

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**O.A NO. 14/ 2025/EZ**

**In the matter of:**

Talab Bachao Abhiyan (TBA) & Anr.

...Applicants

Versus

Govt. of Bihar & Ors.

...Respondents

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DATED: 27.08.2025

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**REPLY TO THE COUNTER AFFIDAVIT FILED ON BEHALF OF THE  
RESPONDENT NO.5 I.E NAGAR NIGAM DARBHANGA.**

**Most respectfully Showeth:**

A. At the very outset, it is respectfully submitted that the counter affidavit filed on behalf of Respondent No. 5, i.e., the Nagar Nigam, Darbhanga, is misleading and does not present the true and correct factual position. The fact of the matter is that *Mon Pokhar* is a natural wetland of immense ecological significance, spreading over an area of more than 100 acres and covering substantial portions of both Sadar and Bahadurpur circles of Darbhanga district. This wetland is not merely a geographical feature but constitutes a precious natural heritage and a vital ecological asset, sustaining the environment, biodiversity, and water balance of Darbhanga city. It is a valuable gift of nature, playing a crucial role in flood control, groundwater recharge, and maintaining climatic equilibrium. The statements made by the Darbhanga Municipal Corporation (DMC) in its counter affidavit, particularly in relation to the existence of water, the



nature of the water-body, and the environmental aspects thereof, stand in stark contradiction to the ground realities and are clearly aimed at downplaying the ecological importance and the natural character of *Mon Pokhar*.

- B. Furthermore, it is most respectfully submitted that the counter affidavit filed by Respondent No. 5 suffers from serious omissions and misrepresentations. The said affidavit seeks to project encroachment only on one side of the Moin Pond, while it deliberately remains silent regarding the large-scale encroachments that have taken place on the other sides as well. This selective disclosure amounts to a suppression of material facts and is contrary to the actual position on the ground.
- C. It is further submitted that the counter affidavit stands in complete contradiction to the ground realities, inasmuch as the water quality of the pond has severely deteriorated due to unchecked discharge of waste, absence of scientific maintenance, and lack of timely intervention by the authorities. The pond, which is a natural water-body of ecological and historical importance, is being virtually rendered "lavaris" (abandoned and neglected), without any proper care or protection. No meaningful steps have been taken by the Nagar Nigam for beautification, conservation, or regular cleaning of the pond so as to improve its water quality or to preserve its aquatic life. The inaction of the authorities has not only



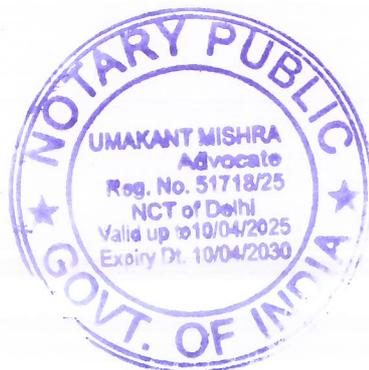
aggravated pollution levels but has also endangered the ecological balance and deprived the citizens of Darbhanga of their right to a clean and healthy environment.

D. It is respectfully submitted that the issue concerning Mon Pokhar is not a mere case of "encroachment," as projected by the DMC, but rather a clear case of systematic land grabbing orchestrated by land mafia Amanullah Khan @ Allan Khan, in active connivance with local authorities. In this regard, reference is drawn to para 3 of the affidavit filed by the DMC, wherein it is stated:

"5. ... the DMC denies any involvement in encroachment activities related to water bodies referred to as Moin Pokhar or Mon Pokhar. The DMC further respectfully submits that it has not turned a blind eye to any alleged encroachments as claimed or alleged by the applicants."

The above statement is misleading and factually incorrect. The following facts and evidence clearly establish the complicity, negligence, and tacit support of the local administration, including the DMC, in the large-scale grabbing of public water bodies in and around Darbhanga city by the said land mafia:

i) Over the last 20–25 years, despite several binding orders and directions issued by the Hon'ble Supreme Court, the Hon'ble High Court, and the Hon'ble NGT for the protection of public water bodies, the local



administration has consistently failed to take any preventive or punitive measures against encroachers.

ii) During this same period, Amanullah Khan @ Allan Khan, a known criminal and land mafia, has illegally grabbed more than 28 ponds/lakes in and around Darbhanga city. Out of these, 18 ponds have been completely wiped out/disappeared; 50–75% area of 8 ponds has been illegally filled with soil and converted into saleable land parcels.

iii) Shockingly, no FIR has ever been lodged against the said land mafia by the DMC or the local police, despite repeated complaints and despite the matter being of immense public importance.

iv) Even in the present proceedings, the DMC has chosen to remain silent on the list of 28 ponds/lakes specifically pointed out by the petitioner (TBA). The Hon'ble NGT itself has duly recorded the said list in its order dated 27.01.2025.

These facts demonstrate beyond doubt that the issue of Mon Pokhar is not an isolated case of encroachment but part of a larger nexus of deliberate land grabbing of public water bodies, carried out by the land mafia under the protection, negligence, or connivance of the local administration, including the DMC.

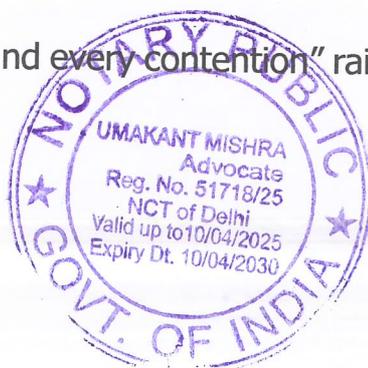
E. It is worth highlighting herein that the Applicant, TBA, through its representative, Narayanji Choudhary initially embarked on a mission to



protect and restore ponds out of a sense of duty and concern for the home region of North Bihar. The journey began with a humble objective, to raise awareness about the critical importance of preserving these water bodies. At that time, the Applicant TBA did not foresee that this initiative would transform into a lifelong passion.

**PARAWISE RESPONSE TO THE COUNTER AFFIDAVIT OF THE RESPONDENT NO.5 .**

- F. In response to paragraph 1 of the compliance affidavit, it is submitted that the contents therein are a matter of record and, therefore, do not call for any specific response from the Applicant. However, the Applicant craves the leave of this Hon'ble Court to respectfully criticize and challenge the stance taken by the City Manager, who, despite being fully aware of the facts and circumstances of the present case, has failed to take any concrete action against the rampant encroachments and the activities of the land mafia surrounding the concerned water-body. Such inaction reflects dereliction of duty and deliberate negligence on the part of the responsible authority..
- G. In response to paragraph 2 of the counter affidavit, it is submitted that the preliminary statement made by Respondent No. 5 (DMC) is wholly misconceived, vague, and untenable in law. The blanket and omnibus denial of "each and every contention" raised by the Applicant, without any



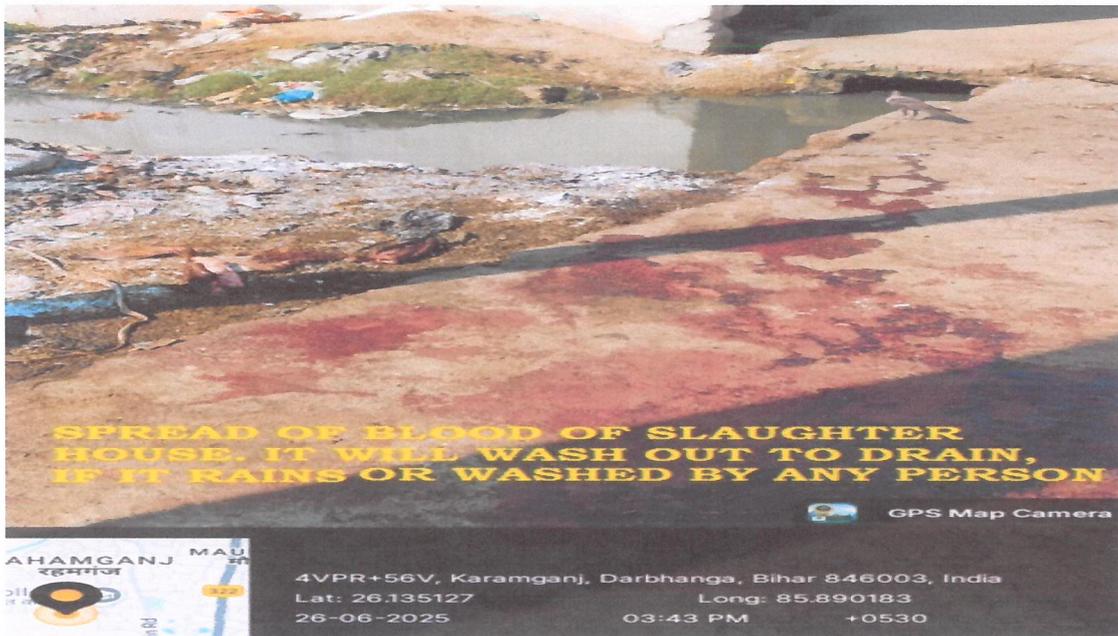
degradation of this valuable wetland by allowing illegal constructions and land transactions to flourish unchecked. The blanket denial by Respondent No. 5, therefore, deserves to be rejected, and it clearly demonstrates a lack of bona fides in the affidavit filed before this Hon'ble Court

J. In response to para 4 of the counter affidavit, the applicant most humbly states that the statement made by the DMC in Para 4 is vehemently denied. It is incorrect to state that regular cleaning operations are conducted or that effective waste management measures have been taken in and around the drainage channels. On the contrary, the ground reality is that the pond area is being consistently subjected to encroachment activities under the very nose of the Municipal Corporation. Far from carrying out any meaningful cleaning or waste management, the inaction and negligence of the DMC has facilitated the land mafia in continuously dumping waste and further encroaching upon the pond land. At the eastern bank of Mon Pokhar, a slaughterhouse is situated, from which blood and waste of slaughtered animals directly flow into the storm water drains and eventually enter the pond. This fact is clearly evident from the scene at the site, where blood and filth accumulate unchecked, thereby polluting the water body. Such conditions expose the apathy and negligence of the DMC, which has neither taken effective steps to prevent encroachment nor to curb the dumping of slaughter waste into the pond.



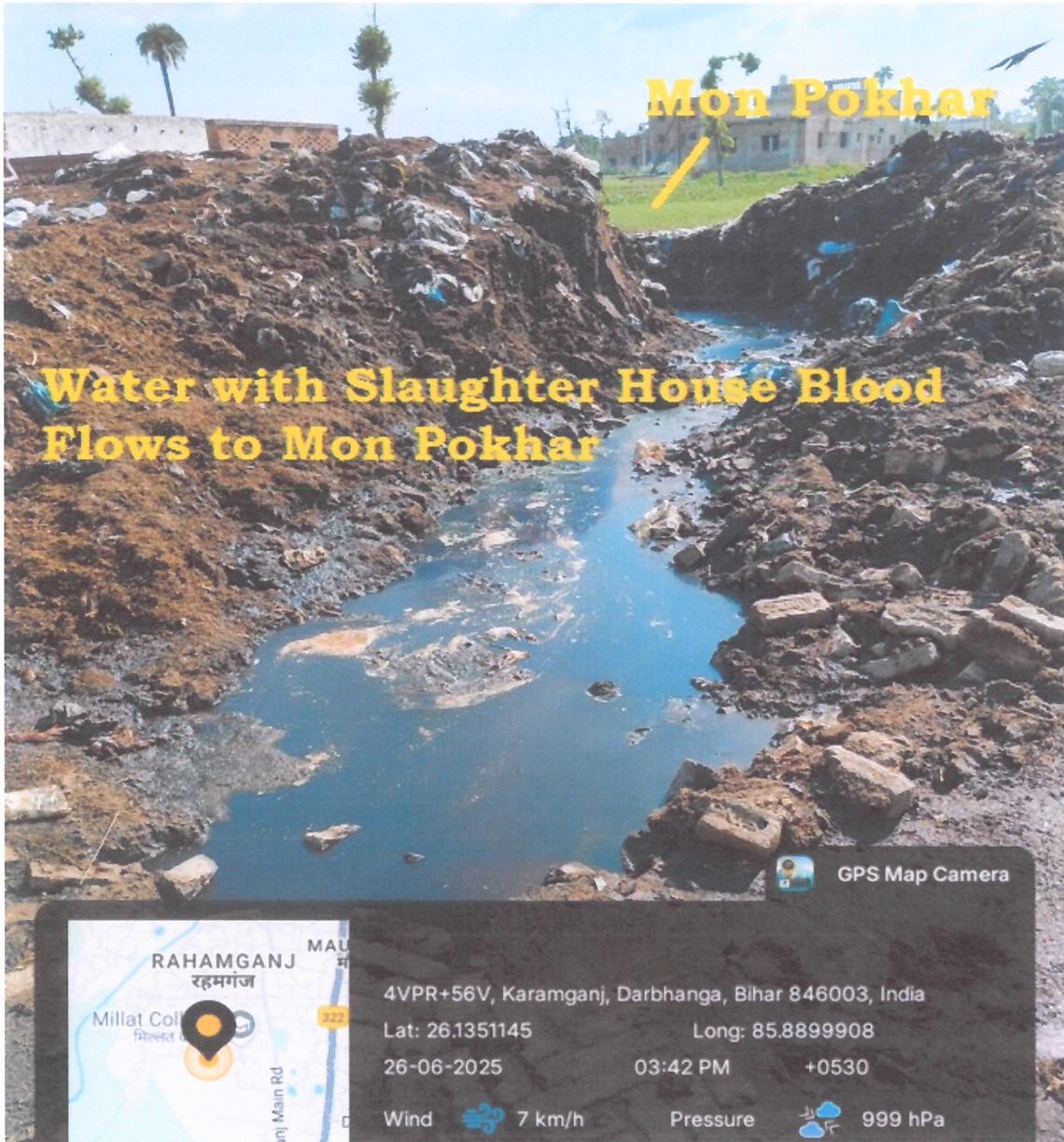
The assertion of "regular cleaning operations" is therefore nothing but a hollow and misleading claim. In reality, municipal inaction has facilitated the twin menace of encroachment and pollution, leading to continuous degradation and unlawful sale of this vital water body land.

**Scene of Slaughter House Situated Just at Eastern Bank of Mon Pokhar Blood of Slaughtered Animal will wash to storm water drains to enter into the Mon Pokhar**



**Scene of Slaughter House Situated Just at Eastern Bank of Mon Pokhar Washed Blood & Water Flows to Mon Pokhar**





**Scene of Slaughter House Situated Just at Eastern Bank of Mon Pokhar Washed Blood & Solid Waste are Deposited into the Mon Pokhar**



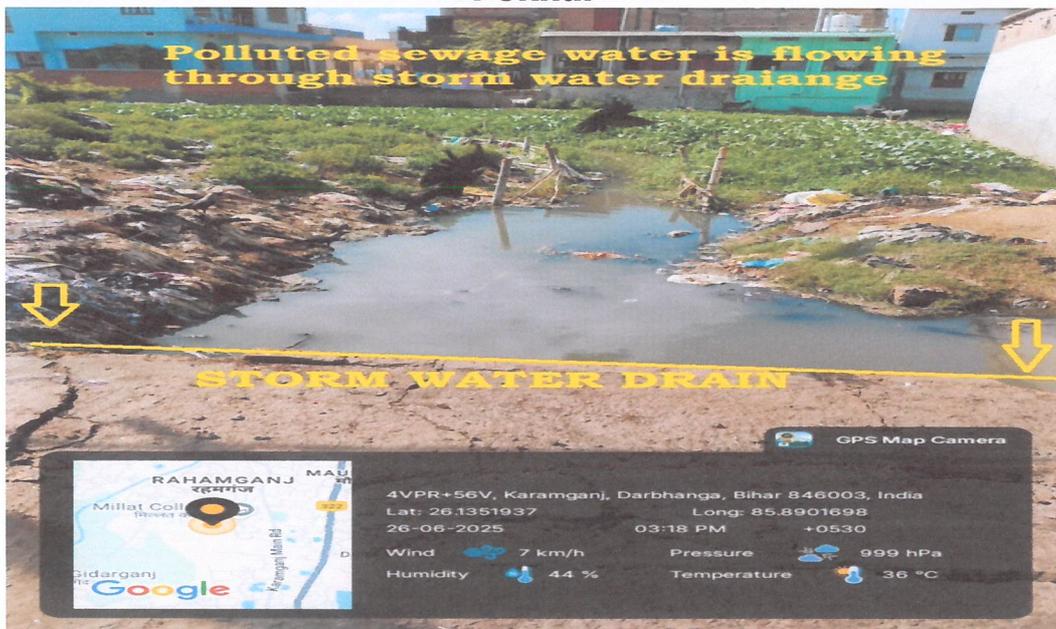


K. In response to Para 5 of the counter affidavit, the Applicant most humbly submits that the statement of the DMC is false, misleading, and vehemently denied. It is wholly incorrect to state that no municipal sewage has been diverted into the storm/rainwater drainage connected with Mon Pokhar. The ground reality is otherwise. A storm water drain is situated on the eastern and northern side of Mon Pokhar, which in fact carries municipal sewage and other polluted water throughout the year. This continuous inflow of untreated sewage and wastewater into the pond has been causing grave pollution, foul smell, and degradation of the water body. Far from being a natural rainwater drain, it has effectively become



a sewage conduit due to the inaction and negligence of the DMC. Hence, the categorical denial of the DMC is nothing but a false assertion, made only to conceal its failure to regulate and prevent the discharge of sewage and polluted water into Mon Pokhar.

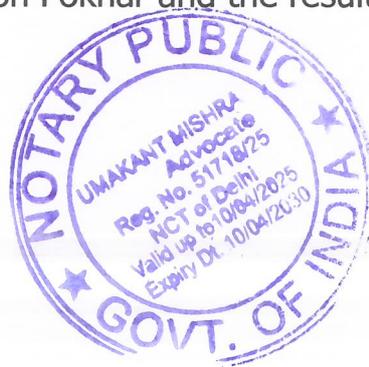
### DMC Sewage connected to Storm Water Drain Flows to Mon Pokhar



### Dumping of Solid waste into the Mon Pokhar

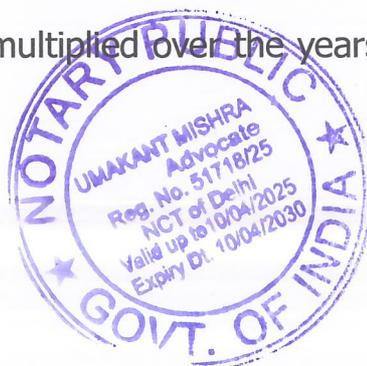


L. In response to para 6 of the counter affidavit the applicant most humbly states that the statement made by the DMC in Para 6 are wholly false, misleading, and vehemently denied. The claim of having conducted "regular water quality assessments" and maintaining the environmental integrity of Mon Pokhar is a hollow assertion, which is belied by the ground reality. It is pertinent to mention that a slaughterhouse, locally known as Kilkhana, is situated towards the eastern side of Mon Pokhar. The carcass remnants such as unutilised flesh, intestines, fat, urine, bones, hooves, hairs, undigested fodder, and blood are continuously dumped into Mon Pokhar. These pollutants not only contaminate the pond water but also create a public health hazard and an unbearable foul odor in the locality. The pollution caused by the slaughterhouse does not remain confined to Mon Pokhar alone. During the monsoon period, the pollutants discharged round the year from the slaughterhouse flow from Mon Pokhar into the Bagmati River near Ekmi Ghat, further reaching the Kosi and Kamla rivers, and ultimately entering the Ganga River. Thus, the contamination has far-reaching environmental and ecological impacts. The DMC's denial of pollution and its claim of regular assessments are completely incorrect. The photographs mentioned above clearly depict the dumping of slaughterhouse waste into Mon Pokhar and the resultant pollution.



M. In response to para 7 of the counter affidavit, the applicant most humbly states that the statement of the DMC claiming that it has been periodically cleaning the areas surrounding Mon Pokhar as part of regular municipal maintenance is absolutely false, incorrect, and misleading. No such cleaning operations are being carried out by the DMC on any scheduled or regular basis. On the contrary, heaps of garbage, slaughterhouse waste, and other solid and liquid pollutants are openly dumped in and around Mon Pokhar throughout the year, which remain unattended by the DMC. Had the DMC been conducting regular cleaning operations as claimed, the present condition of Mon Pokhar would not have deteriorated to such an alarming and unhygienic state. The photographs mentioned above clearly demonstrate the continued accumulation of filth and waste in and around the water body, establishing that no effective municipal cleaning has been undertaken.

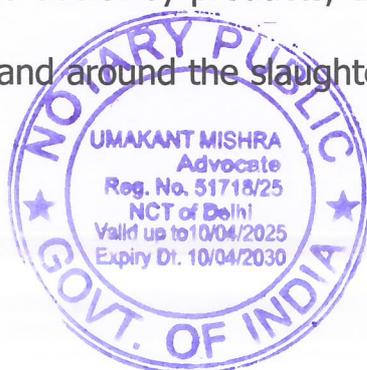
N. In response to para 8 of the counter affidavit the applicant herein most humbly states that the statement of the DMC regarding proactive coordination with other government agencies to address the issue of encroachment is wholly denied as false and misleading. No effective steps whatsoever have been taken by the DMC to prevent or remove the rampant encroachments around Mon Pokhar. On the contrary, the encroachments have only multiplied over the years under the very nose



of the DMC, causing serious obstruction to the natural inflow and outflow channels of the water body. The so-called land records and khata details referred to in the para are merely paper formalities, which have not translated into any practical action on the ground. Had there been genuine efforts on part of the DMC, the illegal constructions, dumping activities, and slaughterhouse pollution around Mon Pokhar would not have been allowed to continue unchecked. Therefore, the assertion of proactive coordination and maintenance of accurate records is categorically denied. The continuing presence of large-scale encroachments itself stands as irrefutable evidence of the inaction and negligence of the DMC.

#### **TBA's Suggestion for the Slaughterhouse**

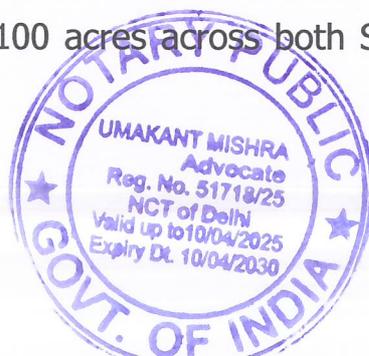
O. On several occasions, the Convener of TBA has suggested and requested the DMC authorities to seek technical assistance from the Central Leather Research Institute (CLRI), Chennai for developing a scientific design of the slaughterhouse and adopting modern techniques for its management. CLRI possesses proven expertise in providing sustainable technologies for the safe disposal and productive utilization of slaughterhouse waste, including carcass remnants such as bone, blood, horn, offal, hoof, and paunch manure. By adopting CLRI's technology, the slaughterhouse waste can be converted into useful by-products, thereby ensuring a clean and safe environment in and around the slaughterhouse. Moreover, CLRI can



also provide training and skill development programs for effective slaughterhouse management, value addition to raw hides, and utilization of waste materials in a productive manner.

P. That the contents of para 9-10 of the counter affidavit are vehemently denied for want of knowledge. Furthermore, it is submitted that even if, for the sake of arguments, the demarcation as claimed is being undertaken, the fact remains that encroachments over the land of Moin Pokhar are continuing unabated. The mere issuance of directions or letters by the DMC does not reflect any effective action on the ground. Unless and until actual removal of encroachments is carried out, such claims of "physical verification" or "joint investigation reports" remain a paper formality without yielding any tangible result.

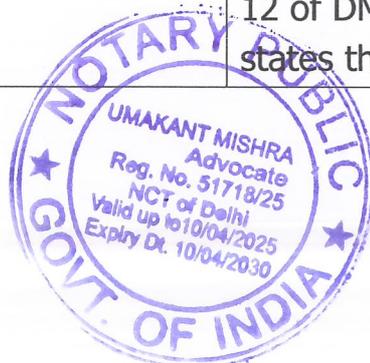
Q. That the contents of para 11 of the counter affidavit are denied as incorrect, misleading, and incomplete. The reliance placed by the respondents upon the inspection report dated 12.04.2025 of the Circle Officer, Sadar Darbhanga, is wholly misplaced. It is submitted that the said report mentions only a limited extent of encroachment of about 3 Bigha 2 Katha 16 Dhur (approximately 8 Acres 9 Dhur) and further seeks to dilute the issue by claiming that the land belongs to a private individual. In reality, the land of Mon Pokhar is a water body and public land, spread over approximately 100 acres across both Sadar Circle and Bahadurpur



Circle, covering 6–7 Maujas. The affidavit submitted by the DMC deliberately suppressed the larger extent of encroachment and confined itself only to Kajipura Mauja. The actual position, as already pleaded by the petitioner, shows encroachments/land grabbing to the extent of 25–31 acres spread over multiple Maujas, namely Kajipura, Maheshpatti, Belvaganj, Asafundayarpur, Yakubpur, and Saray.

It is further submitted that the so-called inspection report relied upon by the respondents fails to provide Mauja-wise details of land grabbing by the land mafia, particularly by Amanullah Khan @ Allan Khan and his associates, who have been systematically selling the land of Mon Pokhar after illegal plotting, under the protection and connivance of local administrative authorities. The below mentioned table would show the mauja wise land grabbing/ encroachment.

S.N.	Area & location of encroachment/Land Grabbing, as per TBA's Petition OA No. 14/2025	Darbhanga Municipal Corporation's (DMC) Affidavit & Statement	Remarks
<b>A</b>	<b><i>In Sadar Circle Area of Darbhanga district</i></b>		
1		As per paras no. 11 & 12 of DMC's affidavit, it states that 88 persons	As per map submitted by the CO Sadar & 3

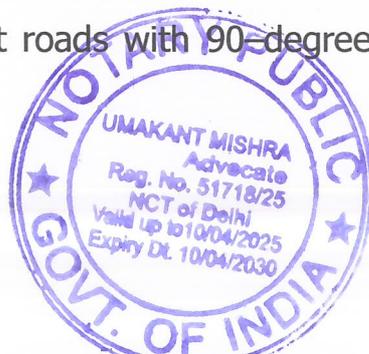


	<b>Approx. 3 Acres</b> land of Mon Pokhar in Kajipura Mauja, near Kilkhana	have encroached about 3 Acres and 9 Dhurs land of Mon Pokhar	Amins, it is a clear case of land grabbing by Land Mafia, who sold/is selling it after plotting with support of local administration
2	<b>Approx. 6 Acres</b> land of Mon Pokhar in Maheshpatti Mauja, ward no. 31, mohalla Mirgyas Chak, towards western side of Mon Pokhar.	No statement for land grabbing/encroachment	Presently, land is being sold and illegal construction is going on. This is taking place under the protection and involvement of CO office of Sadar & Bahadurpur Circles, Land Registry Office, ADM office, DMC Office and Laheriasarai Thana.
3	<b>Approx. 5 acres</b> towards eastern side in Mohalla Dumduma in Mauja Belvaganj.	No statement for land grabbing/encroachment	
4	<b>Approx. 8-9 Acres</b> in *Asafundayarpur Mauja, ward 38.	No statement for land grabbing/encroachment	
<b>A. In Sadar Circle, total area of Mon Pokhar's Land Has been grabbed by land mafia is approx.</b>			<b>20 to 25 Acres</b>



<b>B.</b>	<i>In Bahadurpur Circle of Darbhanga district</i>	DMC Statement	Remarks
5	<b>Approx. 2 Acres</b> land in Mauja Yakubpur	DMC is silence, no statement.	Presently, land is being sold and illegal construction is going on with protection of administration, as mentioned above
6	<b>Approx. 3</b> acres land in Mauja Saray, Mohalla Maharaj Ganj, ward 39	DMC is silence, no statement.	
<b>B.</b> In Bahadurpur Circle, total area of Mon Pokhar's Land Has been grabbed by land mafia is approx.			<b>5 to 6 Acres</b>
Total area (A+B) of Mon Pokhar's Land grabbed by land mafia in Sadar Circle + Bahadurpur Circle, is approx			<b>25 to 31 acres</b> Or 10 to 13 hectares

R. That the contents of Para 12 of the affidavit filed by the Darbhanga Municipal Corporation (DMC) are wholly misleading, incomplete, and suppressed of material facts. It is wrong and denied that only 88 persons have encroached upon 3 Acres and 9 Dhurs of land of Moin Pokhar situated in Kajipura Mauja. The affidavit of the DMC itself, discloses a well-planned plotting of 88 plots with a professional map, containing ten systematically laid out roads with 90-degree turns, clearly establishing



that the land has been illegally converted into a colony by the land mafia led by Amanullah Khan @ Allan Khan. Out of the 88 plots, 55 plots stand illegally sold, which cannot happen without the collusion and active participation of the local authorities, including the officials of DMC, the Sadar Circle Office, the District Land Registry Office, and the office of the Additional District Magistrate (ADM), who is under statutory obligation to protect public lands and water bodies.

The so-called "list of 88 encroachers" submitted by the DMC does not disclose the real state of affairs, since in fact, those 55 persons have illegally purchased plots carved out of the water body from the said land mafia, in open violation of law. The DMC has deliberately concealed the larger encroachments of Moin Pokhar, which spreads over 6-7 Maujas covering Sadar and Bahadurpur Circles, approximately 100 acres, and restricted its affidavit only to Kajipura Mauja.

The preparation of a professionally designed layout map of 88 plots with roads is itself conclusive evidence of organized land grabbing. Such a systematic design and large-scale plotting could not have been executed without the knowledge, support, and connivance of the DMC and other district authorities, who were duty-bound to protect Moin Pokhar from such encroachment.



The illegal sale and purchase of 55 plots carved out of Moin Pokhar's land amounts to a land-grabbing scam valued at approximately Rs. 15–16 crores (calculated at a conservative rate of Rs. 25 lakhs per Katha for 63 Kathas). This not only demonstrates gross negligence but also indicates prima facie involvement of the authorities concerned in facilitating the land mafia. The status of 88 plots of encroached land can be summarised as follows:

<b>S.N.</b>	<b>Status of Encroached Plots</b>	<b>No. of Plots</b>	<b>Remark</b>
1	Vacant Plots	33	Not sold
2	Plots with boundary wall	38	Plot sold
3	Plots having Foundation	07	Plot sold
4	Plots having building	04	Plot sold
5	Buildings are under construction	06	Plot sold
	<b>TOTAL</b>	<b>88</b>	55 Plots sold
		<b>Plots</b>	

Hence, the affidavit of the DMC, instead of protecting the water body, shields the offenders by presenting a restricted and distorted picture of the encroachment, and therefore, its contents deserve to be rejected outright.



S. In response to para 13-14 of the counter affidavit, the applicant most humbly states that the contents of Para 13 of the affidavit are emphatically denied. The claims of the DMC regarding its alleged commitment to conservation and protection of water bodies are wholly inconsistent with the ground realities. The Representation dated 27.06.2025, submitted by TBA to the Town Commissioner, the District Magistrate and the Divisional Commissioner, specifically pointed out the statutory duties of the Municipality under the Bihar Municipal Act, 2008, which the DMC has failed to discharge.

True copy of the representation made by TBA to the Town Commissioner, the District Magistrate and the Divisional Commissioner dated 27.06.2025 is annexed herewith as **ANNEXURE A-1**

**i) Failure under Section 249 (Urban Environment Management & Wetland Protection):**

Section 249 of the Bihar Municipal Act, 2008 mandates the Municipality to preserve wetlands, supply safe water, and develop parks, gardens and open spaces. Despite this clear statutory duty, the DMC has failed to prevent rampant land grabbing of public water bodies, including Moin Pokhar, by land mafia, thereby violating its obligations under the law.

**ii) Failure under Section 264 (Polluters to Pay):**



Section 264 of the Act empowers the Municipality to recover charges and impose penalties upon those responsible for causing pollution or encroachments. However, the DMC has failed to take any penal or deterrent action against encroachers and polluters of Moin Pokhar, despite repeated complaints and documented evidence submitted by TBA.

**iii) Failure to Ensure Community Participation:**

Through its representation dated 27.06.2025, TBA specifically requested the involvement of the District Environment Committee, community representatives and TBA in the demarcation and identification of encroachments in Moin Pokhar. The Hon'ble NGT, in *Lt. Col. Sarvadaman Singh Oberoi vs. Union of India & Ors.*, M.A. No. 26/2019 in O.A. No. 325/2015 (order dated 10.05.2019), clearly held that conservation of water bodies necessarily requires active community participation. The DMC has ignored this binding precedent and deliberately excluded the community, thereby defeating both the spirit of the Act and the directions of the Hon'ble NGT.

**iv) Absence of Proactive Action:**

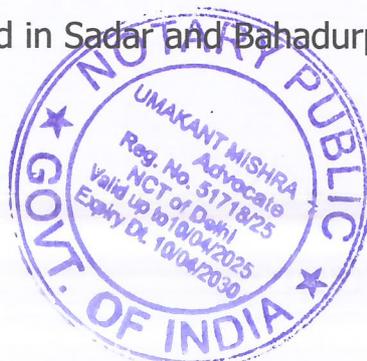
Contrary to the self-serving claims of "proactive approach" in the affidavit, no tangible action has been taken by the DMC to lodge FIRs against encroachers, to remove unauthorized fillings and constructions in Moin



V. That the contents of paragraph 17 of the counter affidavit are denied in toto as being misleading, evasive and contrary to the factual and legal position. It is submitted that the answering respondent cannot be permitted to take shelter under vague averments without producing any cogent material or documentary proof of actual compliance. The assertions made therein are nothing but an attempt to mislead this Hon'ble Tribunal and to dilute the gravity of the issues raised by the Applicant. It is therefore humbly prayed that the authorised person/Commissioner, Darbhanga Municipal Corporation, be directed to appear personally before this Hon'ble Tribunal and respond specifically to the objections raised by the Applicant, instead of filing such evasive and unsubstantiated affidavits.

W. That, in the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to pass appropriate orders and directions to the Darbhanga Municipal Corporation and the District Magistrate, Darbhanga, to ensure the protection and preservation of Mon Pokhar/Wetland, including but not limited to the following:

1. Directing the authorities to undertake a fresh and comprehensive survey for identification of the Mauja-wise area of Mon Pokhar/Wetland situated in Sadar and Bahadurpur Circles.

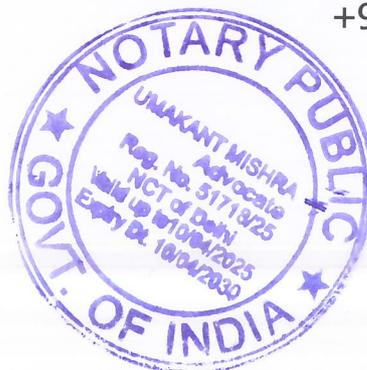


2. Directing that members of the petitioner association (TBA) be duly involved and associated in the said survey to ensure transparency and accuracy.
3. Directing the authorities to carry out physical demarcation of the land of Mon Pokhar by erecting permanent RCC pillars in Sadar and Bahadurpur Circles so as to protect the wetland from further encroachment.
4. Directing an investigation into the illegal sale and purchase of Mon Pokhar's land, including the role of Mr. Allan Khan (the ultimate beneficiary of such transactions) and all staff/officers involved in fabrication of false documents enabling the illegal sale of the wetland land.
5. Directing immediate removal of all encroachments from the 6-7 Mauja areas comprising Mon Pokhar and restoring the land to its original condition as a protected wetland

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DATED: **27.08.2025**

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**AFFIDAVIT**

I, Narayan Jee Choudhary Convener of TALAB BACHAO ABHIYAN -TBA C/o Maithili Sahitya Parishad, Professor Colony, Dighi West, Near Primary School Darbhanga -846004 Bihar Ph: +91 9955344811(Presently at New Delhi) is authorized representative of the Applicant organization herein, do hereby, solemnly affirm and declare as under;

1. That I am the Applicant in the above captioned application, and I am well conversant with the facts and circumstances of this case and hence competent to swear this affidavit in such capacity.
2. That the reply to the counter affidavit has been prepared at my instance and under my instructions.
3. That the contents of the reply and paras therefrom are true and correct to the best of my knowledge and belief and nothing material has been suppressed therefrom.



4. I further state that no petition/ application has been filed before any other Court or tribunal seeking similar relief by the Petitioner.

*[Signature]*  
**DEPONENT**

Verification

27 AUG 2025

Verified at Delhi on the ..... day of 2024 that the contents of the Affidavit are true and correct to the best of my knowledge and nothing material has been concealed thereupon.

Identify the deponent who has signed/print  
Thumb impression in my presence



*[Signature]*  
**DEPONENT**

CERTIFIED THAT THE DEPONENT  
Shri/Smt/Km..... *Umakant Mishra*  
S/o, W/o, D/o..... *Chandya*  
R/o.....  
Identified by Shri/Smt..... *Umakant Mishra*  
has solemnly at ..... Delhi  
on..... *27 AUG 2025*  
that the contents of the Affidavit which have  
been read & explained to him are true and  
correct to his knowledge.

*[Signature]*  
Notary Public, Delhi

# तालाब बचाओ अभियान

## TALAB BACHAO ABHIYAN (TBA)

C/o Maithili Sahitya Parishad

Off: Professor Colony, Digghi West, Near Primary School, Darbhanga-846004, Bihar.

E-mail: [tbadarbhanga@gmail.com](mailto:tbadarbhanga@gmail.com), Mob: +919955344811

## ANNEXURE A-1

### Representation No. 27 June 2025

To  
**The Town Commissioner,**  
 Darbhanga Municipal Corporation,  
 Darbhanga, Bihar.

**Subject:** TBA response to the affidavit submitted by Darbhanga Municipal Corporation, Respondent No.5, to the Hon'ble National Green Tribunal (EZ), Kolata on 16 June 2025 in the matter of Talab Bchao Abhiyan & Ors Vs. the Govt. of Bihar & Ors related to Man Pokhar.

**Sir,**

As per your affidavit, TBA appreciates your prompt action for forming a 'Joint Inspection Committee' consisting of Circle Officers of Sadar and Bahadurpur, Amins of both Circles and other staffs. But it is pain to say that the affidavit is very sketchy and misleading. The joint inspection report contained by the affidavit completely failed to report on the following issues of the petition:

#### **1. Area of Mon Pokhar(Wetland):**

Mon Pokhar is a Wetland created by Bagmati River. It should be protected as per the Wetlands Rules, 2017. Therefore the inspection committee should report about:

- i) Area of Mon Pokhar in Sadar Circle and Bahadurpur Circle, say circle wise area.
- ii) Mauza wise area of Mon Pokhar as it spreads into Maheshpatti, Kajipura, Belwaganj, Chak Johra, Yakubpura Maujas and Mauja Asafundayarpur (Mashur naam Saray).

#### **2. Difference Between Land Encroachment and Land Grabbing:**

Mon Pokhar is a Case of Land Grabbing by Land Shark for Illegal Earning. The meaning and definition of land encroachment and land grabbing is different and clear. The inspection committee (IC) submitted a map of land encroachment of Mon Pokhar in Kajipur Maza by 88 persons. The map is in itself a solid evidence of 'Land Grabbing by Pond Mafia'. The map reveals that the settlement of the new Mohalla is well planned and design, which cannot be possible by individual efforts for encroachment.

The truth is that the 88 persons, identified by the IC have purchased land from the Pond Mafia of Darbhanga city, namely Md. Allan Khan and his gang. Md. Allan Khan and his gang have grabbed land of more than 31 ponds of Darbhanga city in last 20 years with the support of Circle officers of Sadar and Bahadurpur including Darbhanga Municipal corporation and District Registry office. TBA has repeatedly submitted the list of 31 ponds to DMC, DM, Chief

secretary of Bihar and other senior authorities and requested them for punitive action against Md. Allan Khan and his gang. **Please See Map In Annexure-1.**

### 3. Encroachments of Mon Pokhar/Wetland:

The inspection report failed to report Mauza wise encroachment, as our petition claimed the following details of encroachment of the Mon Pokhar/Wetlands:

SN	Details of Encroachment in & around the Mon Pokhar's land	Approx. Area of encroachment
<b>A</b>	<b>In Darbhanga Sadar Circle</b>	
1	Towards Easter & northern side of the Pokhar, near Kilkhana, ward n. 31 & 32, Mohalla Kajipura, Mauja Mahespatti.	Approx. 3-4 acres
2	Towards western side in ward no. 31, Mohalla Migyas Chak, Mauja Mahesh Patti	Approx. 6-7 acres
3	Towards eastern side, Mohalla Dumduma, Mauja Belvaganj	Approx. 5-6 acres
<b>B</b>	<b>In Bahadurpur Circle</b>	
4	Mohalla Maharaj Ganj, Mauja Maheshpatti & Yakubpur	Approx. 2-3 acres
5	Mohalla Saray, Mauja Asafundayarpur and Mashur naam Saray	Approx. 3-4 acres
	<b>Say, Total area of encroachment is approx.</b>	<b>15 to 20 Acres</b>

### 4. Demarcation of Mon Pokhar & Display Board:

Demarcation of a pond, lake and wetland at the ground level helps to protect a waterbody. But, presently demarcation is on paper only. Please direct the concern officers and Amin to demarcate the entire land of Mon Pokhar by using RCC pillars. In every Mauza and ward, a board containing detailed information of Mon Pokhar, should be displayed for community awareness and participation

### 5. DMC's Sewage is connected to Storm Water Drainage:

Please see photographs of polluted water of DMC sewage flowing into the Mon Pokhar through a storm water drainage, which violates the Hon'ble NGT orders and the 'Section 198' of Bihar Municipal Act, 2008. The Section 198 states:

***"Section 198: Sewerage and rain water to be separated - For the purpose of effectual drainage of any premises in accordance with the provisions of this chapter, it shall be competent for the Chief Municipal Officer, or any other agency authorized by him in this behalf, to require that there should be one drain for sewage, offensive matter and polluted water and an entirely separate drain for rain water or unpolluted sub-soil water or both rain water and unpolluted sub-soil water, each emptying into separate municipal drains or other suitable places."***

However, the inspection report claimed that no polluted water of DMC's sewage is falling into the Mon Pokhar. Fact is that polluted water of DMC's sewage and household sewages around the Mon Pokhar, are flowing into the Mon Pokhar.

**Please see the photographs in Annexure-2, photo No.1**

## **6. Pollution of Slaughter House in & around the Mon Pokhar Finally Enters into the Ganga River:**

The carcass remnants like unutilised flesh, intestine tube, bone, hoof, blood are openly left, which are dumped into the Mon Pokhar also. The pollution of slaughter house entering in Mon Pokhar flows to Bagmati River near Ekmi Ghat and final it goes to the Ganga River through Kosi & Kamla.

**Please see photo w.r.t. pollution of slaughter house in Annexure-2, photo No.2 to 7.**

The inspection report failed to mentioned pollution of Mon Pokhar's water by the slaughter house including foul odor and unhygienic environment surrounding of animal slaughter house situated just at the eastern bank of the Mon Pokhar. The slaughter house is popularly known as 'Kilkhana' in local area.

***You are requested to take the help of experts and scientists of Central Leather Research Institute (CLRI), Chennai to develop design of slaughter house; and use technique & technology developed by CLRI for management of slaughter house, maintaining safe and clean environment in & around the slaughter house. CLRI is very capable organisation to give technology for utilisation of waste materials of carcass (bone, blood, horn, offal, hoof, partially digested fodder or paunch manure etc.) of slaughter house into a productive items as well as. You are again requested to involve CLRI for providing technology and training for skill development regarding management of slaughter house, value addition of the raw hides and utilization of waste materials.***

## **7. Land of Mon Pokhar Belongs to Kaisre Hind and Bihar Govt.:**

In old Khatiyana, Mon pokhar is named as 'NADI (river)'. The Land of Mon Pokhar Belongs to Kaisre Hind and Bihar Govt. both. This fact & information is necessary to develop 'geo tagging (UID)' of Mon Pokhar, as per order of the Hon'ble NGT, in the matter of Lt. Col. Sarvadaman Singh Oberoi Versus Union of India &Ors., M.A. No. 26/2019 in O.A. No. 325/2015, Dated: 10.05.2019. The inspection committee report is complete silence on this issue.

## **8. Section 249 of Bihar Municipal Act, 2008 deals with urban environment management and protection of the wetlands:**

The section 249 of Bihar Municipal Act, 2008 states:-

*"Section 249: Functions in relation to urban environment management and submission of report on environmental status of municipal area--- (1) Subject to the provision of section 10 and without prejudice to the generality of the provisions of section 277, the Municipality shall, either by itself or through any agency, undertake functions relating to the following matters:*

- (a) supply of safe water, (f) preservation of wetland,*
- (l) development of parks, gardens and open spaces,*
- (n) Such other matter as the Municipality may consider necessary."*

## **9. Dist. Environment Committee & Community Participation:**

You are requested to form an 'Inspection Committee' consisting of CO of Sadar & Bahadurpur circles, Amins of the both circles, representative from District

Environment Committee, community representative and TBA representative; for demarcation and identification of encroachments of Mon Pokhar. The Honble NGT has clear direction about the community participation in the matter of Lt. Col. Sarvadaman Singh Oberoi Versus Union of India &Ors., M.A. No. 26/2019 in O.A. No. 325/2015, Dated: 10.05.2019. Hon'ble NGT's orders under para 6 states:

*"6. There can be no dispute that the water bodies play significant role in recharge of ground water, preventing soil erosion, harnessing rain water and maintaining micro-climate in the area. Need for conservation and protection of water bodies is thus obvious. This requires involvement not only at the level of the State but also at the level of the community for which State needs to take initiative."*

**10. Section 264 of Bihar Municipal Act, 2008 w.r.t. 'Polluters to pay':**

Section 264 of Bihar Municipal Act, 2008 is related to 'Polluters to pay' principle and it states:

**"Section 264: Polluters to pay –** *The Municipality may, by regulations, provide for recovery of charges and imposition of penalty on those persons who are directly responsible for causing pollution of any kind referred to in this chapter."*

Sir, It is an international environmental law where the polluting party pays for the damage done to the natural environment. Darbhanga Municipal Corporation should apply 'Section – 264' as preventive and curative measures, if a person or a party or gang of a land mafia try to fill earth in the pond, lake, wetland, natural drains, storm water drains or any public water-body.

In last 15 years, TBA has repeatedly requested to apply this section for protection of ponds of Darbhanga city, but we do not see any positive response to our request so far.

With thanks & Regards.

Yours sincerely

Place: Darbhaga  
Date: 27/06/2025

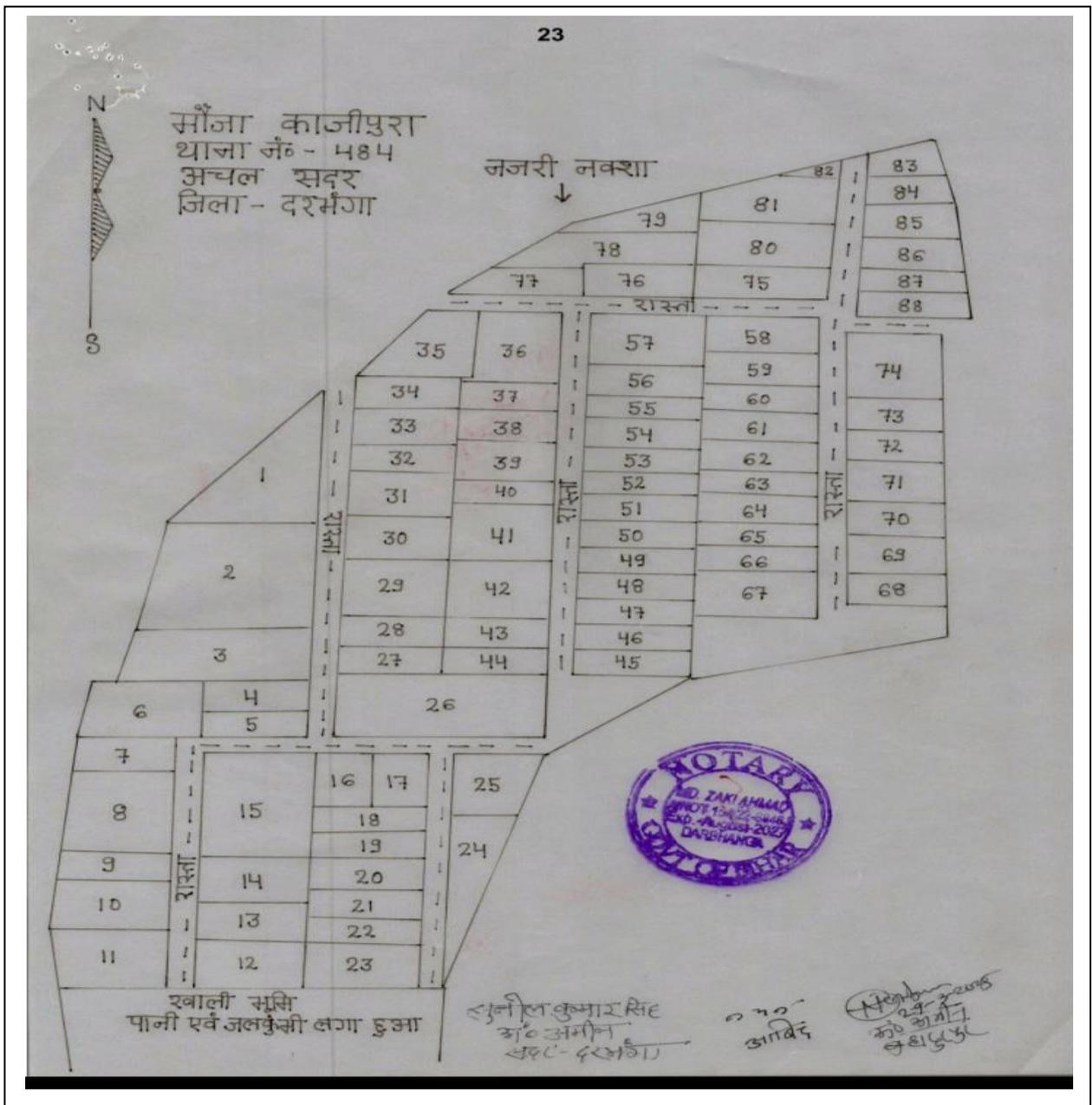
Narayan Jee Choudhary  
Convener, TBA.

**Copy to:**

- i) The Div. Commissioner, Darbhanga
- ii). The DM/Collector, Darbhanga.

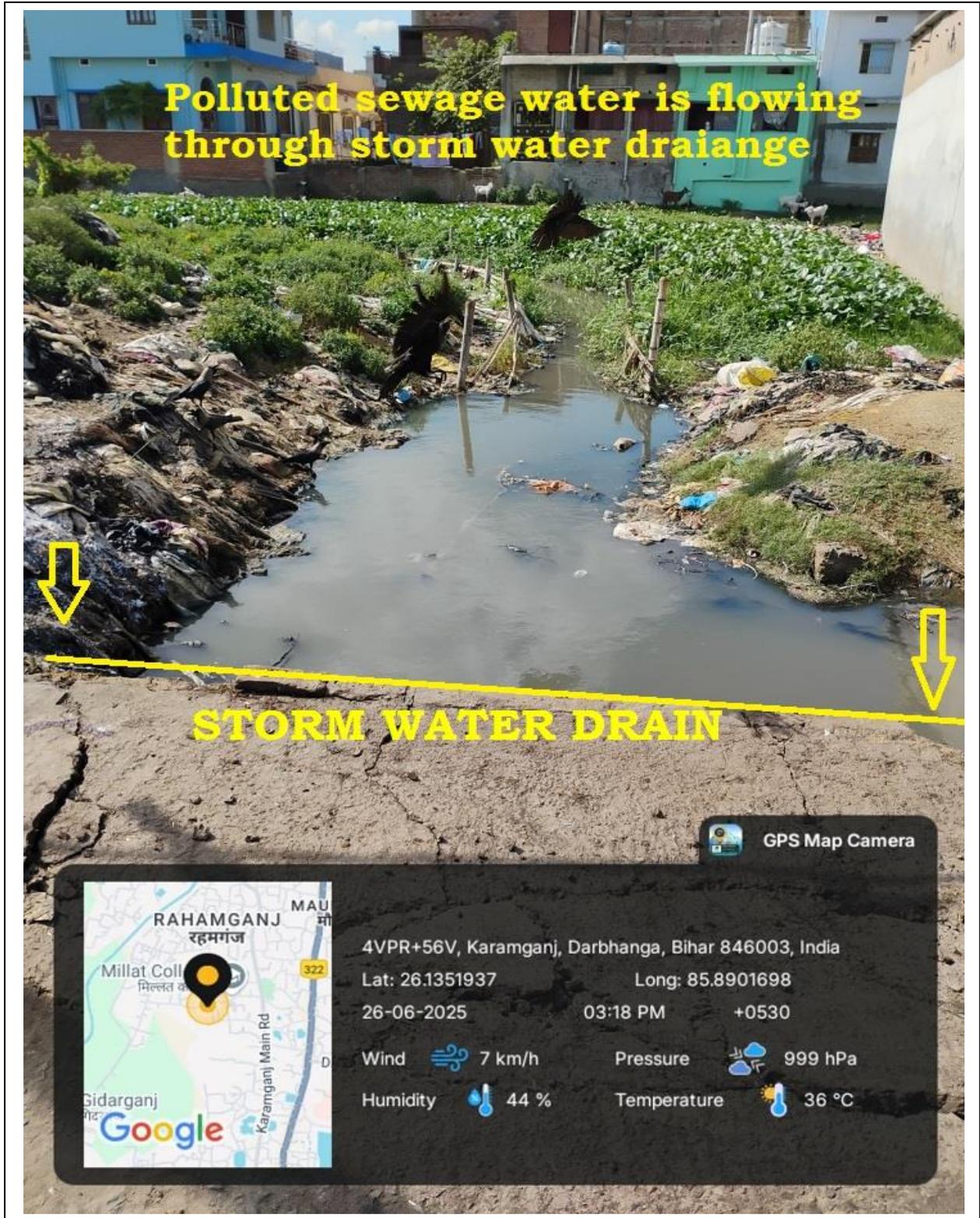
**ANNEXURE-1****Map of An Encroachment ?**

This Map submitted by Inspection Committee constituted By DBG Nagar Nigam to Hon'ble NGT as an Encroachment of Mon Pokhar Land. But it reveals that it is not a case of Land Encroachment; it is Land Grabbing by Land shark, who sold it after well planning of plotting, which cannot be possible without involvement of local administration.



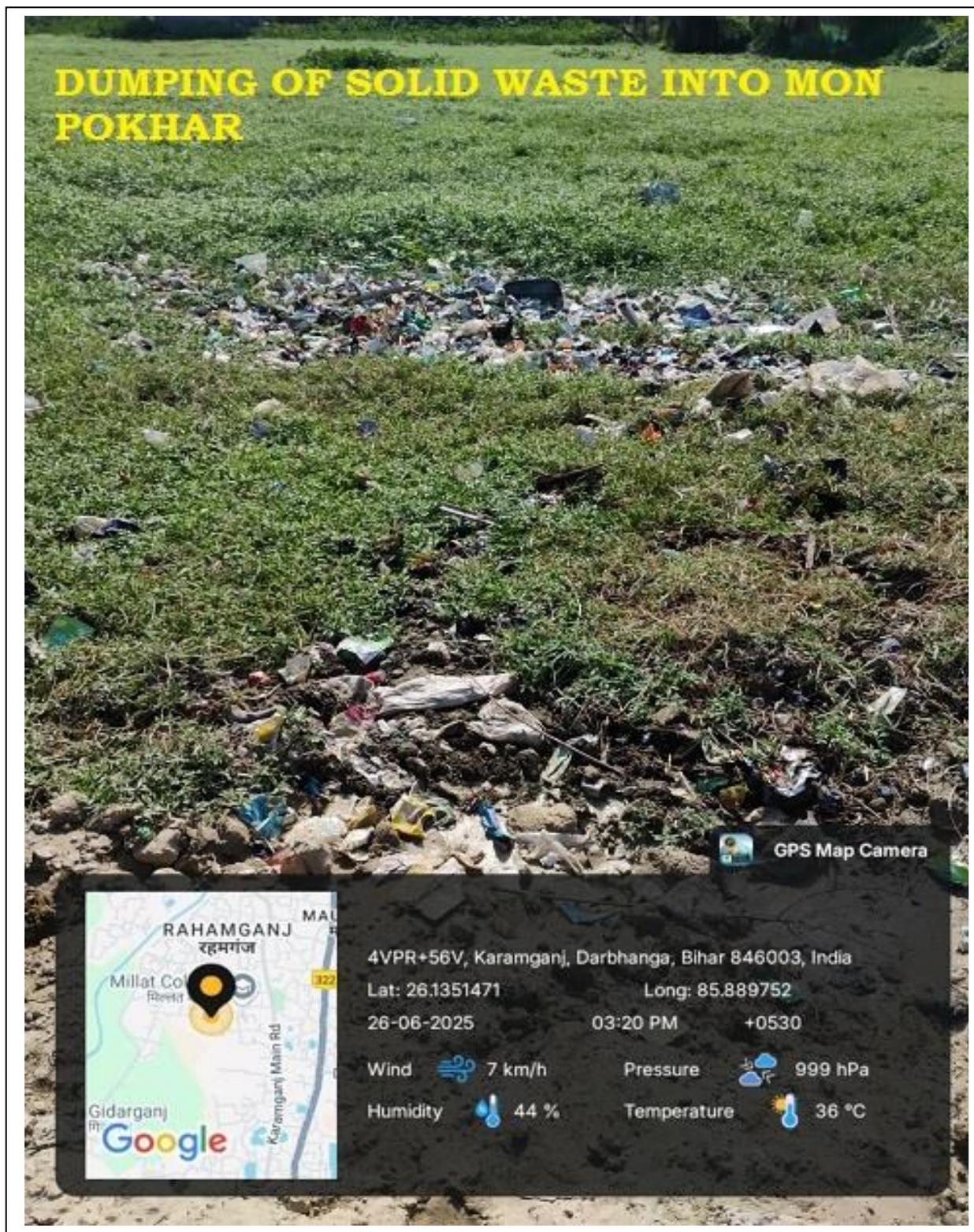
**ANNEXURE-2, Photo No.1**

DMC Sewage connected to Storm Water Drain Flows to Mon Pokhar



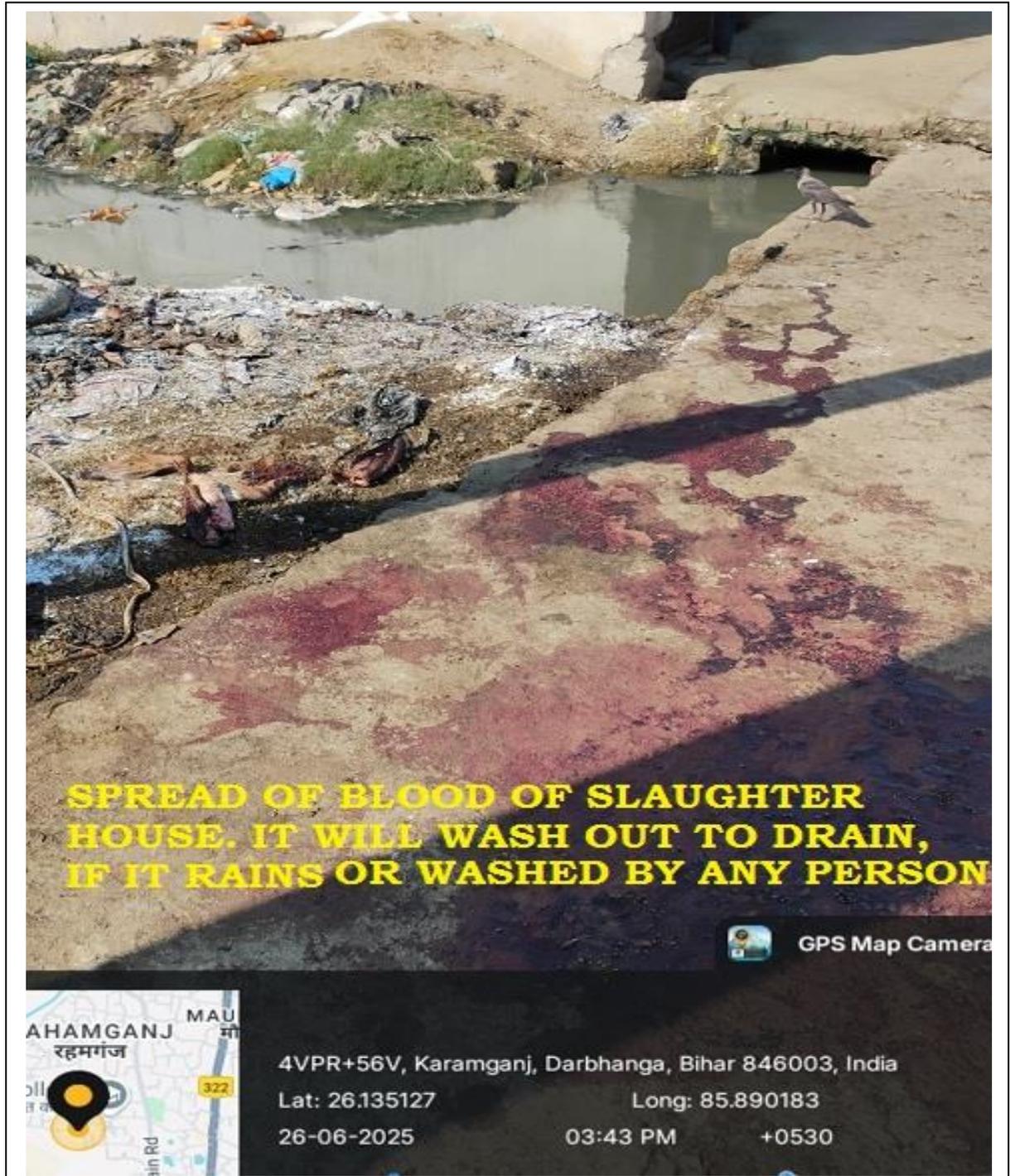
**ANNEXURE-2, Photo No.2**

Dumping of Solid waste into the Mon Pokhar



**ANNEXURE-2, Photo No.3**

Scene of Slaughter House Situated Just at Eastern Bank of Mon Pokhar  
Blood of Slaughtered Animal will wash to storm water drains to enter into  
the Mon Pokhar



**ANNEXURE-2, Photo No.4**

Scene of Slaughter House Situated Just at Eastern Bank of Mon Pokhar  
Animal Intestine & Bone Lying just at Bank of the Mon Pokhar



**ANNEXURE-2, Photo No.5**

Scene of Slaughter House Situated Just at Eastern Bank of Mon Pokhar  
Rotten Intestine & Tail Lying Openly just at Bank of the Mon Pokhar



**ANNEXURE-2, Photo No.6**

Scene of Slaughter House Situated Just at Eastern Bank of Mon Pokhar  
Washed Blood & Water Flows to Mon Pokhar



**ANNEXURE-2, Photo No.7**

Scene of Slaughter House Situated Just at Eastern Bank of Mon Pokhar  
Washed Blood & Solid Waste are Deposited to Mon Pokhar



**Talab Bachao Abhiyan, Darbhanga**

O.A. No. 14 of 2025 [Add label](#)

 **Talab Bachao Abhi...** 27 Jun  
to darbhanga.ulb, dm-d... ^

From Talab Bachao Abhiyan • tbadarbhanga@gmail.com

To darbhanga.ulb@gmail.com  
dm-darbhanga.bih@nic.in  
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Cc Kamlesh Kumar Mishra • kamlesh.legalaid@gmail.com  
adv.renu.98@gmail.com

Date 27 Jun 2025, 12:46 pm  
[See security details](#)

Sir,  
Please find the attachments of Representation.  
Thanks & Regards.  
Narayan Jee Choudhary  
Convener  
Talab Bachoa Abhiyan  
Mob; 9955344811