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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTER ZONE, KOLKATA

ORIGINAL APPLICATION NO. 128 OF 2025

Dewkant Kumar

.....Application

Versus

State of Bihar & Ors.

.....Respondent (S)

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Filed by
Amrita Pandey,
Advocate



✂

Sl. No. 131 Date 9.1.26

BEFORE THE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION NO. 128 OF 2025

Dewkant Kumar

Versus

State of Bihar & Ors.

COUNTER AFFIDAVIT ON BEHALF OF -RESPONDENT

NO. - 06, BIHAR STATE POLLUTION CONTROL BOARD.

I, Sain Kumar aged about 60 years Son of Ganga Prasad Singh resident of Ward no.-01, Dakshini, Maranchi, P.S.-Hathidah, Dist.- Patna, do hereby solemnly affirm and state as follows:

A. K. LAL
Notary, Civil Court, Patna

1. That I am presently posted as Regional Officer, Purnea in **BIHAR STATE POLLUTION CONTROL BOARD**. I am authorized to file the instant affidavit on behalf of the Respondent no.06. I am aware of the facts of the present case on the basis of the official records maintained, that I believe to be true. As such, I am competent to depose the present affidavit. I have been duly authorized by the competent authority to swear the instant affidavit.

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

Sri/Smt. Sain Kumar who is identified by Advocate Khushi Reddy solemnly affirmed and declared contents of this affidavit apart from this nothing else as atamp/Court fees etc. U/s 3 & Sub rule 4 of rule of N.Act. 1986 before me.



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3. That the instant matter has been registered based on letter petition filed by Mr. Dewkant Kumar is related to issue of violation of provisions of the Solid Waste Management Rules, 2016 by Katihar Railway Administration and Katihar Municipal Corporation, Katihar, causing Air Pollution.
4. That the Hon'ble Tribunal vide its order dated 19.08.2025 constitute of a joint Committee comprising of District Magistrate -cum collector Katihar and Bihar State Pollution Board. It is further stated that the Committee shall visit the site in question and thereafter submit reply within two months with regard to the allegations made in the original application.
5. That in the light of above order of the Hon'ble Tribunal the joint committee carried out the site visit on 10/10/2025 to ascertain factual status as stated in the petition copy. The joint Committee undertook visit of the site in question, interacted with the local Administrations, Villagers, and Stakeholders etc. The committee members also went to the complainant house but the house was locked and no one was present there, although other villagers were present at the time.



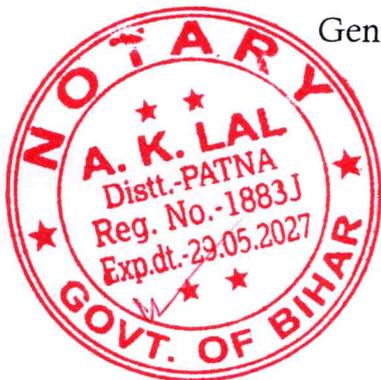
• The inspection team comprised of the following officials:

- a) The District Magistrate, Katihar.
- b) Sri Nalini Mohan Singh, Scientist, Bihar State Pollution Control Board (BSPCB);

- c) Sri Sain Kumar, Regional Officer, Purnia, Bihar State
Pollution Control Board (BSPCB);

During inspection, the following persons were also present: -

- i. ADM, Katihar
 - ii. Municipal Commissioner, Municipal Corporation,
Katihar.
 - iii. ADRM, Railway Division, Katihar.
 - iv. Sri Abhijeet Guide, Representative of complainant.
6. That during the inspection, the joint committee observed that no solid waste was found at the aforesaid sites, which was also confirmed by the representative of the complainant, present at site. It is further recommended to ADRM, Railway Division Katihar and municipal Solid Waste Management Rules, 2016. Further, it was also instructed to both the authorities to ensure that waste generators should not throw, burn and bury the solid waste generated by them on streets, open public spaces, outside their premises or in the drain or water bodies. Penalty should also be imposed, if violation of the provisions of the Solid Waste Management Rules, 2016 is found by the Waste Generators.



A copy of inspection report dated 10.10.2025 with color photographs is being annexed and marked as **annexure-A**.

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

A.K. Lal
I identify the Deponent's signature
who has signed in my presence

Sain Kumar
DEPONENT



X

VERIFICATION

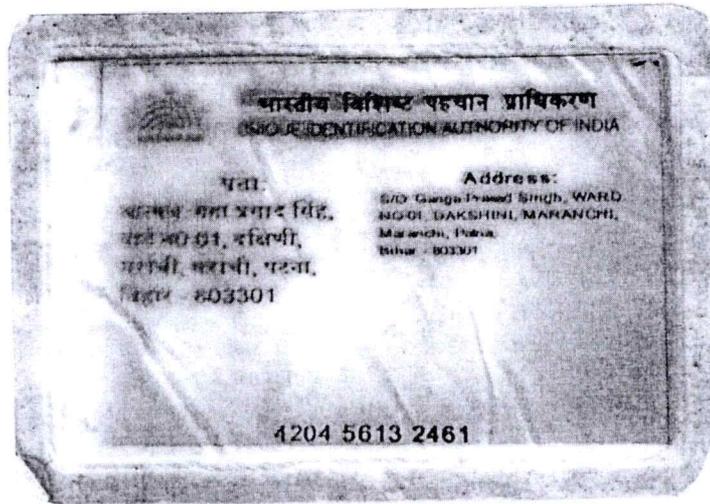
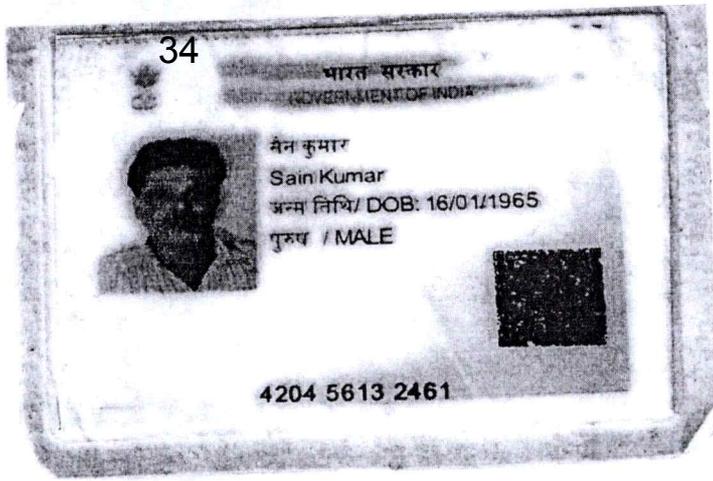
Verified at Patna on ^{Jan} 9th day of December, 2025, that the averments made in the present affidavit are true and correct to the best of my knowledge and information derived from the records of the matter and the Annexures are true copies of its respective original, no part of it is false and nothing material has been concealed therefrom. ✓

Place: Patna

Identify the Deponent signature/L.S. who has signed in my presence
 Abhineef Prakash
 BR/1520/2019

Sain Kumar
 DEPONENT





Annexure A

JOINT COMMITTEE REPORT IN COMPLIANCE WITH THE ORDER OF THE HON'BLE NGT IN O.A NO 128/2025/EZ IN THE MATTER OF DEVKANT KUMAR VS STATE OF BIHAR AND OTHERS RELATED TO VIOLATION OF SOLID WASTE MANAGEMENT RULES 2016 .

The O A No **128/2025/EZ Dated 19.08.2025** is related to issue of violation of provisions of the Solid Waste Management Rules, 2016 by Katihar Railway Administration and Katihar Municipal Corporation, Katihar , causing Air Pollution.

To investigate the matter, Hon'ble National Green Tribunal (NGT) constituted a joint committee comprising of District Magistrate-cum collector Katihar and Bihar State Pollution Control Board, Patna.

The joint committee comprising of following officials carried out the site visit on 10-10-2025 at the sites in question, situated in railway premises located near railway washing pit (beside Purnea Railway crossing) :-

1. The District Magistrate, Katihar.
2. Sri Nalini Mohan Singh, Scientist, Bihar State Pollution Control Board (BSPCB), and
3. Sri Sain Kumar, Regional Officer, Purnea, Bihar State Pollution Control Board (BSPCB).

During inspection, the following persons were also present :-

- I. ADM, Katihar
- II. Municipal Commissioner, Municipal Corporation Katihar
- III. ADRM, Railway Division, Katihar
- IV. Shri Abhijeet Guide, Representative of complainant



9X

The Joint committee members visited and inspected the sites in question and carried out the detailed inspection.

OBSERVATION

During inspection, no solid waste was found at the aforesaid sites, which was also confirmed by the representative of the complainant, present at the site.

The joint committee instructed for the environmentally sound management of institutional waste by ADRM, Railway Division Katihar and municipal solid waste by the municipal authorities as per the provisions of the Solid Waste Management Rules 2016. Further, it was also instructed to both the Authorities to ensure that waste generators should not throw, burn or bury the solid waste generated by them on streets, open public spaces, outside their premises or in the drain or water bodies. Penalty should also be imposed, if violation of the provisions of the Solid Waste Management Rules, 2016 is found by the waste generators.

Relevant photographs attached

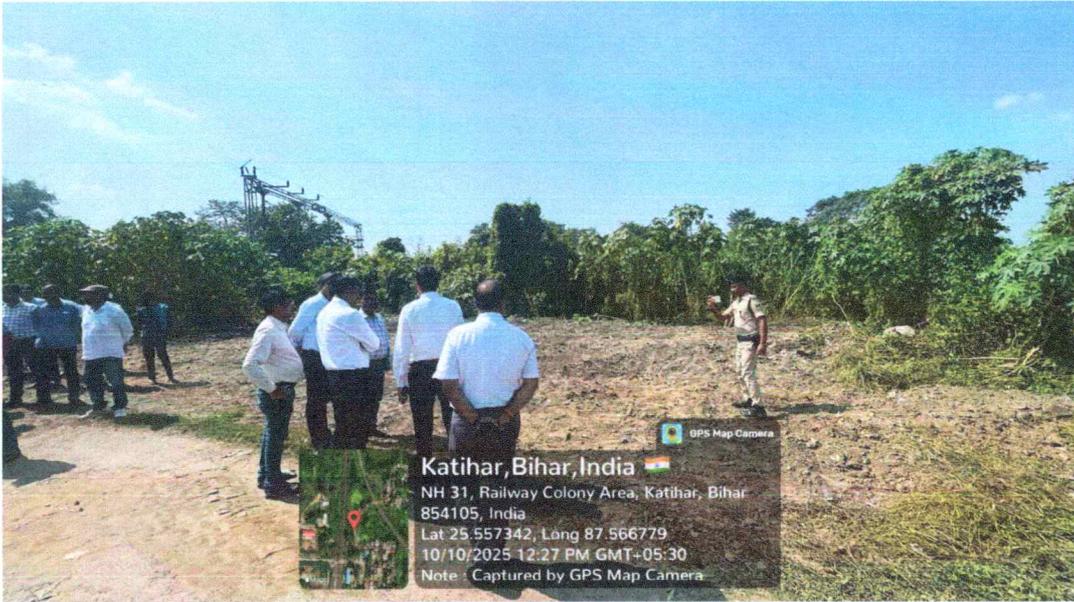
Sain Kumar
10/10/25
Sain Kumar
Regional Officer, Purnea
BSPCB

NMSingh
10.10.25
Nalini Mohan Singh
Scientist
BSPCB

10/10
District Magistrate
Katihar







NO. 1 A R Y
A. K. LAL
Distt.-PATNA
Reg. No.-1883J
Exp.dt.-29.05.2027
GOVT. OF BIHAR