

BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH KOLKATA
ORIGINAL APPLICATION No. 188/2024 (EZ)

IN THE MATTER OF:

SAURAV NARAYAN

..... APPLICANT

VERSUS

BIHAR POLLUTION CONTROL BOARD & ORS.

..... RESPONDENTS

Next Date: 15.01.2025

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Date: 11/01/25

Place: Kolkata



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behalf of the answering respondent by the Competent Authority. Further, it is stated that I have gone through the relevant files and records in the present case.

3. That the contents of the petition under reply, unless specifically admitted, are denied to the extent that they are inconsistent with the submissions made hereinafter.
4. That, without prejudice to the above and as an alternative submission, the deponent craves liberty to raise further required contentions during the course of the proceedings.
5. That, it is humbly stated and submitted that this Hon'ble Tribunal vide order dated 11.09.2024, was pleased to constitute a Committee comprising of Senior Scientist Bihar Pollution Control Board, District Magistrate, Patna/his representative not below the rank of Addl. District Magistrate, and Municipal Commissioner, Patna/his representative of senior rank. The Committee was directed to visit the site(s) in question and submit its Fact Finding Report with regards to allegation made in the Original Application. Further, it was directed that District Magistrate Patna will act as nodal agency for coordination and compliance.



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6. That, it is humbly stated that the Hon'ble Tribunal was pleased to implead NMCG as respondent in present matter and passed a direction in the order dated 11.09.2024 directing NMCG to file a response in the matter. The present affidavit is being filed in compliance thereof.
7. That as per the River Ganga (Rejuvenation, Protection and Management) Authorities Order, published in the Gazette of India Notification No. S.O. 3187 (E) dated 07.10.2016 (Ganga Notification, 2016), NMCG functions to assist the State Governments and Local bodies in the Ganga Basin States (of Uttarakhand, Uttar Pradesh, Bihar, Jharkhand and West Bengal) for the abatement of pollution and management of the river Ganga and its tributaries flowing in these States. Under the Provisions of Ganga Notification, 2016, State Ganga Committees (SGCs), State Program Management Groups (SPMGs)/ State Mission for Clean Ganga (SMCG) and District Ganga Committees (DGCs) have been constituted by NMCG for responsible and effective implementation at ground level in the respective states and districts through which river Ganga flows, including the District Patna in Bihar. SGCs, SPMGs/



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SMCGs and DGCs have been entrusted with the responsibility that no person directly or indirectly discharges any pollutant in river Ganga or its tributaries or their banks.

8. That, further, it is humbly submitted for consideration of this Hon'ble Tribunal that the short-term interim measures like bioremediation related interventions for pollution causing drains may be taken up by the State Governments as per need at their level, under their own funding.
9. That it is humbly stated and submitted that the aforesaid contract dated 09.04.2024 is entered by and between the State Program Management Group (SPMG), Bihar under Urban Development and Housing Department, Govt. of Bihar and M/s Shree Nestbuild Infra Pvt. under its own funding. Thus, NMCG is not a party to the contract.
10. That as reported by the State Government of Bihar in its Monthly Progress Report (MPR) for the month of September 2024:



- a) The drains as mentioned in the Original Application belong to 3 zones demarcated under *Namami Gange Program (NGP)* as under:

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Table-1

S.No.	Drain Name	Zone Name, and Schemes funded NGP	Remarks
1.	Anta Ghat drain	Saidpur Sewerage Network Scheme	Sewage from these drains are being treated at Saidpur STP (60 MLD) collected through sewerage networks.
2.	Rani Ghat drain		
3.	Baharwa Ghat drain	Pahari Sewerage Network Zone – V (East side of Gandhi-Setu bridge) Scheme	Sewage of these drains are being treated at Pahari STP(60 MLD)
4.	Gaai Ghat drain		
5.	Masjid Ghat drain	Saidpur STP and adjoining Sewerage Network Scheme	Sewage are being treated also at Saidpur STP (60 MLD).
6.	Loharwa Ghat drain		

b) NMCG sanctioned 03 dedicated sewerage schemes, as shown in above Table-1, covering a network length of 288.33 km and 02 STPs (Saidpur STP-60 MLD and Pahari STP-60 MLD) of 120 MLD installed capacity under the NGP at a cost of Rs 1,035.15 Cr.



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- c) The utilization of STPs is reportedly 53 MLD against the total installed capacity of 120 MLD, apparently because of lesser number of House Service Connections (HSCs);
- d) The HSCs for these sewerage networks are to be provided by the State Government of Bihar. Against a target of 1,15,849 HSCs, the State has achieved only 32,346 HSCs, which is resulting in the discharges of sewage in open drains as well as poor utilization of created assets.

11. That the State Government and its agencies should be directed to expeditiously complete sewerage system development work that is ongoing in the city of Patna along with 100% HSCs, facilitating collection of the entire sewage for treatment in STPs or intercept the drains carrying sewage and divert these drains to STPs for treatment, so that pollution abatement of River Ganga may be adequately addressed.

12. That in view of the aforementioned facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to pass such



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other order and further order(s) as may deem fit and necessary in the interest of justice.



[Signature]
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VERIFICATION

3 JAN 2025

Verified at New Delhi on this day of January, 2025 that the contents of the above affidavit are true and correct to my knowledge and as per official records maintained in the routine course of business. No part of the above affidavit is false and nothing material has been concealed there from.

[Signature]
I certify that the above statement has signed in my presence.



3 JAN 2025

[Signature]

DEPONENT

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Certified that the foregoing statement was declared on solemn affirmation before me which has been read over to the deponent who has admitted

It as correct *[Signature]* Notary DELHI

3 JAN 2025

