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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, EASTERN  
ZONE BENCH AT KOLKATA  
ORIGINAL APPLICATION NO. 192/2025/EZ  
(Earlier O.A. No. 451/2025/PB)**

IN THE MATTER OF:  
NEHRU NISHA & ORS.  
...APPLICANTS  
-VERSUS-  
THE STATE OF BIHAR & ORS.  
...RESPONDENTS

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Date: 30/12/2025

Place: Kishanganj, Bihar.

Filed by:

*Ghanshyam Pandey*

Mr. Ghanshyam Pandey,  
Advocate,  
"Hastings Chamber", 7C,  
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X

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

**ORIGINAL APPLICATION NO. 192/2025/EZ  
(Earlier O.A. No. 451/2025/PB)**

IN THE MATTER OF:

NEHRU NISHA & ORS.

...APPLICANTS

-VERSUS-

THE STATE OF BIHAR & ORS.

...RESPONDENTS



**COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 04, (THE  
EXECUTIVE OFFICER, MUNICIPAL COUNCIL, KISHANGANJ)**

I, Praveen Kumar, aged about 45 years, son of Arvind Kumar, At-Jiangany, Sarahi, Ward No-5, Purnia, presently serving as the Executive Officer, Municipal Council, Kishanganj, having my office at NH-31, Near BSNL Office, District- Kishanganj, Bihar- 855107, do hereby solemnly affirm and state as under:

1. That I have made myself acquainted with the facts and circumstances of the Original Application filed by the Applicants and I have thoroughly gone through all the documents pertaining to the subject matter of this instant case. That I am duly authorized on behalf of Respondent No. 4, namely, the Municipal Council, Kishanganj. I am competent to swear this Counter Affidavit on behalf

*30/12/2025*  
**MUKESH KUMAR DAS**  
**NOTARY**  
Kishanganj (Bihar) India  
Authorised u/s 8(1) of The  
Notary Act LIII of 1952  
L. No -6802/2022

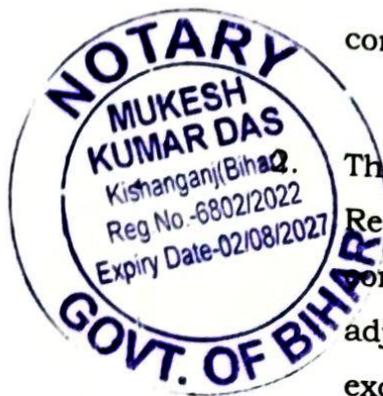
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of the Answering Respondent and the contents herein are based on my personal knowledge, information derived from official records, and legal advice received, which I verily believe to be true and correct.

That the Respondent No. 4 (shall be referred to as "Answering Respondent" 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.

3. That at the outset, the Answering Respondent expresses its utmost respect for this Hon'ble Tribunal and reaffirms its unwavering commitment to environmental protection and preservation in accordance with all applicable laws, rules, and regulations. The Answering Respondent has consistently endeavored to discharge its statutory obligations with the highest degree of diligence and responsibility.
4. That the Respondent, at the very outset, tenders unqualified apology for any inconvenience occasioned to this Hon'ble National Green Tribunal in the administration of justice and assures this Hon'ble Tribunal of its unwavering commitment to environmental compliance and judicial propriety.
5. That the Respondent most humbly and respectfully submits that this Hon'ble National Green Tribunal was pleased to pass an Order dated 10.12.2025, whereby the counter affidavit dated 08.12.2025

02/01/2026  
**MUKESH KUMAR DAS**  
**NOTARY**  
 Kishanganj (Bihar) India  
 Authorised u/s 8(1) of The  
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 L. No.-6802/2022



X

filed by Respondent No. 3 (District Magistrate, Kishanganj) was taken on record. The said Order further granted time to the Learned Counsel for Respondent No. 4 to file its response and directed that responses by Respondent No. 4 and other respondents who have not filed the same so far may be filed within four weeks, with the matter being listed on 15.01.2026 for further consideration.

That pursuant to the Order dated 06.10.2025 passed in Original Application No. 451/2025 by the Hon'ble Principal Bench of the National Green Tribunal at New Delhi, a Joint Committee was duly constituted comprising representatives of the Bihar State Pollution Control Board and the District Magistrate, Kishanganj, with the mandate to verify the factual position on ground and suggest appropriate remedial action.

7. That in scrupulous compliance with the aforementioned directions, the Joint Committee conducted a comprehensive site visit on 20.11.2025 to ascertain the factual status and ground realities. During the meticulous inspection, the Joint Committee observed that previously dumped old Municipal Solid Waste (MSW) was found at the site, situated in a low-lying area, at a distance of approximately 150 meters from the river and approximately 160 meters from habitation.
8. That pursuant to the findings of the Joint Committee and in furtherance of the directions contained in the Order dated 06.10.2025, Respondent No. 3 (District Magistrate, Kishanganj) issued a direction to this Respondent vide letter no. 3233, dated 20.11.2025, directing the immediate removal of the Municipal Solid Waste (approximately 80 tons) within a period of one week.



30/11/2025  
**MUKESH KUMAR DAS**  
 NOTARY  
 Kishanganj (Bihar) India  
 Authorised u/s 8(I) of The  
 Notary Act LIII of 1952  
 L. No - 8802/2022

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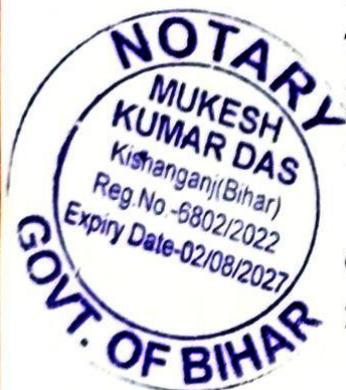
**Copy of the said letter no. 3233, dated 20.11.2025, is annexed herewith and marked as Annexure- R/1.**

9. That demonstrating prompt compliance and expeditious action, this Respondent has successfully removed the Municipal Solid Waste (approximately 80 tons) from the site in accordance with the directions communicated vide letter no. 3233, dated 20.11.2025. The completion of the said removal has been duly intimated to Respondent No. 3 (District Magistrate, Kishanganj) vide letter no. 1995, dated 08.12.2025.

**Copy of the said letter no. 1995, dated 08.12.2025, is annexed herewith and marked as Annexure- R/2.**

10. That it is most humbly and respectfully submitted that the aforementioned compliance measures were undertaken with utmost diligence, earnestness, and expedition. The removal of approximately 80 tons of Municipal Solid Waste from the identified site demonstrates this Respondent's bona fide commitment to environmental remediation and its sincere respect for the directions emanating from this Hon'ble Tribunal and the Joint Committee constituted thereunder.

11. That the Respondent most respectfully submits that the remedial action undertaken represents a complete and comprehensive response to the environmental concerns raised by the Applicants. The identified Municipal Solid Waste has been entirely removed from the site, thereby eliminating the immediate source of pollution and environmental degradation that formed the subject matter of the present proceedings.



03/12/2025  
**MUKESH KUMAR DAS**  
 NOTARY  
 Kishanganj (Bihar) India  
 Authorised w/s 8(1) of The  
 Notary Act LII of 1952  
 L. No. -6802/2022

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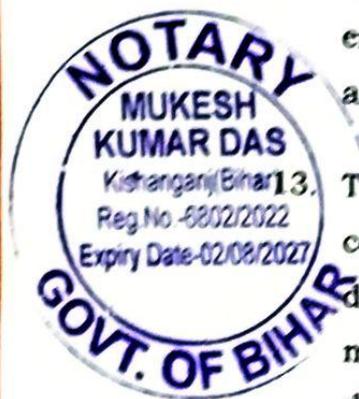
12. That the Respondent further submits that in addition to the immediate remedial measures undertaken, this Respondent has instituted systematic mechanisms to ensure continued vigilance and prevent recurrence of such environmental violations. The Municipal Council has strengthened its waste management protocols and enhanced monitoring mechanisms to ensure strict compliance with all applicable environmental norms and statutory provisions.

That it is pertinently submitted that this Respondent has acted in complete good faith and with utmost sincerity in implementing the directions of this Hon'ble Tribunal. The swift and comprehensive manner in which the Municipal Solid Waste has been removed demonstrates this Respondent's genuine commitment to environmental protection and its recognition of the paramount importance of maintaining ecological balance.

14. That the Answering Respondent submits that upon verifying the site it was revealed and confirmed that the area in question has been comprehensively cleaned, all accumulated garbage and waste materials have been properly collected and disposed of in accordance with prescribed protocols, and the site presently exhibits satisfactory standards of cleanliness and hygiene. The necessary remedial measures and corrective actions have been undertaken to clear the accumulated waste and restore environmental sanitation in the area. The present factual position, therefore, is that there exists no continuing accumulation of waste, no ongoing creation of air pollution, and no persistent unhygienic conditions at the site that was the subject of the Applicant's complaint.

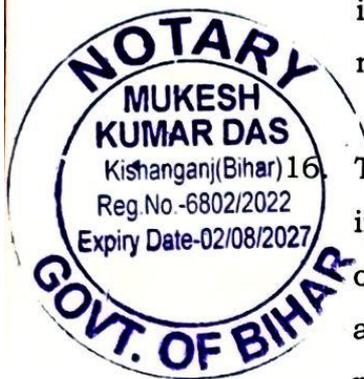
**Copy of the coloured photographs of the said area after the entire area has been cleaned is annexed herewith and marked as Annexure R/3 Collectively.**

9/30/2025  
**MUKESH KUMAR DAS**  
**NOTARY**  
 Kishanganj (Bihar) India  
 Authorised w/s 8(1) of The  
 Notary Act LIII of 1952  
 L. No.-6802/2022



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15. That in light of the aforementioned facts, circumstances, and the conclusive findings of the Joint Committee, it is the most humble and respectful submission of this Respondent that appropriate and efficacious remedial measures have been promptly undertaken and implemented for the complete redressal and resolution of the issues raised by the Applicants.



That the directions contained in the Order dated 06.10.2025 passed in Original Application No. 451/2025 by the Hon'ble Principal Bench of the National Green Tribunal at New Delhi have been scrupulously and fully complied with in letter and spirit. The Joint Committee's recommendations have been implemented without delay, and the environmental concerns that necessitated judicial intervention have been comprehensively addressed.

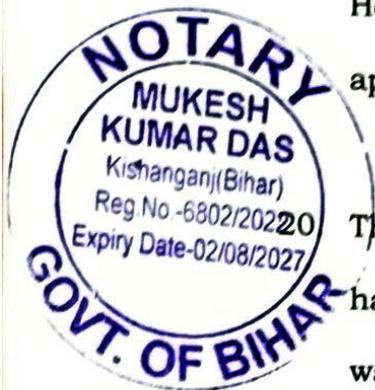
17. That it is most humbly submitted that the present proceedings may be graciously closed in the larger interest of justice, equity, and good conscience, particularly in view of the complete compliance effected by this Respondent. This Respondent solemnly undertakes and assures this Hon'ble Tribunal that it shall ensure continued vigilance and maintain strict compliance with all applicable environmental norms, statutory provisions, and regulatory requirements henceforth.

18. That this Respondent shall remain ever obligated and eternally grateful to this Hon'ble Tribunal for providing the opportunity to demonstrate its commitment to environmental protection and for guiding this Respondent toward ensuring ecological sustainability and environmental compliance.

30/12/2025  
 MUKESH KUMAR DAS  
 NOTARY  
 Kishanganj (Bihar) India  
 Authorised u/s 8(l) of The  
 Notary Act LIII of 1952  
 No. -6802/2022

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19. That the Respondent has not concealed any material fact from this Hon'ble Tribunal and has placed all relevant facts and circumstances in a fair, transparent, and truthful manner. This Respondent submits itself to the wisdom and jurisdiction of this Hon'ble Tribunal for such orders as may be deemed just, appropriate, and expedient in the circumstances.



That the Respondent most respectfully submits that the entire area has been thoroughly cleaned and sanitized, and all the waste that was previously dumped at the site has been completely removed and disposed of in strict accordance with the provisions of law. The disposal has been undertaken through scientifically approved methods ensuring no adverse environmental impact, and the site has been restored to an environmentally safe condition, thereby eliminating any potential threat to the river, habitation, or the surrounding ecosystem.

21. That the Answering Respondent is fully committed to the conservation and protection of environment within its jurisdiction and has been taking all necessary steps within its powers to prevent any illegal activities that may adversely affect the residents of the said area.

20/12/2024  
**MUKESH KUMAR DAS**  
**NOTARY**  
 Kishanganj (Bihar) India  
 Authorised w/s 8(1) of The  
 Notary Act LIII of 1951  
 L. No. 6802/2022



22. That the Answering Respondent states and submits that they are ready and willing to abide by the orders/directions made by this Hon'ble Tribunal and has taken all possible steps to comply with the directions of the Hon'ble Tribunal and will continue to coordinate with appropriate regulatory authorities for environmental protection.

23. I state that the statements contained in Paragraphs no. 1 to 22 are true to the best of my knowledge and belief, those made based on the records which I verily believe to be true and the rest are my humble submissions before this Hon'ble Tribunal.

Prepared in my office

*Ghanshyam Pandey*

Ghanshyam Pandey  
Advocate

*Praveen Kumar*  
DEPONENT *30/12/25*

*Identified by me*

*Rupesh Adv*  
30.12.2025

Affidavit No.- 1999/2025

*30/12/2025*  
**MUKESH KUMAR DAS**  
**NOTARY**  
Kishanganj (Bihar) India  
Authorised u/s 8(1) of The  
Notary Act LIII of 1952  
L. No.-6802/2025

**RUPESH KUMAR DAS**  
**ADVOCATE**  
D.B.A., Kishanganj  
Enrollment. No.-1398/2024  
Mob.-9835875328

NOTARY PUBLIC

<p><b>WELFARE STAMP</b> ₹ 25 बिहार पच्चीस रुपये Rs. Twenty Five BRECRO56C251100021408</p>	<p><b>BIHAR COURT FEE</b> ₹10 BRECRO56C251200031755 23 Dec 2025</p>	<p><b>BIHAR COURT FEE</b> ₹10 BRECRO56C251200031711 23 Dec 2025</p>
<p><b>NOTARY PUBLIC</b> <b>MUKESH KUMAR DAS</b> Kishanganj (Bihar) Reg.No.-6802/2025 Expiry Date-02/08/2027</p>		
<p><b>GOVT. OF BIHAR</b> 2025 07825</p>		

X

**VERIFICATION**

Verified at Kishanganj, Bihar by the deponent above named on this the 30<sup>th</sup> day of December, 2025, and say that the contents of this affidavit made in paragraph nos. 1 to 23 are true to my knowledge and information derived from records which I verily believe to be true and the rest are my respectful submissions before this Hon'ble Tribunal.



*Praveen Kumar*  
DEPONENT 30/12/25

-11-

-R/1-  
Annexure - R/1

बिहार सरकार  
समाहृतनालय, किसानगंज  
किसानगंज - 855107

Email:- dm-kishanganj.bih@nic.in  
दूरभाष :- 06456-222520 (आवाज)  
06456-225400 (आवाज फोन)  
06456-222520 (आवाज)  
06456-222535 (आवाज)  
06456-222626 (आवाज फोन)

पत्रांक 3233/जि०विधि०, दिनांक 20/11/2025

प्रेषक :-

जिला दंडाधिकारी एवं समाहर्ता,  
किसानगंज।

सेवा में,

कार्यपालक पदाधिकारी,  
नगर परिषद, किसानगंज।

विषय :-

Original Application No-451/2025 (Nehru Nisha & Ors Vs State of Bihar & Ors) में माननीय राष्ट्रीय हरित न्यायाधिकरण द्वारा पारित आदेश दिनांक 06.10.2025 के अनुपालन में वार्ड नं०-34 में पूर्व से जमा किये गये Municipal Solid Waste को एक सप्ताह के अन्दर हटाने के संबंध में।

महाराज,

विषयान्तर्गत कहना है कि Original Application No-451/2025 (Nehru Nisha & Ors Vs State of Bihar & Ors) में माननीय राष्ट्रीय हरित न्यायाधिकरण द्वारा पारित आदेश दिनांक 06.10.2025 के द्वारा गठित संयुक्त समिति के द्वारा दिनांक 20.11.2025 को स्थल निरीक्षण के क्रम में पाया गया है कि वार्ड नं०-34 में सुया नदी के नजदीक पूर्व से Dump किये गये लगभग 80 टन Municipal Solid Waste जमा है, जो पर्यावरण हित के लिए उचित नहीं पाया गया है। उल्लेखनीय है कि उक्त निरीक्षण के क्रम में आप भी उपस्थित थे।

अतः निर्देश है कि उक्त Dump किये गये लगभग 80 टन Municipal Solid Waste को एक सप्ताह के अन्दर उठाव कर समुचित जगह पर उसका भण्डारण कराना सुनिश्चित किया जाय, ताकि आम जनता को कठिनाईयों का सामना नहीं करना पड़े।



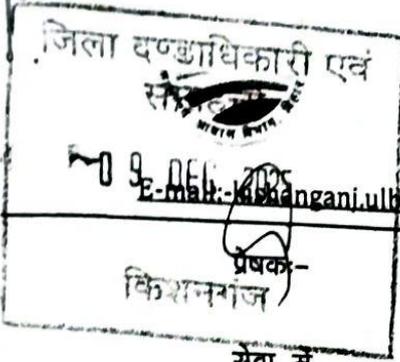
विश्वासभाजन,  
20/11/25  
जिला दंडाधिकारी एवं समाहर्ता,  
किसानगंज।

Annexme-R/2

09 DEC 2025

पत्रांक :- 199.5

दिनांक :- 08/12/2025

प्रेषक-  
किशनगंज

सेवा में,

कार्यपालक पदाधिकारी,  
नगर परिषद, किशनगंज।R-2504  
12.12.25

जिला क्लर्क

जिला दण्डाधिकारी एवं समाहर्ता,  
किशनगंज।

विषय:-

Original Application NO. 451/2025 (Nehru Nisha & Ors Vs State of Bihar & Ors)  
में माननीय राष्ट्रीय हरित न्यायाधिकरण द्वारा पारित आदेश दिनांक- 06.10.2025 के  
अनुपालन में वार्ड नं0- 34 में पूर्व से जमा किये गये Municipal Solid Waste को  
एक सप्ताह के अन्दर हटाने के संबंध में।

प्रसंग:-

भवदीय पत्रांक- 3233/जि0विधि0, दिनांक- 20.11.2025

महाशय,

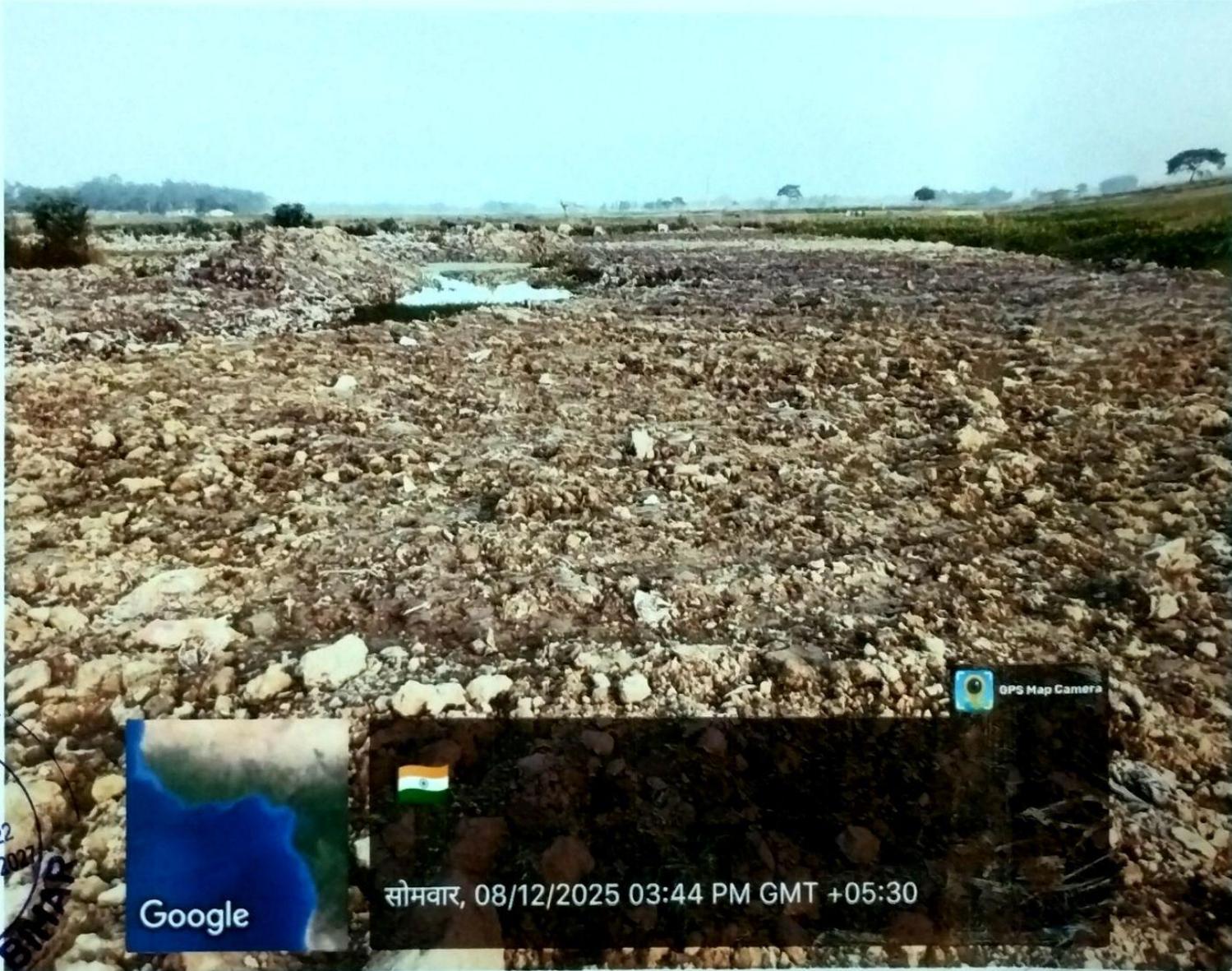
उपर्युक्त विषयक प्रासंगिक पत्र के क्रम में सादर पूर्वक कहना है कि वार्ड नं0- 34 में  
सुधा नदी के नजदीक नगर परिषद द्वारा पूर्व से Dump किये गये लगभग 80 टन Municipal Solid  
Waste का उठाव कर लिया गया है। उक्त कार्य संबंधी Geotag Photo पत्र के साथ संलग्न की जा रही  
है।

सादर सूचनार्थ समर्पित।



विश्वासभाजन

08/12/25  
कार्यपालक पदाधिकारी,  
नगर परिषद, किशनगंज।



**NOTARY**  
**MUKESH KUMAR DAS**  
Kishanganj (Bihar)  
Reg. No. -6802/2022  
Expiry Date-02/08/2027  
**GOVT. OF BIHAR**



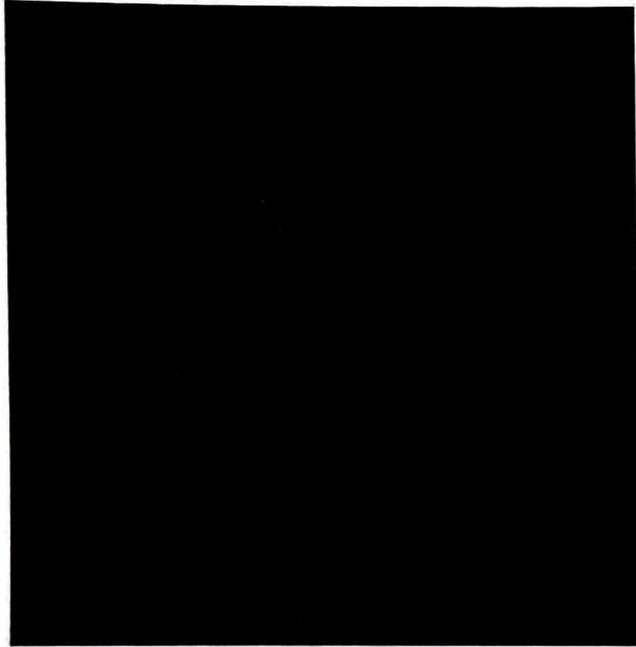
GPS Map Camera



सोमवार, 08/12/2025 03:44 PM GMT +05:30



**भारत सरकार**  
**GOVERNMENT OF INDIA**



प्रवीण कुमार

Praveen Kumar

DoB: 03/11/1980

MALE

*Praveen Kumar*  
30/12/2025

**5664 6469 9492**

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~~XXXXXXXXXXXX~~ पहयान प्राधिकरण  
~~XXXXXXXXXXXX~~ OF INDIA

S/O अरविन्द कुमार, जियनगंज,  
वॉर्ड न 05, जियनगंज, सरसी,  
पूर्णियां, बिहार, 854206

S/O Arvind Kumar,  
jiyanganj, ward no 05,  
Jianganj, Sarsi, Purnia,  
Bihar, 854206

2505/51

5664 6469 9492