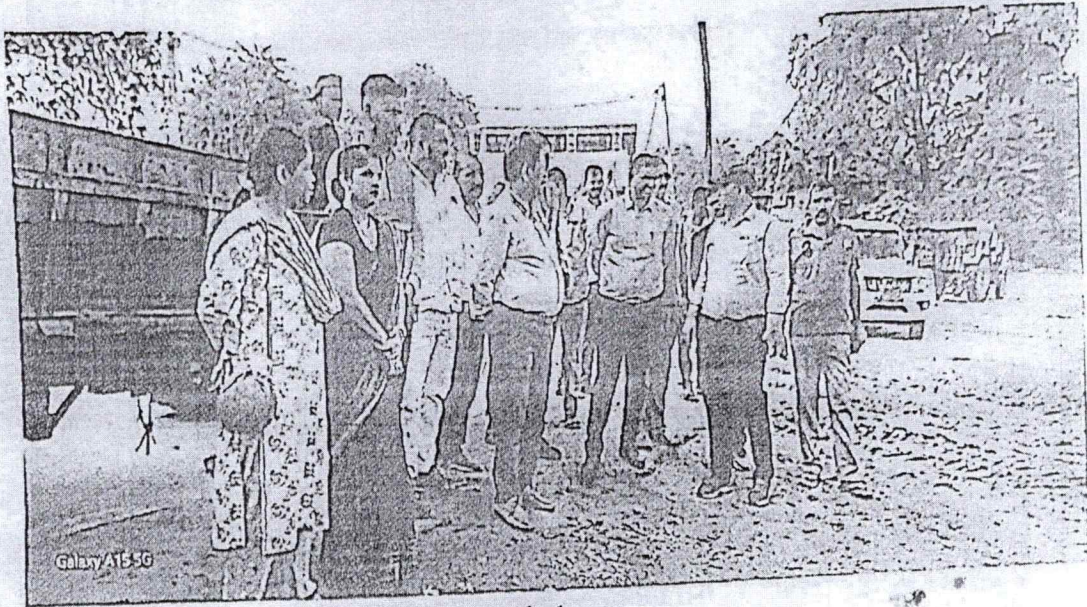


Fig.1

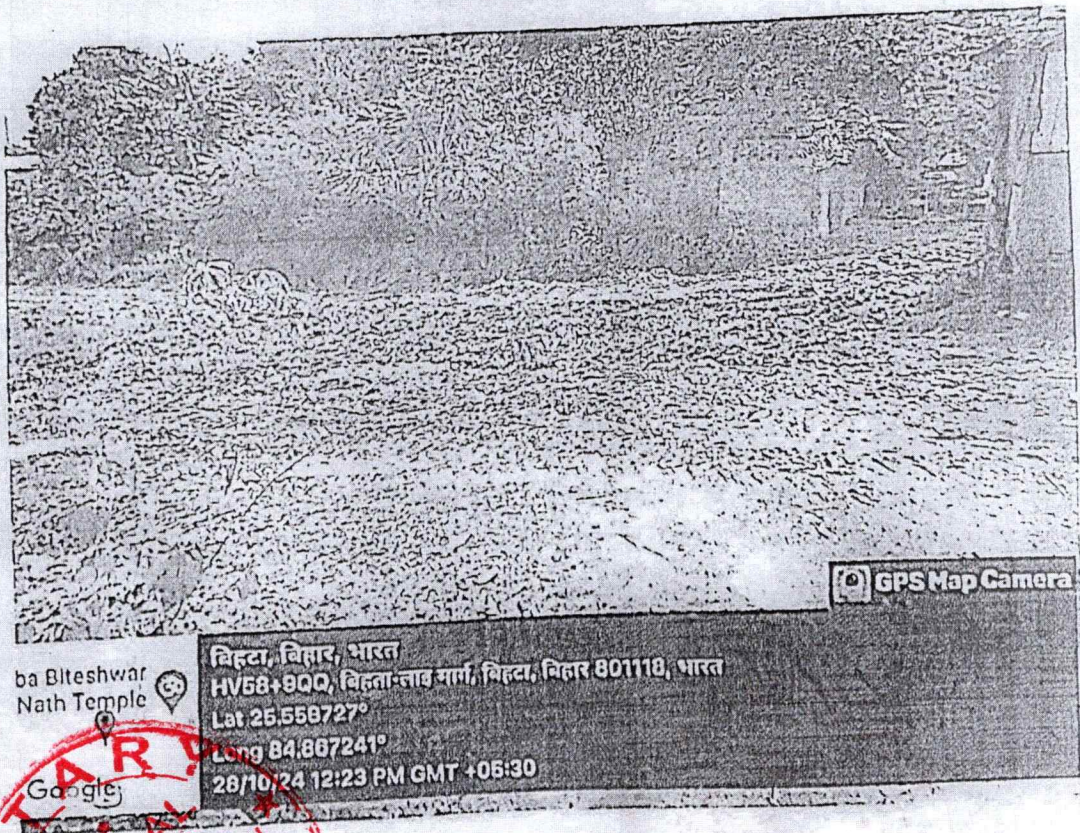
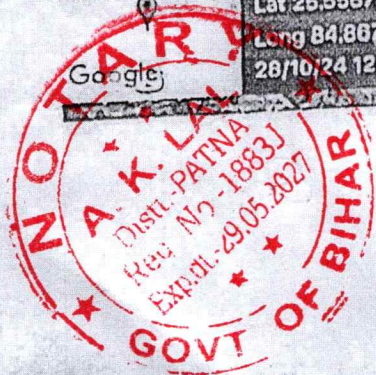


Fig.2



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- The Site mentioned in the application (newspaper article) was on the other side of the Road going to village Lal. The geographical coordinates of the dumping site in Bihta are  $25^{\circ}33'32.7''$  N  $84^{\circ}52'0.32''$  E. The google map of the site is enclosed as [REDACTED]
- The dumpsite is located along the periphery of a school i.e, T.P. High School, Bihta.
- As reported by Circle Officer, Bihta and Amin, Nagar Parishad Bihta, the description of the Site mentioned in khatian survey is Khata- 296, Khesra-206, Rakba-1.42 Acre, and it is "Keshre Hind Parti Kadim" Land i.e, Govt. of India/Bharat property [REDACTED]
- The dumpsite is an informal/non authorized disposal site being used for municipal waste dumping. As informed by Nagar Parishad Bihta, the site is no longer an active dumping site.
- No garbage was found at the site and there was only some scattered waste. Scattered patches of disposed Unsegregated municipal solid waste were observed at the impugned site on the day of inspection; as informed by the Nagar Parishad Bihta & local people there has been no additional dumping at the site from the last six months.
- After enquiring from the local people/ by-standers present, it was found that the dumping of waste at this place has been stopped nearly 6 months ago.
- No fire incidence was observed on the day of inspection.





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### 3. Conclusion

1. Nagar Parishad, Bihta is newly formed Urban local body.
2. Door to Door Waste Collection is carried out and the waste is transported and dumped for the time being at Kishunpura, Bihta i.e. outside of the Town area. Nagar Parishad Bihta has published a notification to get land on lease for scientific disposal of municipal solid waste.
3. No garbage was dumped at the site except some scattered waste was found.
4. Many resolutions and decisions are passed by General body and ESC (Empowered Standing Committee) of Nagar Parishad, Bihta to abide by the rules of SWM Rules, 2016 & need to be brought in action.
5. No fire incidence is observed on the date of visit.



 *Islam* 

#### 4. Recommendations :

1. Nagar Parishad, Bihta should ensure processing of waste in accordance of SWM Rules,2016. Further it should be ensured that the segregated components of Solid Waste are disposedoff in environmentally sound manner.
2. Nagar Parishad, Bihta should start source segregation and material recovery facility for fresh solid waste in order to deal with the fresh waste in accordance of SWM Rules, 2016.
3. Revenue Department of Government of Bihar to ensure avalliability of land for scientific processing of waste and also for landfill site.
4. Urban Development and Housing Department of Government of Bihar to ensure to provide permission for solid waste management (composting, Plastic recycling, material recovery facility etc.) to Nagar Parishad Bihta.
5. Nagar Parishad, Bihta should take all measures to prevent fire incidence.
6. Nagar Parishad, Bihta to ensure to bring to action the resolutions of General body & ESC (Empowered Standing Committee) of Nagar Parishad, Bihta for complying SWM Rules 2016.
7. The land under consideration should be fenced and any kind of garbage disposal further at the impugned site should be strictly prevented/prohibited by the Nagar Parishad Bihta.

Date: 28.10.2024

Place: Bihta, Patna

1. Shri ManishKumar,DCLR,Danapur

2. Shri. Toufic Aslam, Scientist 'C', CPCB, RD KOLKATA *Helam*  
14.11.24

3. Shri Nalini Mohan Singh, Scientist, BSPCB

*A. M. Singh*  
15.11.24

