

## BEFORE THE NATIONAL GREEN TRIBUNAL

## EASTERN ZONE BENCH, KOLKATA

## IN THE MATTER OF

O.A. NO. 232 OF 2024/EZ

PINKI KUMARI

..... APPLICANT

VS

THE STATE OF BIHAR &amp; ORS.

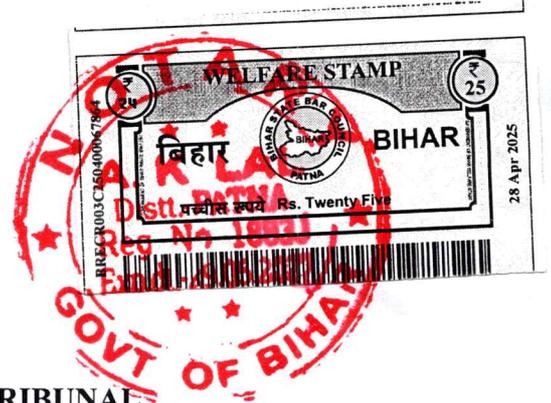
----RESPONDENTS

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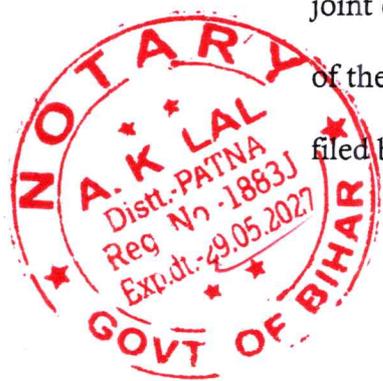
----RESPONDENTS

**REPORT OF THE JOINT COMMITTEE ON AFFIDAVIT CONSTITUTED  
VIDE ORDER DATED 08.11.2024:**

I, Neeraj Narayan, aged about 40 years, Son of Late Narayan Sharma, Resident of C-41, Housing Colony, Kankarbagh, Near Tempo Stand, P.S.- Patrakar Nagar, Patna- 800020, do hereby solemnly affirm and State as follows:

1. That I am presently posted as Member Secretary in Bihar State Pollution Control Board, Patna. I am authorized to file the present report of the committee on affidavit in light of the directions given by the Hon'ble Tribunal. The report has been prepared on basis of the findings recorded by the joint committee after carrying the inspection of sites at Nawada. The report has been prepared after consulting all the members of the joint committee and taking their views into account and all the members of the joint committee has approved the inspection report which is being filed before the Hon'ble Tribunal.

*Handwritten notes:*  
Sl. No. 2118 Date 28/4/25  
Neeraj Narayan  
is identified by Advocate...  
is affidavit apart from this...  
Camp/Col... etc. etc. vs 3 & Sub Rule 43  
by name of No. 1: 2016 before me



2. That the instant Original Application has been taken up suo moto on a letter petition submitted by the Pinki Kumari, who has alleged in the said letter petition that unscientific handling and disposal of solid waste by Nagar Parishad, Nawada, and the same is being discharged/dumped in river Khuri.
3. That the Hon'ble Tribunal was pleased to constitute a joint committee vide its order dated 08.11.2024, and directed that the committee shall visit the site and cause an inspection to be carried with respect to the allegation made in the Original application and submit its report on affidavit.
4. That in light of the directions contained in order dated 08.11.2024, the joint committee inspected the area in question on 26.12.2024. The committee noted the following: -
  - i. The solid waste generation of Nawada Nagar Parishad is 60 MT/day;
  - ii. At three places, namely, Mirzapur Ward No. 13; (ii) Kalali Road Ward No. 02; (iii) Near Ramlakhan Singh Yadav College Manger Bigha Ward No. 06, solid waste was being dumped till year 2022. The solid waste lying at the above three location has been reported as legacy waste to the Urban Development and Housing Department, Govt. of Bihar. The survey of legacy waste was slated to start within a week time and after survey remediation work was to be done;
  - iii. A parcel of land has been designated as landfill site, however due to pendency of a civil suit on the said land, therefore dumping of



waste is not being done at the proposed landfill site. The solid waste is now being dumped at Kharidi Bigha;

- iv. In Nawada Nagar Parisahd, wet waste is treated in Ghostawan. 80 compost pits have been installed where Self-Help-Group women are engaged in segregating the waste and thereafter the wet waste is processed through compost pits and after 30-40 days, compost is prepared;
- v. The Urban Development and Housing Department, Govt. of Bihar, has outsourced the work to M/S WSD Consultant Pvt. Ltd., Rajnagar, Gaziabad, Uttar Pradesh, for drone survey to estimate the quantity of legacy waste;
- vi. In Khuri river huge quantity of garbage/solid waste was found dumped due to which the flow of the river was impeded.

A copy of the joint committee report is annexed and marked as Annexure-1.

5. That the State Board in light of the above finding has issued a direction under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974, to the Executive Officer, Nagar Parishad, Nawada, to take the following steps/measures and to file a compliance report:-

- i. Stop and Prevent dumping of solid waste in Khuri river;
- ii. Take immediate steps for removal of the waste dumped in the Khuri river;
- iii. Take immediate action to stop dumping of mixed solid waste further, on the banks of Khuri river;



- iv. Ensure that the solid waste is disposed of in accordance with the Solid Waste Management Rules, 2016; and
- v. File an action taken report of the aforesaid directions within 15 days from the receipt of this notice.

A copy of the direction issued under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974, is annexed and marked as Annexure-2.

6. That the State Board after upon receipt of the action taken report and after examining the same, will take further action, if warranted, and will impose environmental compensation on Nagar Parishad, Nawada.

7. That I have read the contents of the affidavit and have understood the same.

*Identify the Deponent's signature/Li. who has signed in my presence*  
*Amit*

*Neeraj*  
 28/4/25  
 DEPONENT  
 (Neeraj Narayan)

**VERIFICATION**

Verified at Patna on 28<sup>th</sup> day of April, 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.



*Neeraj*  
 28/4/25  
 DEPONENT  
 (Neeraj Narayan)



भारतीय विशिष्ट पहचान प्राधिकरण

भारत सरकार

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Government of India



E-Aadhaar Letter

नामांकन क्रमांक/Enrolment No.: 2017/95093/29665

Neeraj Narayan (नीरज नारायण)

S/O: Lal Narayan Sharma, c-41, housing colony,  
kankarbagh, near tempo stand, Sampatchak, Patna,  
Bihar - 800020

Date: 19/12/2014

आपका आधार क्रमांक/ Your Aadhaar No.:

**6263 9195 7205**



सूचना

- आधार पहचान का प्रमाण है, नागरिकता का नहीं।
- पहचान का प्रमाण ऑनलाइन ऑथेंटिकेशन द्वारा प्राप्त करें।
- यह एक इलेक्ट्रॉनिक प्रक्रिया द्वारा बना हुआ पत्र है।

**INFORMATION**

- Aadhaar is a proof of identity, not of citizenship.
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1800 300 1947

help@uidai.gov.in

www.uidai.gov.in

Signature Not Verified  
Digitally signed by Sandeep Bhardwaj  
Date: 2014.12.19 13:17:02 IST

■ आधार देश भर में मान्य है.

■ आधार के लिए आपको एक ही बार नामांकन दर्ज करवाने की आवश्यकता है.

■ कृपया अपना नवीनतम मोबाइल नंबर तथा ई-मेल पता दर्ज कराएं. इससे आपको विभिन्न सुविधाएं प्राप्त करने में सहायता होगी.

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UNIQUE IDENTIFICATION AUTHORITY OF INDIA



नीरज नारायण  
Neeraj Narayan  
जन्म तिथि/ DOB: 27/07/1984  
पुरुष / MALE



पता:

संबोधित: लाल नारायण  
शर्मा, सी-41, हाउसिंग  
कॉलोनी, कंकड़बाग, टेम्पो  
स्टैंड के पास, सम्पतचक,  
पटना,  
बिहार - 800020

Address:

S/O: Lal Narayan Sharma, c-41,  
housing colony, kankarbagh, near  
tempo stand, Sampatchak, Patna,  
Bihar - 800020

6263 9195 7205

6263 9195 7205

आधार-आम आदमी का अधिकार

Aadhaar-Aam Admi ka Adhikar



**JOINT COMMITTEE REPORT IN THE HON'BLE NGT MATTER O.A. NO. 1081/2024(PB) RELATED TO  
ILLEGAL DUMPING OF SOLID WASTE IN KHURI RIVER NAGAR PARISHAD NAWADA, DISTRICT  
NAWADA BIHAR**



**ANNEXURE A**

**1. BACKGROUND**

Hon'ble National Green Tribunal (NGT) Principal Bench New Delhi O.A. No. 1081/2024 dated 08/11/2024 in the matter of the issue is related to illegal dumping of solid waste in Khuri River of Nagar Parishad Nawada, District- Nawada. Due to unavailability of designated landfill site the solid waste dumped in low land area. At the present time a land is provided by District Administration where solid waste dumped there and compost plant already functional. Where wet waste treated. To investigate the matter Pinki Kumari vs State of Bihar.

To investigate the matter, constituted a joint committee comprising one member each from Bihar State Pollution Control Board (BSPCB) and DM Nawada. The committee was directed to conduct site visit and submit the fact finding report in the matter. The committee was also directed to assess the Environmental Damage Compensation (EDC) in accordance with the principles laid down by the Hon'ble NGT in Original Application No. 606/2018. BSPCB was appointed as Nodal Agency of the said committee. a joint committee Hon'ble National Green Tribunal (NGT)

In accordance of above direction, a joint committee comprising of following officials carried out the site visit in Nagar Parishad Nawada on 26th December, 2024.

1. Sri Akhilesh Prasad, SDM Nawada Sadar, Nawada.
2. Sri. Nalini Mohan Scientist, Bihar State Pollution Control Board (BSPCB),

The complainant was informed about the visit plan through telephonic communication but she was found out of station.

At the outset, a meeting of joint committee was conducted at Nagar Parishad Nawada on 26th December, 2024. at 10:30 AM. In this meeting issues raised by the complainant were discussed for better understanding and planning for inspection in the matter. Subsequently, the committee members reached the site in question and carried out the detailed inspection.

**2. Observations during Site Visit**

The observations of the committee are covered under two sections, i.e. information collected from Nawada Municipality on the subject matter and physical observations at site.

**2.1 Information provided by Nagar Parishad Nawada**

- 1) Population of Nawada Municipality area as per census 2011 is 1,80,740 and present population is about 2,25,740.
- 2) Present solid waste generation of Nadiad Municipality is 60 MT per day.











- 3) There are three places where MSW has been dumped till year 2022- 1. Mirzapur ward no- 13, 2. Kalali road ward no- 22, 3. Near ramlakhan singh yadav collage manger bigha ward no- 06. These MSW are reported as legacy waste to the department UDHD, Bihar. The survey of legacy waste started with in a week after survey remediation work started. Fresh waste dumped in kharidi bigha. The designated landfill site provided by District Administration of Nawada near sanokhra where the team of pollution control board visited but the land is under (title suit running in civil court). There fore waste cannot be dumped on this site.
- 4) In Nagar Parishad Nawada wet waste Treated in ghostawan there are 80 compost pit are formed where the SHGs women are segregated the waste and put the wet waste in compost pit then after 30-40 days compost ready to use.









5) The department UDHD assigned the work to M/s WSD CONSULTANT PRIVATE LIMITED, Rajnagar Ghaziabad, Uttar Pradesh for drone survey to estimate the legacy waste (attached as Annexure-III.)

## 2.2 Site observation

1. The joint committee on 26.12.2024 conducted the site inspection at the following three points and found huge dumping of old solid waste.
  - (i) Mirzapur ward no- 13.



(ii) Kalali road ward no- 22



(iii) Near Ramlakhan singh yadav collage manger bigha ward no- 06



2. No fire in the dump site was observed on the date of inspection.



3. Kharidi bigha. (Fresh Dump site)





### 3. CONCLUSION

- 1) During the inspection of the Khuri River, a huge quantity of old garbage was found dumped in the river which impeded its flow. Nawada Nagar Parishad may be directed to submit within a week a time-bound action plan to remove the garbage. The time bound action plan should include all the requisite time-bound steps, required for the restoration of river's natural flow and vitality, necessary for conservation of ecosystem.
- 2) As per Rule-22 of the Solid Waste Management Rules, 2016, time for remediation of old garbage/ legacy waste has already expired on 07<sup>th</sup> April, 2021.

*N.M. Singh*  
30.12.24

(Nalini Mohan Singh)  
Scientist,

Bihar State Pollution Control Board (BSPCB)

*Akhil Kumar*  
30.12.24

Akhil Kumar,  
SDM Nawada Sadar,  
Nawada



**REGISTERED**  
**BIHAR STATE POLLUTION CONTROL BOARD**  
**Parivesh Bhawan**

Phone-0612-2261250/2262265, Fax-0612-2261050

E-mail: [msbspb-bih@gov.in](mailto:msbspb-bih@gov.in), Website <http://bspb.bihar.gov.in>

Ref. No.:-

Patna, dated:-

**From**

Dr. D.K. Shukla,  
Chairman.

**To**

The Executive Officer,  
Nagar Parishad Nawada,  
Old Kachahari Road,  
Nawada- 805110.

**DIRECTION UNDER SECTION 33A OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974.**

- 1) WHEREAS, the Ministry of Environment, Forest and Climate Change, Government of India, has in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986, made the Solid Waste Management Rules, 2016.
- 2) WHEREAS, as per the rules contained in the Solid Waste Management Rules, 2016, (hereinafter referred to as the 'Rules, 2016') solid waste is to be collected, transported, processed and disposed in the manner and ways as provided in the Rules, 2016. Rule 15 of the Rules, 2016, provides for the duties and responsibilities of the local authorities which inter-alia, provides for door-to-door collection of solid waste; setting up of material recovery facilities or secondary storage facilities; provide training on solid waste management to waste pickers and waste collectors; direct waste generators to not litter; transport wastes to processing facilities; etc.
- 3) WHEREAS, a letter petition was filed before the Hon'ble National Green Tribunal, New Delhi, in which it has been alleged that on account of illegally

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dumping solid waste in River Khuri the said river is getting affected and damaged and also foul smell is emitted causing health hazard to local people. The letter petition has been converted into Original Application No. 232 of 2024 and vide order dated 08.11.2024 the Hon'ble Tribunal was pleased to constitute a joint committee of District Magistrate, Nawada & Bihar SPCB to look into the matter and to take remedial measure.

- 4) **WHEREAS**, in light of the above order a joint team consisting of SDM, Nawada Sadar, Nawada and Scientist, Bihar State Pollution Control Board carried inspection of Nagar Parishad, Nawada, on 26.12.2024 and the following was noticed: -
- I. At three places, namely, Mirzapur Ward No. 13; (ii) Kalali Road Ward No. 02; (iii) Near Ramlakhan Singh Yadav College Manger Bigha Ward No. 06, solid waste was being dumped till year 2022. The solid waste lying at the above three location has been reported as legacy waste to the Urban Development and Housing Department, Govt. of Bihar. The survey of legacy waste was slated to start within a week time and after survey remediation work was to be done;
  - II. A parcel of land has been designated as landfill site, however due to pendency of a civil suit on the said land, therefore dumping of waste is not being done at the proposed landfill site. The solid waste is now being dumped at Kharidi Bigha;
  - III. In Nawada Nagar Parisahd, wet waste if treated in Ghostawan. 80 compost pits have been installed where Self-Help-Group women are engaged in segregating the waste and thereafter the wet waste is processed through compost pits and after 30-40 days, compost is prepared;
  - IV. The Urban Development and Housing Department, Govt. of Bihar, has outsourced the work to M/S WSD Consultant Pvt. Ltd., Rajnagar, Gaziabad, Uttar Pradesh, for drone survey to estimate the quantity of legacy waste;

V. In Khuri river huge quantity of garbage/solid waste was found dumped due to which the flow of the river was impeded.

5) **WHEREAS**, the Hon'ble National Green Tribunal, New Delhi, in O.A. No. 606 of 2018 has directed the State of Bihar to take immediate steps for remediation of legacy waste. Further, vide order dated 17.07.2019 passed in O.A. No. 519 of 2019 legacy waste remediation was to commence in State of Bihar from 01.11.2019 and was to be completed in time bound manner.

I, therefore, in exercise of the powers under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974, direct you to :-

- i. Stop and Prevent dumping of solid waste in Khuri river;
- ii. Take immediate steps for removal of the waste dumped in the Khuri river;
- iii. Take immediate action to stop dumping of mixed solid waste further, on the banks of Khuri river;
- iv. Ensure that the solid waste is disposed of in accordance with the Solid Waste Management Rules, 2016; and
- v. File an action taken report of the aforesaid directions within 15 days from the receipt of this notice.

Signed by Devendra Kumar  
Shukla

Date: 28-04-2025 (2025/04/28)

Chairman

Copy To.: -

Patna, Dated:

- I. Secretary to the Government, Urban Development and Housing Department, Government of Bihar, for information and necessary action.
- II. The Divisional Forest Officer-Cum-Member Convener, District Environment Committee, Nawada, for information and necessary action.

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- III. The R.O. Gaya, for information and necessary action.
- IV. The Board Analyst, for information and necessary action.
- V. Legal Cell for records.