

C.L. NO. 8

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN

ZONE BENCH, KOLKATA

IN THE MATTER OF:

M.A No.39/2024/EZ

in

Original Application No.144/2023/EZ



News Item published in Avenue Mail Dated 7th February 2023 titled "Jamshedpur: Industrial Wastes adding to Pollution level in River Subarnarekha".

AND

Member Secretary, Jharkhand Pollution Control Board & Ors.

...Respondents

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CHANDRAGUPTAKAMAL

Advocate

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Jain Prakash
Add Municipal Commissioner
Municipal Corporation Adityapur

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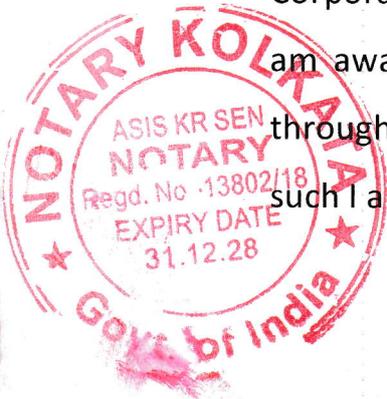
Member Secretary, Jharkhand Pollution Control Board & Ors.

...Respondents

COUNTER AFFIDAVIT FILED BY ADDITIONAL MUNICIPAL COMMISSIONER, ADITYAPUR MUNICIPAL CORPORATION, ADITYAPUR, JHARKHAND, (i.e. RESPONDENT NO. 6 HEREIN).

I, Ravi Prakash, son of Birendra Prasad Singh, aged about 44 years, by Religion - Hinduism, by Occupation - Service under Adityapur Municipal Corporation in the office of Additional Municipal Commissioner, Adityapur Municipal Corporation, Jharkhand, having its office at Adityapur, P.S. Adityapur, District - Seraikela - presently camping at 8/1, Kiran Shankar Roy Road, Kolkata - 700001, Kharswan, Jharkhand, do hereby solemnly affirm and state as follows:

1. That, I am the Additional Municipal Commissioner, Adityapur Municipal Corporation, Adityapur, Jharkhand, (Respondent No. 6 herein) and that I am aware of the facts and records in the instant case and have gone through the allegations and contentions in the Original Application as such I am competent to make and affirm the instant Affidavit.



Ravi Prakash
Addl. Municipal Commissioner
Municipal Corporation Adityapur

X

2. That, I am a law-abiding Citizen of India and very much respect the Constitution and Judicial System of India.
3. That in pursuance and in compliance to the order dated 03.10.2024 and 24.02.2025 of the Hon'ble Tribunal in the instant Original Application this Counter Affidavit is being filed by Additional Municipal Commissioner, Adityapur Municipal Corporation, Adityapur, Jharkhand, Respondent No. 6 herein.
4. That this affidavit is being filed for bringing necessary facts and statements on record for just and proper adjudication of this case.
5. That in compliance to the said order dated 03.10.2024 and 24.02.2025 passed by the Hon'ble Tribunal, I am filing this Counter Affidavit and most humbly state the following facts:

Project Name: Sewerage Scheme for Adityapur Municipal Corporation, Adityapur, Jharkhand State under Amrut Program

Client: JUIDCO (Government of Jharkhand) (Jharkhand Urban Infrastructure Development Co Ltd

Contractor Name: Shapoorji Pallonji & Co. Ltd, KPIL JV

Start Date: 30th Nov 2017

End Date: 30th Nov 2021

Time extension applied upto 31.12.2025

Defect Liability Period: 12 Months Operation

Maintenance Period: 5 Years

Coverage: 135 Kms. (Underground Pipe) out of which 102 Kms. of Underground Pipeline completed

Coverage of ward: 33 Wards

Contract Value: Rs255.15 Crores



Asis Kr Singh
Additional Municipal Commissioner
Municipal Corporation Adityapur

X

Capex: Rs217.94 Crores

Opex: Rs 37.21 Crores

Physical Progress of Project: 73%

Financial Progress: 70%

Details of Component–

A. No of STP – 4Nos.

List of STPs	Capacity	Ward No.	Place
STP1	4MLD	1	Sapra
STP2	20 MLD	13	Saldih Basti
STP3	10MLD	29	Raydih Basti, Near Keshri Gas Godam
STP4	2MLD	7	Bara Gamharia

B. Pumping Station–5Nos.

ISPS–1–NOC Pending from forest department

ISPS – 2 – Land issue due to local Hindrance

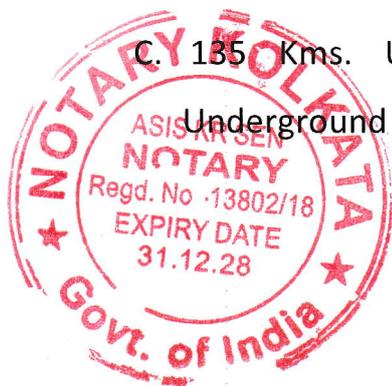
ISPS–3–Work in Process (60% Work Completed)

ISPS – 4 –Work in Process (50% Work Completed)

ISPS – 5 – Land issue not resolve

C. 135 Kms. Underground Pipe work out of which 102 Kms.

Underground Pipe work has been Completed.



Sanjiv Prakash
Add. Municipal Commissioner
Municipal Corporation Adityapur

X

Sewerage project work was started on 30th November, 2017 by M/s SPCL through Work Order by JUIDCO. Though work was started on time at many places there were encroachments at some places in STP 1, which was removed and only then after some time the work of STP 1 was also started.

The work of STP 2 could not be started on time because 17 houses were been built by the local peoples due to which the same could not be freed from encroachment on time. As such the Site Clearance was given to the Contractor only in May 2021, due to which the work of the project was started late.

Till now, land for many parts of the scheme has not been found.

ISPS 1 could not be started due to non-receipt of NOC from the Forest Department.

The work of pumping station ISPS 2 was started but could not be started due to local opposition.

Land for ISPS 5 has not been found till now due to which the work of ISPS is pending.

STP 1- 90% complete.

STP 2- 18% complete.

STP 3- 92% complete.

STP 4- 70% complete.

Due to the above, application for Time Extension has been made by JUIDCO to SUDA office,(Urban Development and Housing Department, Ranchi).



Ram Ranjan
Addl. Municipal Commissioner
Municipal Corporation Ahtyapur

X

6. There are around 1185 nos. of Industries within the jurisdiction of Adityapur Municipal Corporation which are under the control of JIADA (i.e. Jharkhand Industrial Area Development Authority). The Holding Taxas well as the SWM Fee are not deposited with Adityapur Municipal Corporation.
7. That the answering respondent herein i.e. the Additional Municipal Commissioner, Adityapur Municipal Corporation has prepared a Physical and Financial Progress Status of the Sewerage Scheme Works.

A photocopy of the said Physical and Financial Progress Status of the Sewerage Scheme Works is annexed herewith and marked as Annexure -

B.

8. That, this Counter Affidavit is filed bonafide and in the interest of justice. It is therefore prayed that Your Lordships, may kindly be pleased to accept the instant Counter Affidavit.

9. That the answering respondent seeks leave to file any further affidavits, if required, as per direction of the Hon'ble Tribunal.

10. I state that the statements contained in paragraphs Nos. 1 to 4 are true to my knowledge, and the rest is/are my respectful submissions before this Hon'ble Tribunal.



Ran Prakash
Addl. Municipal Commissioner
Municipal Corporation Adityapur

X

VERIFICATION

I, Ravi Prakash, son of Birendra Prasad Singh, aged about 44 years, by Religion - Hinduism, by Occupation-Service under Adityapur Municipal Corporation in the office of Additional Municipal Commissioner, Adityapur Municipal Corporation, Jharkhand, having its office at Adityapur, P.S. Adityapur, District-Seraikela-Kharshwan, Jharkhand and is filing this Counter Affidavit.

Date: 07.05.2025

Place: KOLKATA

Ravi Prakash
Add. Municipal Commissioner
Municipal Corporation Adityapur

Deponent

Identified by me:

Chandra Gupta Kamal
Advocate

E' No. - F/343/2022

07 MAY 2025

Solemnly affirmed and declared
Before me on Identification
Asst. Not. Sen
ASIS KUMAR SEN
City CMI Court
Kolkata
Reg. No. 13802/18 Govt. of India

07 MAY 2025



ANNEXURE - A

~~Annexure B~~



कार्यालय, आदित्यपुर नगर निगम

(राजस्व शाखा)

कल्पनापुरी, आदित्यपुर इन्डस्ट्रीयल एरिया, आदित्यपुर
e-mail : mcadityapur2@gmail.com



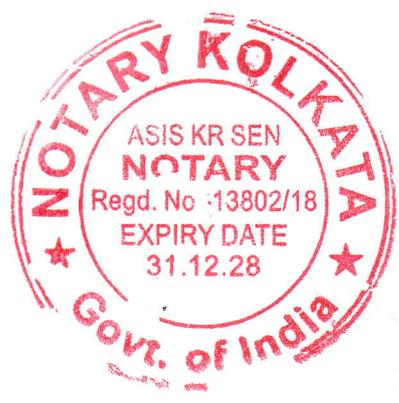
News Item published in Avenue Mail Dated 7th February 2023 titles
"Jamshedpur : Industrial Wastes adding to pollution level in River
Subarnarekha"

निगम क्षेत्र अन्तर्गत कुल 1185 संख्या में औद्योगिक प्रतिष्ठान है, जिसका नियंत्रण जियाडा के पास है। इन औद्योगिक प्रतिष्ठानों के द्वारा निगम का Holding Tax, SWM User Charges इत्यादि का भुगतान नहीं किया जाता है।

उक्त प्रतिष्ठानों का गंदा पानी निगम के नालियों में प्रवाहित होता है।


स्वैरा सॉफ्ट टैक प्रा0 लि0


रेवेन्यु नोडल पदाधिकारी



आपकी भागीदारी, हमारी जिम्मेदारी, स्वच्छ आदित्यपुर, सुन्दर आदित्यपुर

7
ANNEXURE - 'B'
~~Annexure - A~~

सिवरेज परियोजना

Project Name :- Sewerage Scheme for Adityapur Municipal Corporation, Jharkhand State under Amrut Program

Client :- JUIDCO (Govt of Jharkhand) (Jharkhand Urban Infrastructure) Development CO Limited

Contractor Name :- Shapoorji Pallonji & CO Ltd, KPIL JV

Start Date :- 30 Nov 2017

End Date :- 30 Nov 2021, Time extension applied upto 31.12.2025

Defect Liability Period :- 12 Months

Operation & Maintenance period :- 5 Years

Coverage :- 135 KM (U G Pipe)/ 102 KM UG Pipeline completed

Coverage of ward :- 33 Wards

Contract Value :- Rs. 255.15 Cr.

Capex :- Rs. 217.94 Cr.

Opex :- Rs. 37.21 Cr.

Physical Progress of Project :- 73% / Financial Progress :- 70%



Details of Component

A. No of STP – 4 Nos.

List of STP	Capacity	Ward No.	Place
STP 1	4 MLD	1	Sapra
STP 2	20 MLD	13	Saldih Basti
STP 3	10 MLD	29	Raydih Basti, Near Kesri Gas Godam
STP 4	2 MLD	7	Bara Gamharia

B. Pumping Station – 5 Nos.

ISPS – 1 – NOC Pending from forest department

ISPS – 2 – Land issue due to local Hindrance

Add Municipal Commission
Municipal Corporation Adityapur

ISPS – 3 – Work in Process (60% Work Completed)

ISPS – 4 –Work in Process (50% Work Completed)

ISPS – 5 – Land issue not resolve

C. 135 KM UG Pipe – 103 KM Complited

सिवरेज परियोजना 30 Nov 2017 को Work Order JUIDCO के माध्यम से M/s SPCL के द्वारा कार्य को शुरू किया गया। कई स्थानों पर ससमय कार्य शुरू किया गया। STP 1 में कुछ जगह पर अतिक्रमण था उसको भी हटाया गया था कुछ समय बाद STP 1 का कार्य शुरू भी करा दिया गया।

STP 2 का कार्य कार्य ससमय शुरू नहीं किया जा सका क्योंकि वहाँ पर स्थानीय लोगों के द्वारा 17 मकान का निर्माण किया गया था जिसको ससमय अतिक्रमण मुक्त नहीं कराया जा सका। सापुरजी एवं पालम जी वो Site Clearance मई 2021 में दिया जा सका इससे भी प्रोजेक्ट का कार्य विलम्ब से शुरू किया गया।

अभी तक योजना के कई भागों की भूमि भी नहीं मिल पाया है। ISPS – 1 का जमीन वन विभाग से अनापत्ति प्रमाण पत्र नहीं मिलने के कारण शुरू नहीं हो सका है। पम्पींग स्टेशन ISPS – 2 का कार्य शुरू किया गया था लेकिन स्थानीय विरोध के कारण कार्य शुरू नहीं किया जा सका। ISPS – 5 हेतु भी भूमि अभी तक नहीं मिल पाया है। जिससे ISPS का कार्य लंबित है।

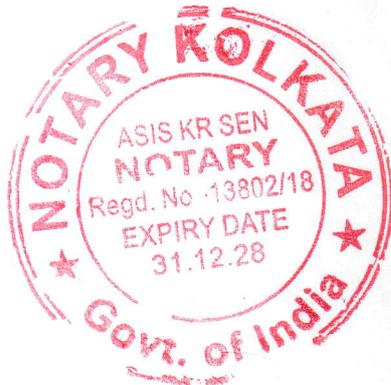
STP 1 – 90 % पूर्ण हो चुका है।

STP 2 – 18 % पूर्ण हो चुका है।

STP 3 – 92 % पूर्ण हो चुका है।

STP 4 – 70 % पूर्ण हो चुका है।

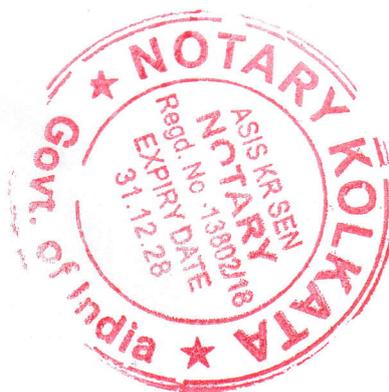
उक्त के कारण SUDA कार्यालय, (नगर विकास एवं आवास विभाग, राँची) को JUIDCO के द्वारा Time Extension के लिए आवेदन किया गया है।



[Signature]
Signature 06/05/25

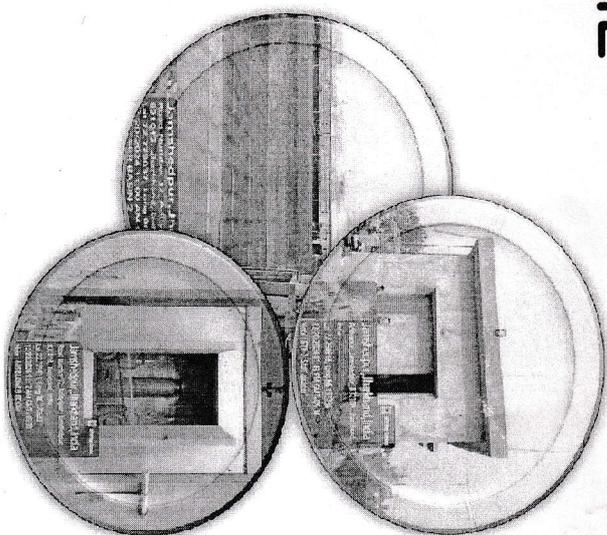
Adityapur Municipal Corporation

Add. Municipal Commissioner
Municipal Corporation Adityapur



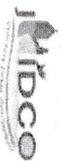
ADITYAPUR SEWERGAE SCHEME

Progress Presentation : April (2025)

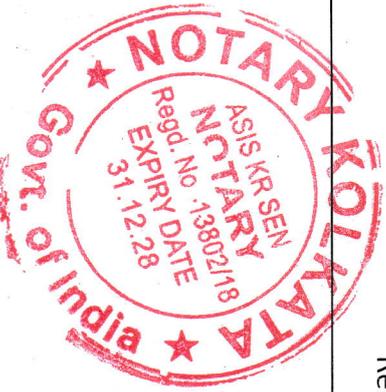




ADITYAPUR SEWERAGE SCHEME



Name of the Project	Adityapur Sewerage Scheme
Administration Approval	Rs. 240.55 Cr (Capex: 199.68 Cr + Opex – 40.68 Cr)
AAES Date	01.06.2017
Agency	M/s Shapoorji Pallonji & Co. Ltd- KIPL JV
PMC	NJS Engineers India PVT. LTD
LOA Number	JUIDCO/S.D Adityapur/Tender/1367/2017-3642 Dated 02.11.2017
Agreement No.	Agreement No. 230 Dated 23.11.2017
Awarded Value	Actual: Rs. 255.05 Cr Including O&M (Capex: 224.75Cr + Opex: 37.21 Cr) Revised Project Cost : Rs. 261.95 Cr Including O&M





ADITYAPUR SEWERAGE SCHEME



Brief Scope of Works	
Particular	Description
UGD NETWORK NET PIPE SUPPLY	128 Km
LAYING OF PIPE LINE NETWORK LENGTH	135.009 Km
CONSTRUCTION OF MANHOLE	4989 Nos
CONSTRUCTION OF INSPECTION CHAMBER	22394 Nos
ROAD RESTORATION	135 Km
ISPS-1	1 Nos
ISPS-2	1 Nos
ISPS-3	1 Nos
ISPS-4	1 Nos
ISPS-5	1 Nos
STP -1	1 Nos
STP -2	1 Nos
STP -3	1 Nos
STP -4	1 Nos
Physical Progress	72.35%
Financial Progress	70.730%

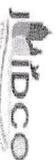
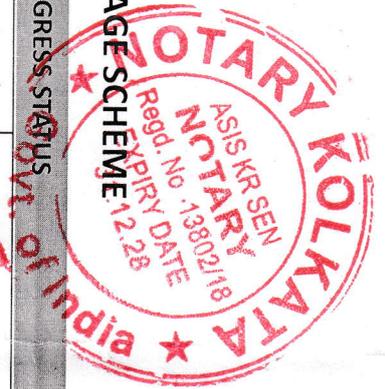




ADITYAPUR SEWERAGE SCHEME

COMPONENT WISE PROGRESS STATUS

ACTIVITY DESCRIPTION	SCOPE	UOM	ACHIEVED TILL DATE	% OF ACHIEVEMENT	Actual Handover	Status
LAYING OF PIPE LINE NETWORK LENGTH	135.009	KM	102.849	76%		
CONSTRUCTION OF MANHOLE	4989	NOS	3799	76.15%		As per the contract, the manhole count should be 4,802, but the revised scope is now 4,989. % of Achievement as per Contract: 78%
CONSTRUCTION OF INSPECTION CHAMBER	22394	NOS	6720	30.01%		The actual projected Scope will be 10000 Nos % of Achievement as per project Scope : 66.7%
ROAD RESTORATION	135	KM	100.96	74.74%		Pipe laid 102.849 Km and restoration completed 100.96 Km and it is approximately 98.16%.
ISPS-1 (2.25 MLD) Location: Gamariya	100	%	13.30%	13.30%		Identification of New Private land completed
ISPS-2 (5.14 MLD) Location: Kalpana puri, Nagar Nigam, Adityapur	100	%	0.00%	0.00%		Construction not started as earmarked land parcel used as graveyard
ISPS-3 (5.14 MLD) Location: Hari Om Nagar	100	%	43.37	43.37%	26.08.2020	Work stopped form last 3 months
ISPS-4 (5.18 MLD) Location: NIT, Adityapur	100	%	16.80%	16.80%	03.12.2021	Boundary wall work in progress.
ISPS-5	100	%	0.00%	0.00%		Revised documentation is in progress for forest clearance.
STP -1 (02 MLD) Location: Sapada	100	%	90.02%	90.02%	19.02.2018	Internal road work is pending
STP -2 (20 MLD) Location: Saldi Basti	100	%	17.18%	17.20%	16.03.2021	Centrifuge Building, Guard room and Main gate work in progress.
STP -3 (10 MLD) Location: Location: Surya Mandir, Adityapur 2	100	%	89.82%	89.82%	01.12.2018	Meter room and finishing work in progress.
STP -4 (04 MLD) Location: Gamariya	100	%	73.00%	73.00%	12.04.2018	Civil. Mechanical and Electrical work is pending. No work done in last 1 year.



STATUS OF NOCs of (Adityapur Sewerage Scheme)

Sl. No.	Components	Status as on 24-04-2025	Remarks
1.	ISPS 1	Alternate Private land was identified in order to avoid railway crossing & parallel laying of sewer network. Land details have been provided to the ULB for Purchase of desired Land.	Application for laying of sewer line parallel to railway line & railway crossing was submitted to South Eastern Railway. It was informed by SER that permission for parallel laying will not be provided, only crossing permission shall be granted.
2.	Forest 13.9 Km and ISPS-5	Land Schedule for the land under Forest area received from DC office	KML file was prepared and it was uploaded in portal but some villages are not showing on Parvash portal. An External Agency appointed for preparing KML file. Application No: SW/218031/2005





VAKALATNAMA

In The ~~High Court At Calcutta~~ NATIONAL GREEN TRIBUNAL

District : _____ EASTERN ZONAL BENCH, KOLKATA

M.A No. 39 of 2024 in Constitutional Writ Civil Criminal Revisional Appellate Jurisdiction
O.A No. 144 of 2023 (EZ)

NEWS ITEM Published in Avenue Mail Dated 7th February, 2023 titled "Jamshedpur: Industrial wastes adding to Pollution Level in River Subarnarekha" {Appellant Petitioners

- Versus -

Member Secretary, Jharkhand State Pollution Control Board & Ors. {Respondent Opposite Party

Vakalatnama on behalf of Municipal Commissioner, Adityapur Nagar Nigam (RESP. No. 6)

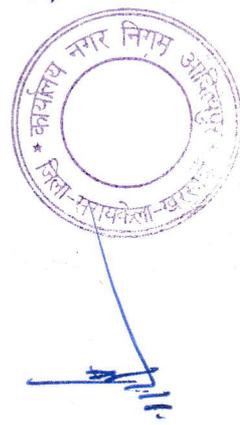
Know all men by these presents that by Vakalatnama, I/We appoint the Advocates noted below or any one of them my/our lawful Advocate or Advocates for filling the memorandum or appeal or petition of entering appearance in the above matter for appearing conducting and arguing the same for depositing or withdrawing any money in connection therewith for moving the Court in any matter connected therewith, for preparing the paper book in the case and for putting in papers, petitions etc. On my/ our behalf for filling, taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suit etc. For signing and filling petitions of compromise in connections with the said matter and for taking copies of paper from the Record and I/We further say that any act. Done by my/our said Advocate or Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my/our own true and lawful act.

And I/We further hereby agree and undertake to pay the said Advocates his or their fees as settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct the case properly. Failing which the said Advocates after notice to me/us will be at liberty to withdraw from further conducting the case.

IN WITNESS WHERE OF I/WE sign and execute this Vakalatnama on this the 17th day of March, 2015

Name of Advocates

CHANDRA GUPTA KAMAL
ADVOCATE
BAR ASSN. Room No. 5,
HIGH COURT AT CALCUTTA.
M - 7595831025 Email Id. - cgkamal.10@gmail.com



Received Vakalatnama
 from the Executant
 accepted & Satisfied
 Chandra Gupta Kamal
 Advocate
 (F/343/2022)

(F/343/2022)

Chandra Gupta Kamal

Advocate

Advocate

Advocate

Advocate