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

**O.A. No. 132/2023/EZ**

**(Originally O.A. No. 441/2022 at Principal Bench, New Delhi)**

**IN THE MATTER OF:**

**Sidhnath Tiwari**

...Applicant

**Versus**

**The State of Bihar & Others**

...Respondents

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Date: 01/09/2025

Place: Gaya, Bihar.

Filed by:

*Ghanshyam Pandey*

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Advocate,

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X

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN  
ZONE BENCH AT KOLKATA

ORIGINAL APPLICATION No. 14 OF 2025/EZ

O.A. No. 132/2023/EZ

(Originally O.A. No. 441/2022 at Principal Bench, New Delhi)



IN THE MATTER OF:

Sidhnath Tiwari

...Applicant

Versus

The State of Bihar & Others

...Respondents

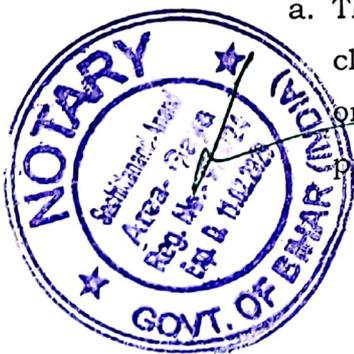
**COUNTER AFFIDAVIT BY RESPONDENT NO. 3 (i.e. MUNICIPAL  
COMMISSIONER, MUNICIPAL CORPORATION GAYA)**

I, Kumar Anurag, Son of Dilip Kumar, aged about 30 years old, by occupation- Government Service, presently posted as Municipal Commissioner under the Gaya Municipal Corporation, Bihar working for gain at the Office of Gaya Municipal Corporation, Durga Bari, Gaya, Bihar - 823001, do hereby solemnly affirm and state as followed:

1. That I have made myself acquainted with the facts and circumstances of the Original Application filed by the applicant and I have thoroughly gone through all the documents pertaining to the subject matter of this instant case including all orders, directions and recommendations of this Hon'ble Tribunal. I have personal knowledge of the facts stated herein and am competent vide proper authorization to file the instant Affidavit before this Hon'ble Tribunal on behalf of Respondent No. 3.

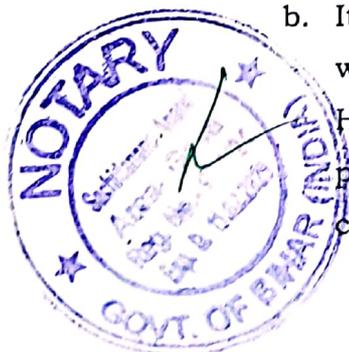
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2. That the respondent no. 3 (shall be referred as GMC hereinafter) has been advised to deal with only those contentions which are relevant and material for effective and proper adjudication of the issues involved in the instant case and save and except what are matters of record and save what are expressly admitted by me hereinafter\*\*,\*\* I emphatically deny each and every contention as made/raised in the said application as if the same are expressly denied by me in seriatim and specifically traversed to the extent the same are incorrect, misconceived or not within the knowledge of the answering respondent.
  
3. That this Original Application No. 441/2022 was initially registered at the New Delhi Bench of the National Green Tribunal, which had constituted a joint committee. The case file was subsequently transferred to the Eastern Zone Bench, Kolkata vide order dated 22.08.2023 and renumbered as No. 132/2023/EZ and this Hon'ble Tribunal has been pleased to issue various directions for environmental protection and restoration in the matter.
  
4. That pursuant to the directions of this Hon'ble Tribunal, a Joint Committee was constituted comprising of representatives from State Pollution Control Board, District Collector and other concerned authorities which submitted its comprehensive report and made the following recommendations on 23.11.2022 which have been duly considered and are being implemented in phases as detailed hereinafter:
  
5. That regarding the cleaning of Salempur Pyne, it is respectfully submitted that:
  - a. The Municipal Corporation has undertaken and regularly cleans the Salempur drain like other main drains of the town on a periodical basis in accordance with its standard operating procedures and environmental norms;



✕

- b. The drain has been comprehensively de-silted and all waste deposits have been removed using appropriate machinery and technical methods to ensure proper drainage flow;
- c. Upon receipt of recommendations from the State Pollution Control Board, special care is being taken regarding the Salempur Pyne/drain and enhanced monitoring protocols have been put in place;
- d. It is categorically stated that There is no obstacle in the flow of the pyne currently and the drainage system is functioning optimally.
6. That it is relevant to note that the scheme of construction of kaccha drain of Salempur Pyne into a proper concrete (Pacca) drain has now been taken up by the Urban Development and Housing Department, Government of Bihar. The said UDHD has assigned this work to Bihar Urban Infrastructure Development Corporation (BUIDCO) as the executing agency and the process is underway. The Nagar Nigam, Gaya has issued the requisite NOC for the above mentioned work to BUIDCO vide Letter No. 775, dated 30.04.2025 thereby facilitating expeditious completion of the project.
7. That regarding the construction of Sewerage Treatment Plant (STP), it is respectfully submitted that:
- a. This recommendation is to be primarily complied with by the Urban Development & Housing Department, Government of Bihar as the nodal agency for such infrastructure projects;
- b. It is pertinent to mention that A project has been undertaken with the help of Union of India through Urban Development & Housing Department for sewerage disposal under the prestigious Namami Gange Project which aims at comprehensive rejuvenation of river systems.



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8. That the scheme for construction of Sewerage Treatment Plant (S.T.P.) at Nagar Nigam, Gayaji is being executed by UDHD, Bihar and the said UDHD has assigned the work to BUIDCO as the implementing agency and the same is under active implementation with regular monitoring.

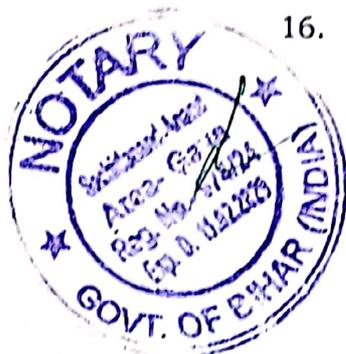
A true copy of Sewage Treatment Plant & Interception and Diversion dated 01.09.2025 along with service report are annexed herewith and marked as Annexure-01 respectively to this Counter Affidavit

9. That regarding removal of encroachments at Salempur Pyne, it is respectfully submitted that the Circle Officer, Manpur has initiated appropriate legal proceedings under the Bihar Public Land Encroachment Act ,1956 for removal of permanent encroachment at Salempur Pyne and the process is actively underway with periodic reviews to ensure compliance.
10. That it is pertinent to clarify that out of the total six recommendations made by the Joint Committee, only the first two recommendations (cleaning and concretization of drain) are directly within the jurisdiction and concerned with the Municipal Corporation. The other recommendations are to be complied with by other competent authorities such as the Department of Industry and Urban Development and Housing Department, Government of Bihar and the answering respondent has been coordinating with these agencies to ensure holistic implementation.



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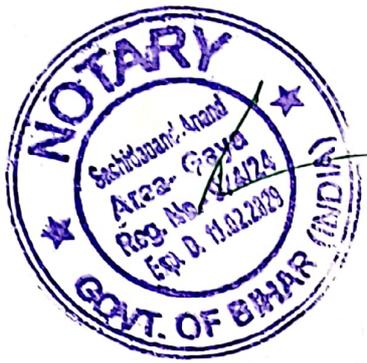
11. That the Municipal Corporation has taken all possible steps within its jurisdiction and authority to address the environmental concerns raised in the petition and has been acting in good faith to ensure compliance with all environmental norms and the directions of this Hon'ble Tribunal.
12. That the answering respondent renders its unqualified and unconditional apology for any delay, if caused, in filing the present counter affidavit, as the same is neither intentional nor deliberate. The answering respondent is always vigilant in compliance with the orders/directions of Hon'ble Courts and Tribunals and reiterates its commitment to environmental protection.
13. That the contents of this counter affidavit are true to the best of my knowledge and information derived from the records of the case and official documents maintained by the Municipal Corporation.
14. That I have thoroughly gone through the contents of this counter affidavit and I have fully understood the same and I am duly competent to file and sign the instant Affidavit before this Hon'ble Tribunal in my capacity as Municipal Commissioner.
15. That the answering respondent (i.e. Municipal Commissioner, Gaya Municipal Corporation) states and submits that it is ready and willing to abide by the order/s and direction/s made by this Hon'ble Tribunal and has taken all possible steps to comply with the directions of the Hon'ble Tribunal and the Joint Committee constituted by this Hon'ble Tribunal.
16. I state that the statements contained in Paragraphs no. 1 to 16 are true to the best of my knowledge and belief and are based on official records and the rest are my respectful submissions before this Hon'ble Tribunal.



X

Prepared in my Office  
*Ghanshyam Pandey*  
Advocate

*Kumar Anurag*  
DEPONENT



BEFORE ME

Book No. I 22 ..... Sl. No. .... Date..... 01/09/2025  
Solemnly affirm before me

~~NOTARY, Gaya Bihar~~  
NOTARY PUBLIC

*Ghanshyam Pandey*  
*Adv*  
01/09/25

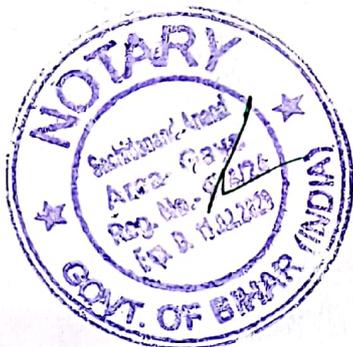
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**VERIFICATION**

Verified at Gaya, Bihar by the deponent above named on this the 1<sup>st</sup> day of September, 2025, and say that the contents of this affidavit made in paragraph nos. 1 to 16 are true to my knowledge, and are information derived from records which I verily believe to be true and the rest are my respectful submissions before this Hon'ble Tribunal.

*Kumar Anurag*

DEPONENT



Book No. I Sl. No. 22 Date... 01/09/2025  
Solemnly affirm before me

NOTARY, Gaya (Bihar)

*Subodh Chandra*  
*01/9/25*

## गया STP एवं I&D परियोजना पर संक्षिप्त प्रतिवेदन:-

प्राक्कलित राशि :- 5,51,81,95,613.00 रू०

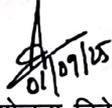
गया नगर में संचालित एस.टी.पी. (Sewage Treatment Plant) एवं आई एंड डी (Interception and Diversion) परियोजना के अंतर्गत मुख्य नालों को टैप (Tap) किया जा रहा है। इस परियोजना में सलेमपुर पैन क्षेत्र को भी सम्मिलित किया गया है। नालों से प्राप्त अपशिष्ट जल को रोककर एस.टी.पी. में उपचारित (Treated) किया जाएगा।

**उपचारित जल को दो प्रकार से उपयोग किया जाएगा:**

1. फाल्गु नदी में स्वच्छ जल के रूप में प्रवाहित किया जाएगा।
2. अथवा इसे कृषि उपयोग हेतु पुनः प्रयोज्य (Reuse) बनाया जाएगा।

यह परियोजना राष्ट्रीय स्वच्छ गंगा मिशन (NMCG) को अनुमोदन (Approval) के लिए प्रेषित की गई है। अनुमोदन प्राप्त होने के पश्चात् निविदा (Tender) प्रक्रिया आरंभ की जाएगी।

यह परियोजना गया नगर की स्वच्छता, जल संरक्षण एवं पर्यावरणीय संतुलन के लिए अत्यंत महत्वपूर्ण है।

  
परियोजना निदेशक  
बुडको, गया।



भारत सरकार  
GOVERNMENT OF INDIA



भारतीय विशिष्ट पहचान प्राधिकरण  
UNIQUE IDENTIFICATION AUTHORITY OF INDIA



कुमार अनुराग  
Kumar Anurag  
जन्म तिथि/ DOB: 07/08/1994  
पुरुष / MALE



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6403 0168 3281

आधार-आम आदमी का अधिकार

Aadhaar-Aam Admi ka Adhikar

*Kumar Anurag*