

BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN ZONE,

KOLKATA

ORIGINAL APPLICATION NO. 56 of 2025/EZ

IN THE MATTER OF

Devavrat Kumar Sahani APPELLANT

VERSUS

State of Bihar & Ors. RESPONDENT

INDEX

Sj no.	Annexure	Particulars	Page no.
1		Counter Affidavit with ID proof of the deponent.	1-3
2.	Annexure-A	A copy of the inspection report with photographs.	4-11

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of plastic bags were dumped in the Budhi Gandak River, due to which the flow of the river has been affected and the garbage has not been cleaned.

5. That in light of the above, the committee constituted by the Hon'ble Tribunal carried inspection of Budhi Gandak River on 02.06.2025 and noted the following: -

- i. The Budhi Gandak is a Perennial river;
- ii. The bridge in question is approximately 300 meter in length;
- iii. Flow of river is from west to east direction;
- iv. During the construction of the bridge, the agency built a wall of geo-bags filled with sand or soil around each pillar to prevent water from entering the base. At present an island like formation has developed on either side of the bridge around the pillars. Most of these areas are now covered with grass;
- v. The water continues to flow and the flow of water on both sides of the bridge appear to be normal.

A copy of the inspection report with photographs is attached and marked as Annexure-A.

6. That from the findings of the committee it appears that the allegation made in the letter petition that the flow of the river has been affected is not true and further lakhs of plastic bag has not been dumped rather geo-bags filled with sand has been placed around the pillar to prevent water from entering the base of the pillar.



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7. That I have read the contents of the affidavit and have understood the same and nothing material has been concealed therefrom and the annexures are true copied of its respective original.

[Handwritten mark]

Identify the Deponent signature/Li who has signed in my presence

Sampurna Nand Shukla
DEPONENT

VERIFICATION

Verified at Patna on 25th day of August, 2025, 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.

Sampurna Nand Shukla
DEPONENT



NON

**INSPECTION REPORT OF THE JOINT COMMITTEE CONSTITUTED IN THE
MATTER OF THE HON'BLE NGT O.A. NO. 56/2025/EZ TITLED**

Devavrat Kumar Sahani Vs State of Bihar & Ors.

Inspection site: Athar Ghat, P.S.- Mushahari , District- Muzaffarpur

G.P.S. Location: 26.079206, 85.519809

Date of Inspection: 02.06.2025.

Background:

The Hon'ble NGT, Eastern Zone Bench, Kolkata has filed a case on the application dated 27.12.2024 of Sri Devavrat Kumar Sahani, resident of Athar Ghat, PS- Mushari, Bochahan, Muzaffarpur, Bihar, Pin-843118 filed a Case No. O.A. 56/2025/EZ, Devavrat Kumar Sahani Vs State of Bihar & Others, alleging that

1. During the construction of a bridge at Athar Ghat, under Mushhari Police Station in Muzaffarpur District, by the Bihar State Bridge Construction Corporation Limited, Work Division, Muzaffarpur, a large quantity of plastic bags was reportedly dumped into the Budhi Gandak River. This has adversely affected the natural flow of the river, and the waste remains uncleared. The bridge construction work had been allotted to M/s Ganesha Ram Dokaniya, Aliganj, Banka, by Bihar Rajya Pul Nirman Nigam Ltd.
2. It is alleged that after completion of the construction work, the work agency and the department have not removed the sand bags/plastic bags thrown into the river from the construction site nor has the river been cleaned.

Considering the allegations made, the Hon'ble NGT has constituted a Fact Finding Committee comprising of following members:-

1. Senior Scientist, Bihar State Pollution Control Board;
2. The District Magistrate, District- Muzaffarpur, Bihar or his representative not below the rank of Additional District Magistrate (ADM);

Further, the Hon'ble NGT has directed that:-

"(1) The committee shall visit the site in question and submit its fact finding reports within four weeks w.r.t. the allegations made in the original application.

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(2) *The District Magistrate, Muzaffarpur shall be the Nodal office for all logistic purposes and for filling the Committee Report on affidavit."*

Constitution of a Fact Finding Committee:

In compliance with the Hon'ble NGT's directions, the Fact Finding Committee was constituted based on nominations received from the respective Departments which are as follows:-

- The Bihar State Pollution Control Board nominated Sri Arun Kumar, the Scientist, Patna and Sri S.N. Thakur, the Regional Officer, BSPCB, Muzaffarpur vide Letter No. 377, dated- 16.04.2025 (**Annexure- I**).
- The District Magistrate, *Muzaffarpur* has nominated Sri Sanjeev Kumar, Additional District Magistrate (Revenue), Muzaffarpur vide its Letter No. 169 dated- 04.02.2025 (**Annexure- II**).

Facts Finding about the Athar Ghat, Muzaffarpur, Bihar on the Bank of River Budhi Gandak:

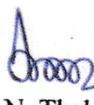
1. The Committee had fixed the date of inspection on 02.06.2025.
2. The Committee had visited the site in question and as per the direction of Hon'ble NGT examined the factual status of the river in light of the allegation made in the O.A. 56/2025/EZ.
3. The river named as Budhi Gandak. The **Budhi Gandak** is a perennial river that flows through the northern part of **Bihar**. It is a **tributary of the Ganga River** and originates from the **Someshwar Hills** Near Bisambharpur in West Champaran district, near the Indo-Nepal border. Its approximate length is 320 kilometers. It flows through the West Champaran, East Champaran, Muzaffarpur, Samastipur, Begusarai and Khagaria districts of Bihar. It merges with the **Ganga River** near Khagaria district.
4. There is a bridge near Athar Ghat, Musahari, Muzaffarpur, Bihar. Its length is approximately 300 meters.
5. Flow of River is from west to east.
6. During the construction of the bridge pillars, the agency built a wall of geo-bags filled with sand or soil around each pillar to prevent water from entering the base. At present an island-like formation has developed on either side of the bridge

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around the pillars. Most of these areas are now covered with grasses and wild vegetations, including herbs and shrubs. At some spots, plastic bags were also observed (Photographs attached).

7. Since the river is perennial, water continues to flow through the gaps between the island-like structures.
8. These formations have not altered the course of the river.
9. The flow of water on both sides of the bridge appears to be normal.


11/8/2025

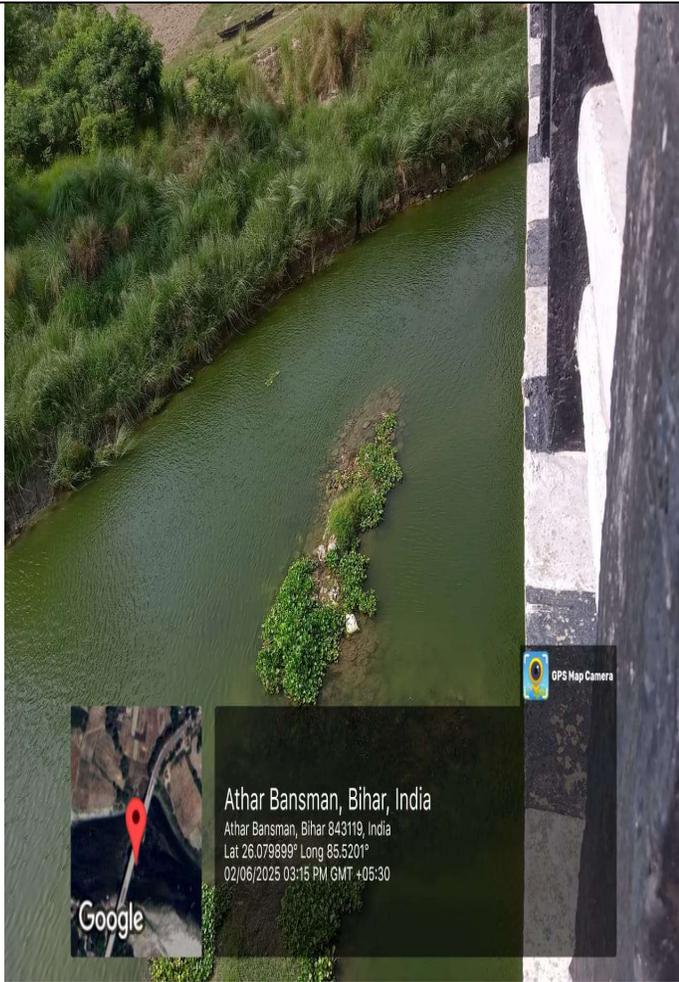
(S. N. Thakur)
Regional Officer
Bihar State Pollution Control
Board, Muzaffarpur.


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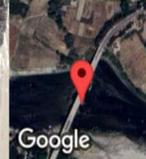
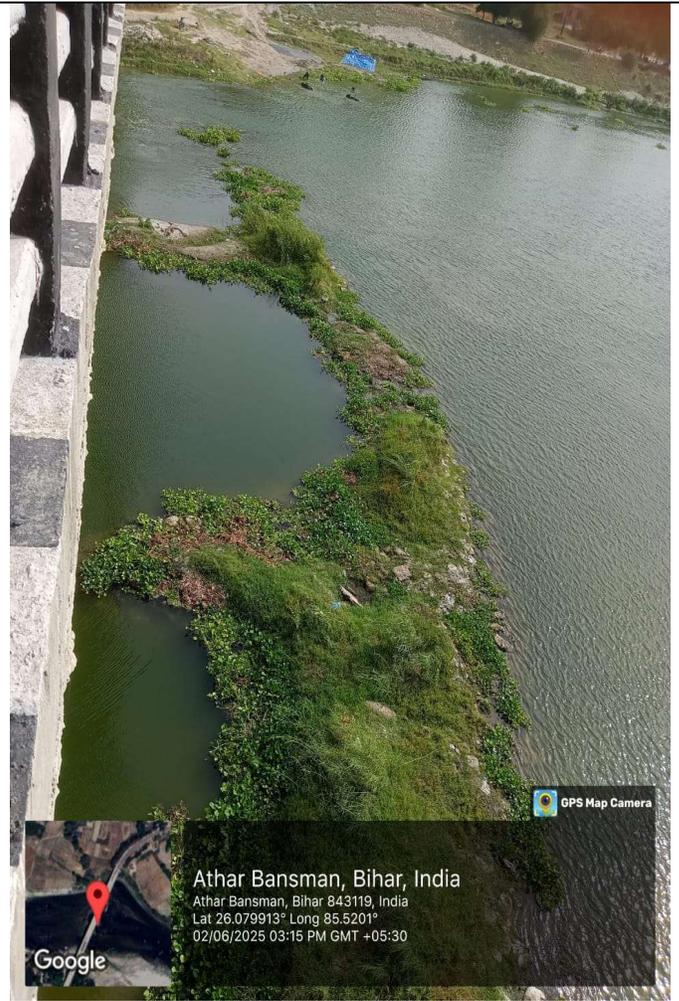
(Arun Kumar)
Scientist,
Bihar State Pollution Control
Board, Patna.


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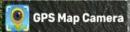
(Sanjeev Kumar)
Additional District
Magistrate (Revenue),
Muzaffarpur.



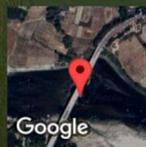
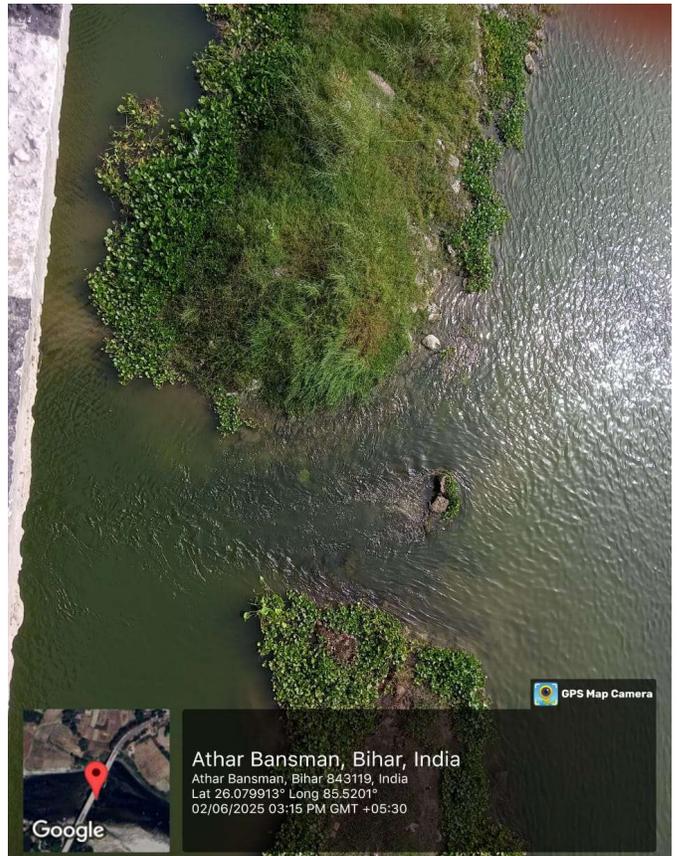
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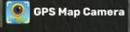
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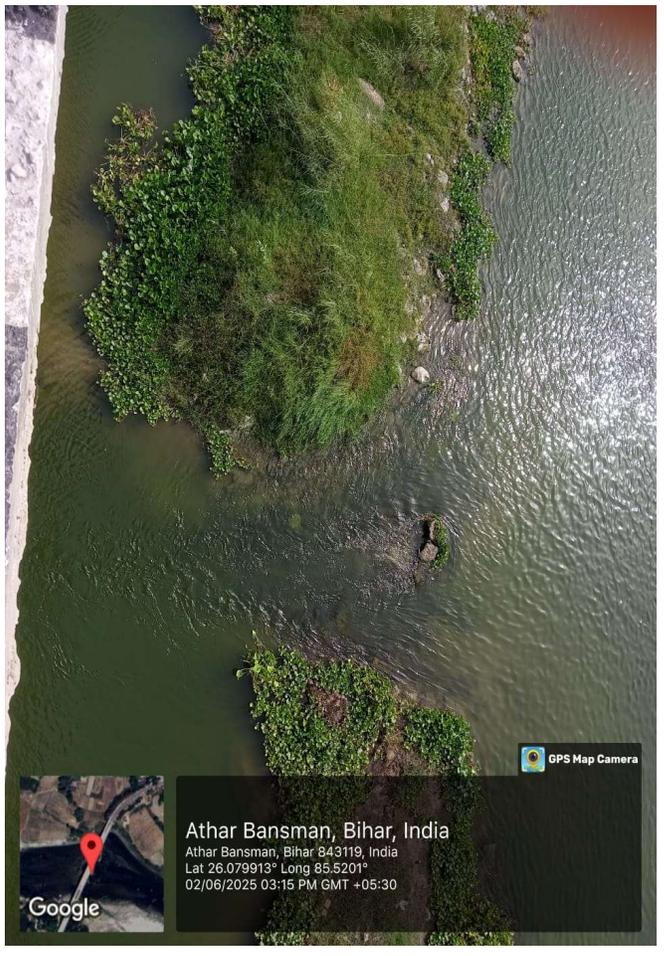
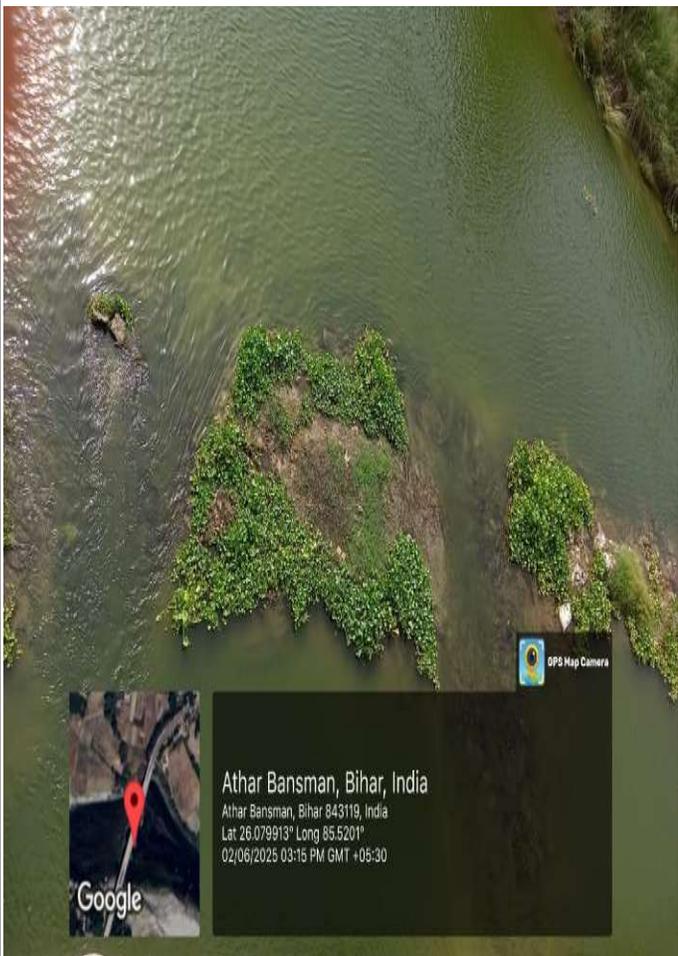
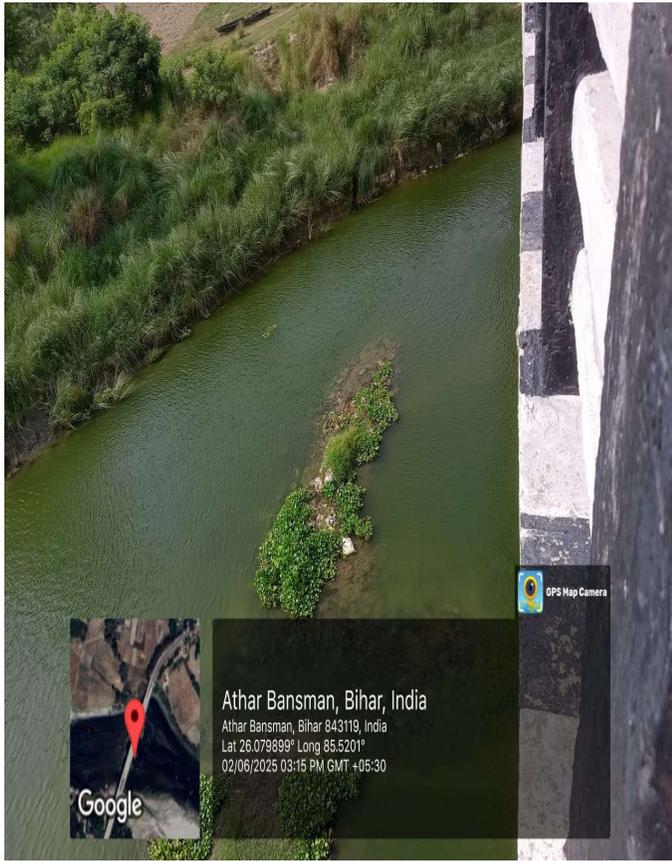


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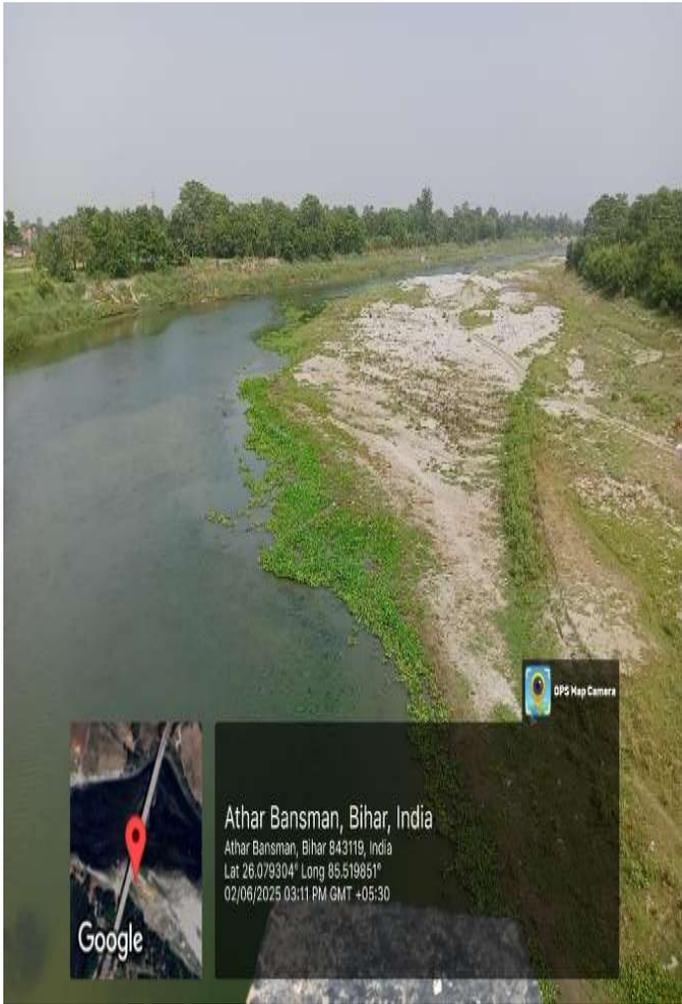


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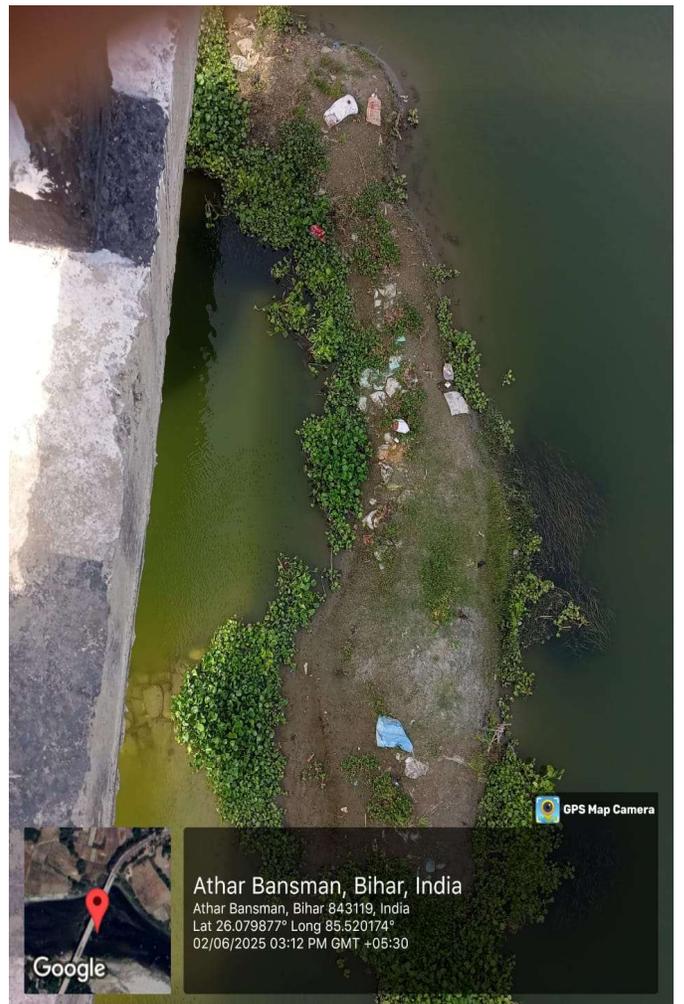






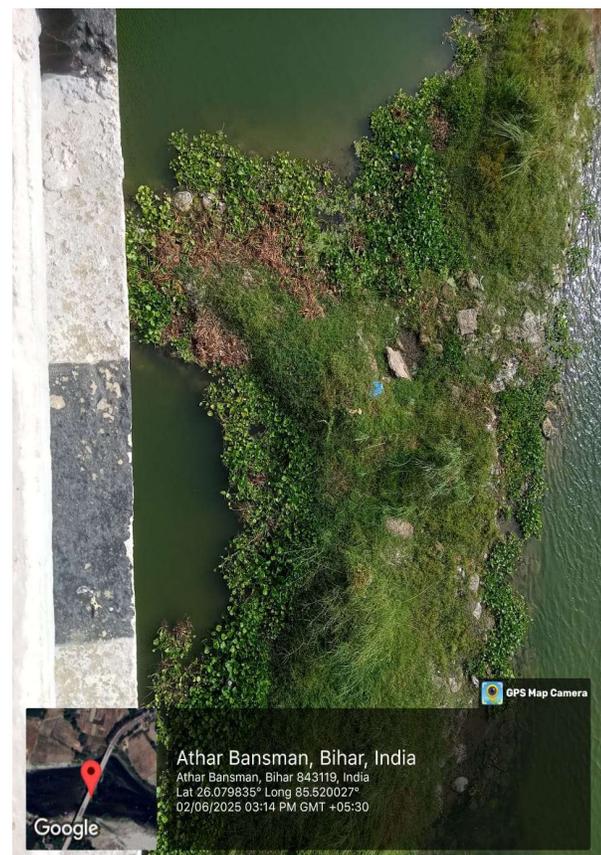
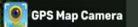
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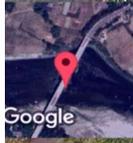
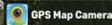
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