

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH KOLKATA
IN

Original Application No. 18/2025/EZ
(Earlier OA No. 1315/2024/PB)

IN THE MATTER OF:

Ramesh Prasad Singh

...APPLICANTS

VERSUS

State of Bihar & Others

...RESPONDENTS

INDEX

SI No.	Particulars	Annexures	Page Nos.
1	Reply on behalf of Respondent No.03		1 to 6
2	A Copy of BSPCB Ground Water Analysis Report	Annexure-1	7-8

Avadhesh Kumar
Avadhesh Kumar Tripathi
Scientist 'C'
CPCB, Kolkata

Filed through

Atul Kumar
Counsel

Dated: 22/05/2025

Place: Kolkata

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**REPLY ON BEHALF OF THE RESPONDENT NO. 03: CENTRAL POLLUTION
CONTROL BOARD (CPCB)**

1. It is humbly submitted that; this Hon'ble Tribunal vide order dated 25.03.2025 in the matter has issued notice to all Respondents and thereby the reply is made in succeeding paragraphs.
2. It is humbly submitted that, Central Pollution Control Board (hereinafter referred to as CPCB) is constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981, and The Environment (Protection) Act, 1986.
3. That the instant matter is based on the letter written by Sh. Ramesh Prasad Singh, resident of Village Ramchak, P.O. Katsa, District Saran, State of Bihar, received by the Hon'ble Tribunal on 05.09.2024 which has been subsequently registered as Original Application No. 1315/2024 (OA). The instant case is related to the alleged dumping of municipal solid waste by Chapra Nagar Nigam at the erstwhile Marhaura Sugar Mill site, in violation of the Solid Waste Management Rules, 2016.
4. That the Hon'ble Principal Bench, vide order dated 27.11.2024 noted that as alleged, the Khadra river is a perennial river used for bathing, irrigation, and religious purposes. The dumping of solid waste near the river is not only contaminating groundwater and soil but also contaminating river water and creating health hazards to residents, in violation of Solid Waste Management Rules, 2016.

5. That vide aforesaid order Hon'ble NGT constituted a Joint Committee comprising members from Bihar State Pollution Control Board (hereinafter referred to as BSPCB), District Magistrate, Saran, and Central Pollution Control Board and directed the committee to visit the site, collect relevant information, interact with stakeholders, and submit a factual report. The District Magistrate, Saran, was designated as the Nodal Authority for co-ordination and compliance of the said order.
6. That in compliance with the aforesaid order, the Committee conducted site inspection vide dated, 27.12.2024 and submitted its interim report on 28.12.2024.
7. It is respectfully submitted before this Hon'ble Tribunal that the analysis results of groundwater samples collected from the vicinity of the alleged dumpsite and analysed by BSPCB reveal that coliform contamination exceeds the standards prescribed Total Coliform (TC) as per IS 10500: 2012 (Indian Standard Drinking Water Specifications) for drinking water. Accordingly, the final report is under preparation and shall be submitted by the District Magistrate, Saran, Bihar. The analysis report is enclosed herewith as **Annexure-I**.
8. It is humbly submitted that, Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEF&CC) has notified the Solid Waste Management Rules, 2016 (hereinafter referred to as SWM Rules 2016) vide notification S.O 1357(E) dated April 8, 2016, in suppression of Municipal Solid Waste (Management and Handling) Rules 2000. As per the relevant provisions under the SWM Rules 2016, the local bodies and panchayats are entrusted with the primary responsibility of collection and management of municipal solid waste, maintenance and operation of the solid waste processing sites and dump yards etc.
9. It is humbly submitted that as per provision of SWM Rules, it is the duty of the local authorities to facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or with private sector participation or through any agency for optimum utilisation of various components of solid waste adopting suitable technology. Further, CPCB has prepared "Guidelines on Selection Criteria for Waste Processing Technologies" and the same has been uploaded on CPCB website
10. It is humbly submitted that, as per the relevant provisions of the SWM Rules, 2016, the local authorities have to obtain authorisation for setting

up waste processing, treatment, recycling or disposal facility including landfills from State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as SPCBs/PCCs). It is the duty of the State Urban Department to ensure implementation of provisions of these rules by all local authorities. The SPCBs/PCCs are entrusted with the responsibility for enforcement of the SWM Rules, 2016 in their states through local bodies in their respective jurisdiction and a periodical review of implementation with monitoring of environmental standards and adherence to conditions prescribed under SWM Rules, 2016. The SPCBs/PCCs are also entrusted with the responsibility of issuance of authorization to the local bodies after examining the proposals submitted by them.

11. That, the answering respondent craves leave of the Hon'ble Tribunal to file additional replies if required in future.
12. That, in the light of the above submissions, it is respectfully prayed that this Answering Respondent No.3 i.e., CPCB shall abide by orders or directions passed by the Hon'ble Tribunal in the instant matter.



Avadhesh Kumar Tripathi

Scientist 'C'
CPCB, Kolkata

**BEFORE THE NATIONAL GREEN TRIBUNAL****EASTERN ZONE BENCH KOLKATA****IN****Original Application No. 18/2025/EZ****(Earlier O. A. No. 1315/2024/PB)****IN THE MATTER OF:****Ramesh Prasad Singh****...APPLICANTS****VERSUS****State of Bihar & Others****...RESPONDENTS****AFFIDAVIT**

I, Avadhesh Kumar Tripathi, S/o Triyugi Nath Tripathi aged about 49 years, having office at the Regional Directorate, Central Pollution Control Board, Southend Conclave' Block No.502, 5th& 6th Floor,1582, Rajdanga Main Road, Kolkata-700107, do hereby solemnly affirm and sincerely state as follows: -

1. That the deponent is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

Identified by me**Advocate**
DEPONENT

X

VERIFICATION

Verified at Kolkata on this day of 23rd May 2025 that the contents of the above replies are correct and true on the basis of the record of the cases as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

Verified at Kolkata on this the 23rd Day of May 2025.

Identified by me

Ankur Prasad

Advocate

[Signature]
DEPONENT



Analysis Report

S. No.	Particulars	Details
1.	Name of the sampling location	Handpump Water. Sanjay Kumar Sah. Saran. PIN- 841311.
2.	Date of sample collection	27.12.2024
3.	Sample collected by	Ramagya Ram (FA).
4.	Nature of Sample	Handpump Water
5.	GPS Coordinate of sampling point	25.88137531, 84.90921862
6.	Date of sample submission	27.12.2024
7.	Sample received by	Central Laboratory, BSPCB, Patna
8.	Laboratory Reference No.	2327

S.No.	Parameters	Date of Analysis	Result	Method of Analysis	Standards as per IS 10500:2012 Indian Standard Drinking Water- Specification	
					Acceptable Limit	Permissible Limit
1.	pH	27.12.2024	7.0	IS 3025 (Part-11)	6.5-8.5	No relaxation
2.	Turbidity (NTU)	27.12.2024	4.9	IS 3025 (Part-10)	1	5
3.	Electrical Conductivity (micro mhos/cm)	27.12.2024	1066
4.	Total Hardness as CaCO ₃ (mg/L)	02.01.2025	474	IS 3025 (Part-21)	200	600
5.	Calcium Hardness as Ca (mg/L)	02.01.2025	127.34	IS 3025 (Part-40)	75	200
6.	Magnesium Hardness as Mg (mg/L)	02.01.2025	37.90	IS 3025 (Part-16)	30	100
7.	Chloride (mg/L)	02.01.2025	95.0	IS 3025 (Part-32)	250	1000
8.	Alkalinity as CaCO ₃ (mg/L)	02.01.2025	256	IS 3025 (Part-23)	200	600
9.	Phosphate (mg/L)	02.01.2025	0.07	IS 3025 (Part-31)
10.	Nitrate as N (mg/L)	...	NA	IS 3025 (Part-34)	45	No Relaxation
11.	Ammonical Nitrogen as N (mg/L)	02.01.2025	BDL	IS 3025 (Part-34)	0.5	No Relaxation
12.	Fluoride (mg/L)	02.01.2025	0.94	IS 3025 (Part-60)	1.0	1.5
13.	Sulphate (mg/L)	02.01.2025	46.61	IS 3025 (Part-24)	200	400

Signature
08/10/2025



14.	Total Suspended Solids (mg/L)	02.01.2025	8.0	IS 3025 (Part-17)
15.	Total Dissolved Solids (mg/L)	02.01.2025	722	IS 3025 (Part-16)	500	2000
16.	Total Coliform (TC) (MPN/100)	03.01.2025	240	MPN	Shall not be detectable in any 100 ml sample.	...
17.	Facal Coliform (FC) (MPN/100)	03.01.2025	70	MPN
18.	Iron (mg/L)	03.01.2025	BDL.	IS 3025 (Part-53)	0.3	No Relaxation
19.	Lead (mg/L)	03.01.2025	BDL.	IS 3025 (Part-47)	0.01	No Relaxation

Remark: Total Coliform & Facal Coliform are beyond the limit.

Shabnam Rani
8/1/25
Report prepared by
(Shabnam Rani, JRF)

NCS Singh
08.01.25
Report verified by
(Nalini Mohan Singh)
Scientist

Pradeep Kumar
08.01.2025
(Pradeep Kumar)
Board Analyst

Board Analyst
Bihar State Pollution Control Board
PATNA

