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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE

KOLKATA BENCH

Original Application No. 77/2025/EZ

In the matter of:
Mohammad Rizwan

...Applicant

Versus

The State Level Environmental Impact Assessment Authority, State of
Bihar & Ors.

...Respondents

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

EASTERN ZONE KOLKATA BENCH

Original Application No. 77/2025/EZ

SL. No. 1116
DATE 08.08.2025

In the matter of:

Mohammad Rizwan

...Applicant

Versus

The State Level Environmental Impact Assessment Authority, State of Bihar & Ors.

...Respondents

COUNTER AFFIDAVIT ON BEHALF OF THE APPLICANT

Mohammad Rizwan, son of Imran, aged about 42 years, residing at Habibpur, Bhatuabadi, VTC - Habibpur, PO - Jagdishpur, Bhagalpur, Bihar - 813 113 do hereby solemnly affirm and state as follows:

1. I am the Applicant in the above-mentioned Original Application and am fully conversant with the facts and circumstances of the present case. I am competent to swear this affidavit.
2. I have carefully perused the Reply Affidavit filed on behalf of Respondent No. 6 (hereinafter referred to as the "Respondent's



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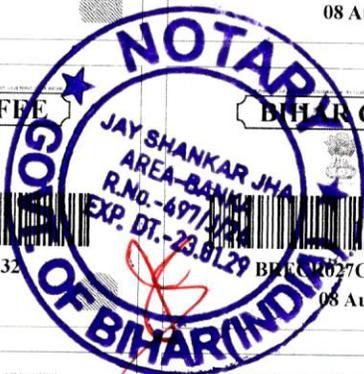
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Affidavit, and deny each and every allegation, assertion, and contention made therein, except those specifically admitted herein.

3. With reference to the contents of the Respondent's Affidavit, I categorically deny all the statements made in paragraphs 1 to 9 thereof. The allegations and averments contained therein are baseless, misleading, and devoid of any merit. I reiterate and reaffirm the statements made in my Original Application and stand by each of them.

4. That the contents of the present counter affidavit are derived from the records of the case and are true and correct to the best of my knowledge, belief, and information.

5. That the averments made in the counter affidavit filed by Respondent No. 6, Department of Environment, Forest and Climate Change, Government of Bihar, are vehemently denied in their entirety. Each and every paragraph of the said affidavit is disputed and controverted as being factually incorrect, legally untenable, and devoid of merit.

6. That the deponent of the Respondent No. 6's affidavit, Shri Abhay Kumar, has no personal knowledge of the facts alleged and has merely relied upon unsubstantiated records. The assertions made therein are baseless and are denied as such.

7. That the e-tender dated 27.02.2025 and the corrigendum dated 08.04.2025, as referenced in the Respondent No. 6's affidavit, are illegal, arbitrary, and in violation of environmental norms. The purported compliance with the "National Framework for Sediment



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Management, 2022" and other regulations is a mere eyewash and is disputed.

8. That the Respondent No. 6's claim of adopting the reply of Respondent Nos. 2 and 3 is an attempt to evade responsibility and is denied. The State of Bihar and its departments have failed to discharge their statutory obligations, and their actions are contrary to the principles of sustainable development.

9. That the Respondent No. 6's assertion regarding the contractor's responsibilities, including obtaining environmental clearances and conducting impact assessments, is misleading. The tender conditions are designed to circumvent environmental safeguards, and the same is vehemently opposed.

10. That the Applicant reiterates that the dredging work in Chandan Reservoir, as proposed, will cause irreparable harm to the ecosystem and violate the fundamental rights of the affected communities. The Respondent No. 6's affidavit fails to address these critical concerns and is therefore liable to be rejected.

11. That the Applicant reserves the right to file additional submissions, documents, or pleadings as may be necessary during the course of the proceedings.

12. The prayers sought in the Original Application are just, lawful, and necessary to prevent irreversible environmental harm. The Respondent's plea for dismissal of the Application with costs is unjustified and deserves to be rejected.



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13. That I solemnly affirm that the contents of this affidavit made in paragraph nos. 1 to 11 are true and correct to the best of my knowledge, information, and belief, and no part of it is false or misleading and the rest thereof are my humble submissions before this Hon'ble Tribunal.

✓ श्री रिजवान
Deponent



VERIFICATION

Mohammad Rizwan, the Applicant herein, do hereby solemnly affirm and declare that the contents of this Rejoinder are true and correct to my knowledge, and no part thereof is false or misleading.

Sri/Smt. Mohammad Rizwan
who is/are identified by Jay Shankar Jha
Sri/Smt. Subodh K. Mishra
Advocate, Banka Solemnly Affirmed
declare before me.
Notary Public
BANKA (Bihar)
R.No.-497/J/24

✓ श्री रिजवान
Deponent

Identified by:
Subodh Kumar Mishra
Advocate
Advocate for the Applicant 8.08.2025
Eno-1954/01

Place: Banka
Date: 8-08-2025