BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE, KOLKATA, WEST BENGAL

MEMORANDUM OF APPEAL

(Under Section 16 R/W Section 18(1) of the National Green Tribunal Act, 2010)

Appeal NO.- 18 of 2026

In the Matter of:

M/s S. G. Constructions. _____**Appellant.**

Versus

The State of Bihar & Ors. _____**Respondents.**

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Place: Patna

By the Appellant through Counsel

Date: 15-07-2026

Virendra Kumar Ray

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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE, KOLKATA, WEST BENGAL

MEMORANDUM OF APPEAL

(Under Section 16 R/W Section 18(1) of the National Green Tribunal Act, 2010)

Appeal NO.- _____ of 2026

In the Matter of:

M/s S. G. Constructions. _____**Appellant.**

Versus

The State of Bihar & Ors. _____**Respondents.**

MEMO OF PARTIES

M/s S. G. Constructions, (A Partnership Firm) having its branch office at Jagat Amrawati Apartment, Flat No. A/16, Bailey Road, Near Officers Flat, District Patna 800001, its registered office- S.24, Manish Global Mall, Sector- 22, Dwarka, New Delhi- 110075, through its Project Manager Mr. Chandan Sinha, Male, aged about 45 years, Son of Sri Ashok Kumar Sinha, resident of R.R. Builder, Sanchar Nagar, Flat No. 611, 6th Floor, Block- 8, Police Station- Khagaul, District- Patna, PIN- 801105. E-mail: Info@sgconstruction.co.in

_____**Appellant.**

Versus

1. The State of Bihar through the Principal Secretary Urban Development and Housing Department, Govt. of Bihar, Patna. E-mail: urbansec-bih@nic.in
2. The State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Patliputra Industrial Area, Patna. 10, through the member Secretary, Bihar State Pollution Control Board. E-mail: msbspcb-bih@gov.in
3. The Chairman, Bihar State Pollution Control Board. Email: msbspcb-bih@gov.in
4. The Bihar Urban Infrastructure Development Corporation Ltd. through its Managing Director Bihar Urban Infrastructure Development Corporation Ltd. Patna. E-mail: mdbuidco@gmail.com
5. The Project Director, Chapra, Saran, Sonepur, S.T.P. and Adjoining Network Bihar Urban Infrastructure Ltd. Bihar, Patna. E-mail: buidcosaran@gmail.com
6. The Union of India through the Secretary, Ministry of Jal Shakti, Department of Water Resources River

Development and Ganga Rejuvenation, Govt. of India, New Delhi. E-mail: secy-mowr@nic.in

7. The National Mission for clean Ganga through the Director General, National Mission for Clean Ganga (Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, Govt. of India) 1st Floor, Major Dhaynchand National Stadium, India Gate, New Delhi-110002. E-mail: dg@nmcg.nic.in

8. The Chairman, National Mission for Clean Ganga (Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, Govt. of India) 1st Floor, Major Dhaynchand National Stadium, India Gate, New Delhi-110002. E-mail: dg@nmcg.nic.in

_____Respondents.

Place: Patna

Date: 15-07-2026

By the Appellant through Counsel

Virendra Kumar Ray

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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE, KOLKATA, WEST BENGAL

MEMORANDUM OF APPEAL

(Under Section 16 R/W Section 18(1) of the National Green Tribunal Act, 2010)

Appeal NO.- _____ of 2026

In the Matter of:

M/s S. G. Constructions. _____**Appellant.**

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The State of Bihar & Ors. _____**Respondents**

SYNOPSIS

1. That the instant Appeal is being filed by the Appellant under Section 31B of the Air (Prevention and Control of Pollution) Act, 1981 ("Air Act, 1981" for short), and Under Section 33B(c) of the Water (Prevention and Control of Pollution) Act, 1974 ("Water Act, 1974" for short), read with Section 16 and 18 of the National Green Tribunal Act, 2010 ('NGT Act, 2010' for short).
2. That the instant Appellant is filing this memo of Appeal being aggrieved by impugned direction/ Order vide Letter Ref. NO.- 285730 dated 26.08.2025, issued under the

signature of Chairman Bihar State Pollution Control Board (herein after referred as "the Board"). Whereby and whereunder the Chairman in exercise of the power vested to him under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 and section 33A of the Water (Prevention and Control Pollution) Act 1974, confirmed and imposed an Environmental Compensation of ₹78,80,000/- (Rupees seventy-eight lakhs eighty thousands only) on the Appellant Firm, and the Appellant has been further directed to deposit the same through Demand Draft drawn in name of Member Secretary, Bihar State Pollution Control Board, Patna failing which appropriate proceeding will be initiated against the Appellant Firm for the recovery of the compensation amount.

3. That the Appellant through this Appeal has further challenged and sought release/ refund of an amount of ₹78,80,000/- (Rupees Seventy - Eight lakhs eighty thousand only) which has been withheld/deducted by the Bihar State Pollution Control Board against the Appellant.

4. That the Appellant had earlier approached the Hon'ble Patna High Court by way of Writ Petition CWJC NO.- 6980 of 2026, wherein the Hon'ble Patna High Court vide its Order dated 18.06.2026 was pleased to grant liberty to the Appellant to avail the alternate statutory remedy of Appeal before this Hon'ble Tribunal.

5. That It is the case of the Appellant that the entire action of respondent authorities is arbitrary, illegal, and violative of statutory provisions, the principles of natural justice and are also in violation of Articles 14 and 19(g) of the Constitution of India, inasmuch as the alleged inspection report dated 01.02.2025, which forms the very basis of the impugned orders, has never been supplied to the Appellant, neither the inspection was conducted in the presence of the Appellant, furthermore the statutory provisions, and principles of natural justice were not followed. Rendering the whole process and action of the Respondents unlawful and void ab initio.

6. It is further contended that the imposition of Environmental Compensation has been done without proper determination of liability, without disclosing methodology, without

considering relevant facts and materials, and without following proper procedures, thus rendering the impugned actions unsustainable in the eyes of law.

7. The Hon'ble Supreme Court and various High Courts including The Hon'ble Patna High Court, have consistently held that Environmental Compensation must be based on proper assessment and adherence to due process, falling which such orders are liable to be set aside. Recently, court have interfered where compensation was imposed in violation of natural justice or without proper reasoning.

Hence this Memo of Appeal.

LIST OF DATES

Dates	Events
15.10.2018	Publication of Notice Inviting Tender (NIT) No. BUIDCO/YO- 933/2018-69 for the Sewerage Treatment plan in Sonepur Town.
08.03.2019	Letter of Acceptance (LOA) issued by the Chief Engineer, BUIDCO, in the favour of the Appellant.

04.06.2019	Execution of Agreement no. BUIDCO/YO-933/2018-69 between the Appellant and the Executive Engineer, BUIDCO, Saran.
Oct-June (2023-24)	Period during which the Bihar State Pollution Control Board allegedly collected samples without Providing reports to the Appellant.
01.02.2025	Alleged inspection conducted by the respondent authorities. The inspection report was never supplied to the Appellant.
03.04.2025	Letter no. 224636 issued by the Chairman, Bihar State Pollution Control Board directing the Appellant to deposit Rs.78,80,000/- within 21 days.
April- May (2025)	Appellant requested relevant documents and inspection report; however, the same were not supplied.
05.06.2025	Reply filed by the Appellant vide letter Ref NO.- SGC/ 25-26/ 0136.
26.08.2005	Letter No. 285730 issued confirming the imposition of Environmental Compensation and

	directing deposit, failing which coercive action threatened.
04.09.2025	Reply-cum-Objection filed by the Appellant vide Letter Ref. NO.- SCG/ 2025-26/ 0360.
23.04.2026	CWJC NO.- 6980 of 2026 filed before Hon'ble Patna High Court.
18.06.2026	Order passes in CWJC NO.- 6980 of 2026.

Hence this Memo of Appeal.

Place: Patna

By the Appellant through Counsel

Date: 15-07-2026

Virendra Kumar Ray

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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE, KOLKATA, WEST BENGAL

MEMORANDUM OF APPEAL

(Under Section 16 R/W Section 18(1) of the National Green Tribunal Act, 2010)

Appeal NO.- _____ of 2026

Through Vikram Kumar Roy Advocate AOR. 04713 Enrolment - 3164/99 Dt. 15-07-2021

In the Matter of:

P Ho 36 Ann: 37 to 77 15/7/26

M/s S. G. Constructions, (A Partnership Firm) having its branch office at Jagat Amrawati Apartment, Flat No. A/16, Bailey Road, Near Officers Flat, District Patna 800001, its registered office- S.24, Manish Global Mall, Sector- 22, Dwarka, New Delhi- 110075, through its Project Manager Mr. Chandan Sinha, Male, aged about 45 years, Son of Sri Ashok Kumar Sinha, resident of R.R. Builder, Sanchar Nagar, Flat No. 611, 6th Floor, Block- 8, Police Station- Khagaul, District- Patna, PIN- 801105. email: Info@sgconstruction.co.in

_____**Appellant.**

Versus

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1. The State of Bihar through the Principal Secretary Urban Development and Housing Department, Govt. of Bihar, Patna. E-mail: urbansec-bih@nic.in
2. The State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Patliputra Industrial Area, Patna. 10, through the member Secretary, Bihar State Pollution Control Board. E-mail: msbspcb-bih@gov.in
3. The Chairman, Bihar State Pollution Control Board. Email: msbspcb-bih@gov.in
4. The Bihar Urban Infrastructure Development Corporation Ltd. through its Managing Director Bihar Urban Infrastructure Development Corporation Ltd. Patna. E-mail: mdbuidco@gmail.com
5. The Project Director, Chapra, Saran, Sonepur, S.T.P. and Adjoining Network Bihar Urban Infrastructure Ltd. Bihar, Patna. E-mail:
6. The Union of India through the Secretary, Ministry of Jal Shakti, Department of Water Resources River

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Development and Ganga Rejuvenation, Govt. of India, New Delhi. E-mail: secy-mowr@nic.in

7. The National Mission for clean Ganga through the Director General, National Mission for Clean Ganga (Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, Govt. of India) 1st Floor, Major Dhaynchand National Stadium, India Gate, New Delhi-110002. E-mail: dg@nmcg.nic.in

8. The Chairman, National Mission for Clean Ganga (Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, Govt. of India) 1st Floor, Major Dhaynchand National Stadium, India Gate, New Delhi-110002. E-mail: dg@nmcg.nic.in

Respondents.

NOTARY B. Singh Patna High Court Regd. No.7252/J Expiry Date: 12/11/2030 GOVT. OF BIHAR (INDIA)

A HUMBLE MEMO OF APPEAL UNDER SECTION 31B OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981 AND UNDER SECTION 33B(C) OF THE WATER

(PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 READ WITH SECTION 16 AND 18 OF THE NATIONAL GREEN TRIBUNAL ACT, 2010.

MOST RESPECTFULLY SHOWETH:

1. The address of the Appellant is as given above for the service of notices of this Appeal and that of its Counsel is Mr. Virendra Kumar Ray Advocate, Er. No.- BR/3164/1999 A/385, A.G. Colony, Park, Ashiyana Nagar, Patna-25, email- viroo1168@gmail.com, Mob- 7004286400.
2. The addresses of the Respondents are as given above for service of notices of the Appeal.
3. That the instant Appeal is being filed under Section 31B of the Air (Prevention and Control of Pollution) Act, 1981 ("Air Act, 1981" for short), and Under Section 33B(c) of the Water (Prevention and Control of Pollution) Act, 1974 ("Water Act, 1974" for short), read with Section 16 and 18 of the National Green Tribunal Act, 2010 ('NGT Act, 2010' for short) by the Appellant.
4. That the instant Appellant is filing this memo of Appeal being aggrieved by impugned direction/ Order vide Letter Ref. NO.- 285730 dated 26.08.2025, issued under the

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signature of Chairman Bihar State Pollution Control Board (herein after referred as "the Board"). Whereby and whereunder the Chairman in exercise of the power vested to him under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 and section 33A of the Water (Prevention and Control Pollution) Act 1974, confirmed the Proposed Closure Direction vide Letter Ref. NO.- 224636, dated 03.04.2025, and imposed an Environmental Compensation of ₹78,80,000/- (Rupees seventy-eight lakhs eighty thousands only) on the Appellant Firm, and the Appellant has been further directed to deposit the same through Demand Draft drawn in name of Member Secretary, Bihar State Pollution Control Board, Patna failing which appropriate proceeding will be initiated against the Appellant Firm for the recovery of the compensation amount.

A copy of the impugned direction/ Order vide Letter NO.- 285730 dated 26.08.2025, issued under the signature of Chairman Bihar State Pollution Control Board is annexed herewith and

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marked as **Annexure- A/1** to this Memo of Appeal.

5. That the Appellant had earlier approached the Hon'ble Patna High Court by way of Writ Petition CWJC NO.- 6980 of 2026, wherein the Hon'ble Patna High Court vide its Order dated 18.06.2026 was pleased to grant liberty to the Appellant to avail the alternate statutory remedy of Appeal before this Hon'ble Tribunal.

A photo-copy of the Order dated 18.06.2026 passed by Hon'ble Patna High Court in the Writ CWJC NO.- 6980 of 2026 is annexed herewith, and marked as **Annexure- A/2** to this Memo of Appeal.

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6. That the instant Memo of Appeal is being filed pursuant to such aforesaid liberty granted by the Hon'ble Patna High Court as well as in exercise of the statutory rights provided under Section 31B of the Air Act, 1981 and Section 33B(c) of the Water Act, 1974.

7. That the Appellant has duly complied with all the mandatory requirements under the National Green Tribunal

Act, 2010 and NGT (Practice and procedure) Rules, 2011, including any deposit/ payment as mandated under the relevant provisions and rules.

8. That this Hon'ble Tribunal has the jurisdiction to entertain and adjudicate the instant Appeal, as the same squarely falls within the statutory umbrella of Section 31B of the Air (Prevention and Control of Pollution) Act, 1981 and Section 33B(c) of the Water (Prevention and Control of Pollution) Act, 1974, read with Sections 16 and 18 of the National Green Tribunal Act, 2010.

9. That the instant Appeal is maintainable before this Hon'ble Tribunal.

10. That the brief facts of the case are as follows: -

(i) That the Appellant is a Firm registered under the provision of the Indian Partnership Act, 1932 and is represented by its Project Manager who is a citizen of India and resides within the territorial jurisdiction of this Hon'ble Tribunal.

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(ii) That the Water (Prevention and Pollution) Act, 1974 was enacted by Parliament to provide for the prevention and control of water pollution and the

maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Boards for the prevention and control of water pollution, for conferring on and assigning to such Boards powers and functions relating thereto and for matters connected therewith.

(iii) That the Bihar Urban Infrastructure Development Cooperation Ltd. a government of Bihar undertaking (hereinafter referred as BUIDCO) published an NIT NO.- BUDICO/ Yo- 933/ 2018- 69 dated 15.10.2018 for Designing and Building Sewerage Treatment Plant of install capacity of 3.5 MLD including MPS and all appurtenant structure and allied work and other related works to the said project for interception and diversion work for a period of 15 years in Sonepur Town for the Contract Price of ₹29,35,16,308/- (Rupees twenty-nine crores thirty-five lakhs sixteen thousands three hundred and eight only).

A Photocopy of the NIT dated 15.10.2018 is annexed herewith and

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marked as **Annexure- A/3** to this Memo of Appeal.

(iv) That the Appellant participated in the bid and was declared as successful bidder and accordingly the letter of acceptance (LOA) dated 08.03.2019 was issued under the signature of Chief Engineer, North Bihar, BUDICO in favour of the Appellant.

(v) That accordingly the work order was issued in favour of the Appellant Firm, followed by the agreement No. BUDICO/Yo 933/2018-69 on 04.06.2019 which was signed by the Executive Engineer BUDICO, Saran and the representative of the Appellant's company.

A Photocopy of the Agreement NO. BUIDCO/Yo- 933/2018-69 dated 04.06.2019 is annexed herewith and marked as **Annexure- A/4** to this Memo of Appeal.

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(vi) That in Clause- 5 of the aforesaid agreement it has been categorically stated that all disputes arising in the connection with contract shall be referred before the Arbitrator.

(vii) That the Appellant Firm used to furnish the relevant DATA on the official site of Namami Gange (NMCG-Ganga Trang) which has dully acknowledge by the competent authority which is evident from the WhatsApp Portal the Namami Gange (NMCG-Ganga Trang).

(viii) That the Appellant's unit was performing the required service in most diligent and prescribed manner to the satisfaction of the authorities but all of a sudden, "Proposed Closure Direction" under Section 33A of the Water (Prevention and Pollution) Act, 1974 was issued against the Appellant vide letter Ref. NO.- 224636, dated 03.04.2025 under the signature of the Chairman of the Bihar State Pollution Control Board, and that too without any basis rather on some irrelevant facts which are not related with the case of the Appellant. Directing therein the Appellant to close the Water Solutions Unit and imposing therein an Environment Compensation of ₹78,80,000/- (Rupees seventy-eight lakhs eighty thousand only) to be paid through Demand Draft

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drawn in the name of Member- Secretary, Bihar State Pollution Control Board, Patna within 21 days, along with an opportunity to file a reply to the said Direction.

A copy of the Proposed Closure Direction vide Letter Ref. NO.- 224636, dated 03.04.2025, issued under the signature of Chairman, Bihar State Pollution Control Board is annexed herewith and marked as **Annexure- A/5** to this Memo of Appeal.

(ix) That the Appellant filed a reply vide letter Ref NO.- SGC/ 25-26/ 0136, dated 05.06.2025, addressing the allegations so made by the Board in the aforesaid Proposed Closure Direction dated 03.04.2025 (Annexure- A/5), and categorically addressed the charge as alleged in Annexure- A/5, and whereby further requested the Board to kindly reconsider its Direction and withdraw the imposed Environment Compensation.

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A copy of the Reply filed by the Appellant vide letter Ref NO.- SGC/ 25-26/ 0136, dated 05.06.2025 is annexed herewith and marked as **Annexure- A/6** to this Memo of Appeal.

(x) That the Board in furtherance to this, passed its impugned direction/ Order vide Letter Ref. NO.- 285730 dated 26.08.2025, issued under the signature of Chairman Bihar State Pollution Control Board **(Annexure- A/1).** Whereby and whereunder the Board reinstated its earlier position as in the Proposed Closure Direction vide Letter Ref. NO.- 224636, dated 03.04.2025 **(Annexure- A/5)** and confirmed the same, the Chairman further in exercise of the power vested to him under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 and section 33A of the Water (Prevention and Control Pollution) Act 1974, imposed an Environmental Compensation of ₹78,80,000/- (Rupees seventy-eight lakhs eighty thousands only) on the Appellant Firm, and the Appellant has been further directed to deposit

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the same through Demand Draft drawn in name of Member Secretary, Bihar State Pollution Control Board, Patna failing which appropriate proceeding will be initiated against the Appellant Firm for the recovery of the compensation amount.

(xi) That the Appellant again filled a reply-cum-objection through Representation vide Letter Ref. NO.- SCG/ 2025-26/ 0360, dated 04.09.2025, addressing the allegations so made by the Board in the aforesaid impugned Order dated 26.08.2025 **(Annexure- A/1)**, and categorically reported the charge as alleged in **Annexure- A/1** through pointwise reply, and whereby further sought clarification on various points from the Board, and subsequently requested the Board to kindly reconsider its Direction and withdraw the imposed Environment Compensation.

A copy of the Reply-cum-Objection filed by the Appellant vide Letter Ref. NO.- SCG/ 2025-26/ 0360, dated 04.09.2025 is annexed herewith and

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marked as **Annexure- A/7** to this Memo of Appeal.

(xii) That the Appellant derived no relief whatsoever from the reply-cum-objection dated 04.09.2025; rather, in stark contravention of law, the Board has arbitrarily withheld/ deducted an amount of ₹78,80,000/- (Rupees seventy-eight lakhs eighty thousands only) under the guise of alleged "Environmental Compensation," without any statutory authority, jurisdiction, or enabling provision.

11. That this Memo of Appeal is being filed bona fide, in good faith and with due diligence, without any ulterior motive or malafide intent, solely to vindicate the Appellant's lawful rights and to seek redressal against the arbitrary and illegal actions of the Respondent Board.

GROUNDS: -

I. For that the impugned direction/ Order is passed by the Board without applying its judicial mind.

II. For that the impugned direction/ Order passed by the Board is wholly erroneous, suffers from inherent

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infirmities, and stands vitiated by misdirection in law as well as on facts.

III. For that the impugned direction/ Order suffers from lack of jurisdiction and is contrary to the statutory scheme under the Air (Prevention and Control of Pollution) Act, 1981 and Water (Prevention and Control Pollution) Act 1974.

IV. For that the impugned direction/Order is arbitrary, malafide perverse and ex facie violative of the principles of natural justice as well as violative of Article 14 and 19(1)(g) of the Constitution of India.

V. For that the Respondent Board failed to consider the material facts and circumstances in their entirety, and further neglected to properly appreciate the replies filed and objections raised by the Appellant, before passing the impugned direction/ Order. The non-consideration of relevant submissions and factual matrix amounts to non-application of mind, rendering the impugned action arbitrary, unreasonable, and unsustainable in law.

VI. For that the directions contained in the impugned order are arbitrary. The punitive deductions imposed, without

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any rational nexus to the nature or extent of the alleged violation, amount to a manifest abuse of discretion. Such arbitrary action, dehors the statutory provisions as well as violates the fundamental rights enshrined under Part-III of the Constitution of India and is liable to be set aside.

VII. For that the aforesaid arbitrary illegal action of the Respondents gave an occasion of filing several Writ Applications before the Hon'ble Patna High Court, and the Hon'ble Patna High Court held the claims of those Writ Petitioners as just and proper, it not only stayed the operation of the impugned direction/ Order but also observed that any deduction from the bills as per the direction of the Bihar State Pollutions Control Board shall be hold personally liable.

A photo-copy of several Orders passed by the Hon'ble Patna High Court is annexed herewith and marked as **Annexure- A/8 Series** to this Memo of Appeal.

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VIII. For that in the impugned direction/Order it has been stated that the State Board Committee has examined the case of the Appellant and that the records are available with the State Board. However, the Bihar State Pollution Control Board itself proceeded to collect the sample in violation of the mandatory provisions of the Water (Prevention and Control of Pollution) Act, 1974. The collection of samples without adherence to statutory safeguards prescribed under said Act renders the entire process illegal, vitiates the evidentiary basis of the analysis so made, and consequently makes the impugned direction/ Order arbitrary and unsustainable in law.

IX. For that in terms of Section 21(3)(a) of the Water (Prevention and Control of Pollution) Act, 1974 no notice was served upon the Appellants or any of its officials in the prescribed form of the intention to have any sample analysed. Furthermore, the sample was also not divided into two parts in presence of the Appellant or any of its officials in terms of Section 21(3)(b). Likewise, no signature of the Appellant or its officials was obtained on the container in terms of Section

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21(3)(c). Thus, analysis of such a sample is in contravention of law and the same is also not admissible evidence in any legal proceedings in terms section 21(2) of the Water Act. Consequently, reliance upon such defective analysis to impose environmental compensation upon the Appellant is wholly illegal, arbitrary, and liable to be set aside.

X. For that no copy of the report of sample collected by the Bihar State Pollution Control Board from October, 2023 to June, 2024 was given/ sent to the Appellant or any of its officials and thus, the same is also contrary to section 22(2) of the Water Act, 1974 action. Such action being contrary to statutory requirement as well as the principles of natural justice and transparency, stands vitiated and is liable to be set aside.

XI. For that there are other contractors engaged in similar work within the State of Bihar, who are operating without strict compliance to inspection provisions. In such circumstances, it cannot be ruled out that the sample relied upon pertains to their work site and not to that of the Appellant. Consequently, the entire finding

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based on such doubtful sampling becomes unjustified in the eyes of law. Therefore, the sample, not being demonstrably from the Appellant's site, cannot form the basis of any adverse direction or order against the Appellant.

XII. For that the records of the Bihar State Pollution Control Board cannot be relied upon by the Respondent authorities to impose environmental compensation upon the Appellant, as the same are violative of the provisions of the Water (Prevention and Control of Pollution) Act, 1974 as well as contrary to the express conditions of the agreement. Reliance on such defective and non-statutory records, without adherence to mandatory safeguards, vitiates the evidentiary foundation of the impugned direction/ Order and renders the directions arbitrary, illegal, and unsustainable in law.

XIII. For that the Hon'ble Patna High Court in a similar case in a Writ CWJC NO.- 761 of 2026 vide its Order dated 30.04.2026 has granted reliefs to the Petitioner of the said Writ by quashing the directions/ Orders issued by Chairman of the Board, which were similar to the

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B. Singh
Patna High Court
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direction/ Order issued against the instant Appellant. Furthermore, for the sake of complete transparency and a show of bona-fide intention the Hon'ble High Court has further mandated a complete uninterrupted videography of the entire movement of the officials of the Board from the visit to the premises for inspection till report is prepared, signed and they leave the place through its Order in the said Writ and making the Board duty bound to provide pen drive of the recording of inspection along with the inspection report to the entity whose premises is being inspected.

A photo-copy of the Order dated 30.04.2026 passed by the Hon'ble Patna High Court in CWJC NO.- 761 of 2026 is annexed herewith and marked as **Annexure- A/9** to this Memo of Appeal.

XIV. For that the Appellant Firm has always complied the directions as mentioned in the consent letter and no complain whatsoever has been ever communicated.

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XV. For that the Appellant craves the leave of this Hon'ble Tribunal to argue other grounds at the time of the submission if needed be.

LIMITATION: -

12. That this Appellant had earlier approached the Hon'ble Patna High Court by way of Writ Petition CWJC No. 6980 of 2026, wherein the Hon'ble Patna High Court vide its Order dated 18.06.2026 **(Annexure- A/2)** was pleased to grant liberty to the Appellant to avail the alternate statutory remedy of Appeal before this Hon'ble Tribunal, further directing therein any condonation of limitation if the Appeal is preferred in next four weeks.

NOTARY B. Singh Patna High Court Regd. No. 7252/J Expiry Date: 12/11/2030 GOVT. OF BIHAR (INDIA)

PRAYER: -

It is, therefore most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to admit this Memorandum of Appeal, issue notices to the Parties and after hearing the Parties/ their Representative/ Counsel for the Parties may be pleased to:

(a) Set aside impugned direction/ Order vide Letter Ref. NO.- 285730 dated 26.08.2025, issued under the signature of Chairman, Bihar State Pollution Control Board;

(b) Declare the withheld/ deducted amount of ₹78,80,000/- (Rupees seventy-eight lakhs eighty thousands only) by the Bihar State Pollution Control Board under the guise of alleged "Environmental Compensation" arbitrary and illegal;

(c) Order to release/ refund the aforesaid withheld/ deducted amount of ₹78,80,000/- (Rupees seventy-eight lakhs eighty thousands only) by the Bihar State Pollution Control Board;

(d) And pass any such other Order/ Orders that this Hon'ble Tribunal deem fit in the interest of justice and equity.

And for this, the Appellant shall forever pray.

Place: Patna

By the Appellant through Counsel

Date: 15-07-2026

Virendra Kumar Ray

Mr. Virendra Kumar Ray Advocate
Er. No.- BR/3164/1999
A/385, A.G. Colony, Park,
Ashiyana Nagar, Patna-25
email- viroo1168@gmail.com
Mob- 7004286400

NOTARY
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Patna High Court
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15/7/2026

BIHAR COURT FEE ₹10 BRECR002C260700031782 08 Jul 2026

NOTARIAL REGISTER
VOL No. 1 (Two)
SL No. 810 Date 15/7/26

BIHAR COURT FEE ₹10 BRECR002C260200031785 08 Jul 2026



BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE, KOLKATA, WEST BENGAL

Appeal NO.- _____ of 2026

In the Matter of:

M/s S. G. Constructions.

_____**Appellant.**

Versus

The State of Bihar & Ors.

_____**Respondents.**

AFFIDAVIT

I, Chandan Sinha, Male, aged about 45 years, Son of Sri Ashok Kumar Sinha, resident of R.R. Builder, Sanchar Nagar, Flat No. 611, 6th Floor, Block- 8, P.S. Khagaul, District- Patna- 801105, do hereby solemnly affirm and state as follows: -

1. That I am Project Manager of the Appellant Company and duly authorised to swear this Affidavit, and am well acquainted with the facts and circumstances of this case.
2. That the contents of this Application have been read over and explained to me in Hindi and have read the same myself as well, the same are true to the best of my knowledge and belief and is drafted on my instruction.

Date: 15-07-2026
Place: Patna

Chandan Sinha
DEPONENT

Sl. No. 810 Dated 15/7/26
Authorised U/S 8(1) (a) of the notaries at 53 of 1952 & rule 11 (3) (4) of the notary rules 1956

VERIFICATION

Verified on this the 15th day of July 2026 at Patna that the contents of the above Memorandum of Appeal are true and correct. No part of it is false and nothing material has been concealed there from.

Sri/Smt. Chandan Sinha
Who is Identified by Sri B. V. K. Ray
Advocate Solemnly affirmed and
Declared before me

B. Singh
Reg. No.-7252/J
Notary Public, Advocate
Patna High Court, Patna

NOTARY B. Singh Patna High Court Regd. No.7252/J Expiry Date: 12/11/2030 GOVT. OF BIHAR (INDIA)

ADVOCATE

I identify the deponent who has
Signed/Put LTI in my presence

Virendra (Advocate)

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भारत सरकार
Government of India



Aadhaar no. issued: 18/09/2014

चन्दन सिन्हा
Chandan Sinha
जन्म तिथि/DOB: 07/02/1981
पुरुष/ MALE

आधार पहचान का प्रमाण है, नागरिकता या जन्मतिथि का नहीं।
इसका उपयोग सत्यापन (ऑनलाइन प्रमाणीकरण, या क्यूआर कोड/ ऑफलाइन एक्सएमएल की स्कैनिंग) के साथ किया जाना चाहिए।

Aadhaar is proof of identity, not of citizenship or date of birth. It should be used with verification (online authentication, or scanning of QR code / offline XML).

5449 0841 3731

मेरा आधार, मेरी पहचान

भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

Details as on: 13/03/2024

पता:
द्वारा: अशोक कुमार सिन्हा, फ्लैट न 611 6वाँ फ्लोर ब्लॉक 8, ., आर आर बुइलदेर संचार नगर, बरी खगौल, खगौल, पटना, बिहार - 801105

Address:
C/O: Ashok Kumar Sinha, Flat No 611 6th Floor Block 8, ., R R Builder Sanchar Nagar, Bari Khagaul, PO: Khagaul, DIST: Patna, Bihar - 801105

5449 0841 3731
VID : 9160 2926 1989 7504

1947 | help@uidai.gov.in | www.uidai.gov.in

Chandan Sinha

Chandan Sinha

NOTARY
B. Singh
Patna High Court
Regd. No.7252/J
Expiry Date: 12/11/2030
GOVT. OF BIHAR (INDIA)

Annexure 1

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REGISTERED
BIHAR STATE POLLUTION CONTROL BOARD
Parivesh Bhawan
Phone-0612-2261250/2262265, Fax-0612-2261050
E-mail: msbspcb-bih@gov.in, Website http://bspcb.bihar.gov.in

Ref. No.:- 285730

Patna, dated:- 26-08-25

From

Dr. D.K. Shukla,
Chairman.

To

M/s Sewage Treatment Plant,
SG Constructions,
4th Floor, Phase- C, Lalit Bhawan, J.L. Nehru Marg,
Bailey Road, Patna, Bihar- 800001.
H.O.- S-23, Manish Global Mall,
Sector-22, Dwarka, New Delhi- 110 075.
(Capacity 3.5 MLD),
Village- Sonepur Adam,
P.S.-Sonepur, Dist.- Saran, Bihar,
(Lat.= 25.701463, Long= 85.174333).
E-mail- info@sgconstruction.co.in

DIRECTION FOR IMPOSITION OF ENVIRONMENTAL COMPENSATION UNDER SECTION 33A OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974.

1) **WHEREAS,** you were required to obtain previous 'Consent- to- Establish' (hereinafter referred to as CTE) and 'Consent- to- Operate' (hereinafter referred to as CTO) from the State Board under section 21 of the Air (Prevention and control of Pollution) Act, 1981 (hereinafter referred to as 'Air act') and under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, (hereinafter referred to as 'Water Act') before establishing and operating your unit.

2) **WHEREAS,** a Consent order has been issued to you vide State Board Ref. No. - 3264/3265, dated 20.10.2022.

Attested
Nivendra Kumar Ray
Adv.

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3) **WHEREAS,** for verification of operational status of STP inspection has been done of the STP of 3.5 MLD capacity at Sonepur, on 01.02.2025, and the following non-compliance has been observed:-

i. Logbook was not maintained for generated sludge disposal, power consumption, chemical use in laboratory & chlorine dosing, disposal of waste (like plastic material, wooden material debris);

ii. Treated effluents were being discharged in to the Mehura river then in Gandak river which is in non- complying with prescribed standards;

iii. Your unit for the operation and maintenance of the STP had not submitted the point wise compliance report of the previous CTO conditions issued by the Board and the audited balance sheet for the current year within a month;

iv. Your unit for the operation and maintenance of the STP had developed proper green belt but rain water harvesting system was not constructed as per guidelines; and

v. Your unit for the operation and maintenance of the STP had carried out the analysis by the NABL certified / approved laboratory under E.P. Act, 1986 but has not submitted quarterly monitoring reports of treated sewage to the State Board yet.

4) **Whereas,** for the above reasons, you were served with a 'Proposed Closure Direction' by this Board, **vide Ref. No. 224636, dated 03-04-2025,** by which you were given an opportunity to file your objection to the Board's proposed action of imposing environmental compensation and closing your unit within 21 days from the receipt of this notice failing which the direction above will be confirmed against you without giving any further

Attested

Director Kumar Ray

notice/opportunity, in light of which you have filed a reply **vide Ref. No. SGC/25-26/0136, dated 05-06-2025** in which you have stated the following:- **(i)** Log books for generated sludge disposal and disposal of waste (Plastic Material, Wooden Material, Debris) have been opened and information's are being furnished accordingly. So far log book of other components such as power consumption, chemical use in laboratory and chlorine dosing is concerned, it is to inform you sir that these log books have already being opened and required information's are also being furnished accordingly; **(ii)** So far non compliance with respect to prescribed standard of treated effluents is concerned we would like to draw your kind attentions toward previous submitted reports of effluents furnished by a NABL approved lab naming PHEET LAB PRIVATE LIMITED, Patna. From the perusal of reports, you will agree sir that parameters of effluents are substantially in accordance with prescribed standards directed by Hon'ble NGT. However, we are taking your directions seriously and assure you sir that the same will be followed in future too. So far flowing of treated effluents into Mehura river is concerned, it is to inform you sir that Mehura is a tributary of river Gandak and such the said effluents are being discharged into Gandak River itself through Mehura. The distance of Gandak River from STP side is nearly 2 Kilo meter and as such if we wish to get the discharge flow into Gandak River directly an additional effluents channel will have to be constructed resulting the rise in the cost of the project to a great extent. This rise in cost will affect BC resio of the project; **(iii)** So far compliance report of the previous CTO conditions issued by the Board along with audited balance sheet for current year is concerned it is to inform you sir that these are being complied and their reports have also been summited to BUIDCo regularly; **(iv)** Sir, you will agree that green belts and rain water harvesting systems have a synergistic relationship where each compliments the other to enhance water management and

Attested

Director

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ecological benefits. Green belt improves water infiltration and reduces run off, while rain water harvesting systems collect and utilize excess run off effectively. In Compliance of your valuable direction, we are approaching our client BUIDCo for acknowledging your instructions to them; (v) Desired analysis of treated effluent by NABL Certified/ Approved lab along with ESMP is being submitted for your kind perusal. In this regards it is to add that these have already been submitted to BUIDCo.

Name and address of STP	Direction	Reply submitted	Observation	Remarks
Sonepur STP, P.S.-Sonepur, Dist.- Saran, Bihar, (Lat.= 25.701463, Long= 85.174333). . **Capacity of STP 3.5 MLD.** **Date of inspection- 01.02.2025,** **PCD issued Letter no. 224636, dated 03.04.2025, EC RS. 78,80,000/-** **Operating Agency M/s SG Constructions, 4th Floor, Phase- C, Lalit Bhawan, J.L. Nehru Marg, Bailey Road, Patna, Bihar- 800001. H.O.- S-23, Manish Global Mall,**	i. Logbook was not maintained for generated sludge disposal, power consumption, chemical use in laboratory & chlorine dosing, disposal of waste (like plastic material, wooden material debris;	Log books for generated sludge disposal and disposal of waste (Plastic Material, Wooden Material, Debris) have been opened and information's are being furnished accordingly. So far log book of other components such as power consumption, chemical use in laboratory and chlorine dosing is concerned, it is to inform you sir that these log books have already being opened and required information's are also being furnished accordingly.	Logbook opened for sludge disposal and disposal of waste (Plastic Material, Wooden Material, Debris) after inspection, as informed.	Hence, Violation confirmed
	ii. Treated effluents were being discharged in to the Mehura river then in Gandak river which is in non- complying with prescribed standards;	So far non compliance with respect to prescribed standard of treated effluents is concerned we would like to draw your kind attentions toward previous submitted reports of effluents furnished by a NABL approved lab naming PHEET LAB PRIVATE LIMITED, Patna. From the perusal of reports, you will agree sir that parameters of effluents are	Sample collected and monitored by the Board were found non-complying with the prescribed standard. The treated effluent was discharge into the Mehura river.	Effluent Quality analysis by the Board shows non-compliance multiple time hence reply is not acceptable, Hence, violation confirmed.

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Attested

Virendra Kumar

Sector-22, Dwarka, New Delhi- 110 075.		substantially in accordance with prescribed standards directed by Hon'ble NGT. However, we are taking your directions seriously and assure you sir that the same will be followed in future too. So far flowing of treated effluents into Mehura river is concerned, it is to inform you sir that Mehura is a tributary of river Gandak and such the said effluents are being discharged into Gandak River itself through Mehura. The distance of Gandak River from STP side is nearly 2 Kilo meter and as such if we wish to get the discharge flow into Gandak River directly an additional effluents channel will have to be constructed resulting the rise in the cost of the project to a great extent. This rise in cost will affect BC resio of the project.		
	iii. Your unit for the operation and maintenance of the STP had not submitted the point wise compliance report of the previous CTO conditions issued by the Board and the audited balance sheet for the current year within a month;	So far compliance report of the previous CTO conditions issued by the Board along with audited balance sheet for current year is concerned it is to inform you sir that these are being complied and their reports have also been summited to BUIDCo regularly.	As informed, compliance reports have been submitted to BUIDCO and not to the BSPC Board.	Hence, violation confirmed.
	iv. Your unit for the operation and maintenance of the STP had developed proper green belt but rain water harvesting system was not constructed as per guidelines; and	Sir, you will agree that green belts and rain water harvesting systems have a synergistic relationship where each compliments the other to enhance water management	As informed, they are agree that green belt and RWH system not developed.	Hence, Violation confirmed

Attested
Advocate

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		and ecological benefits. Green belt improves water infiltration and reduces run off, while rain water harvesting systems collect and utilize excess run off effectively. In Compliance of your valuable direction, we are approaching our client BUIDCo for acknowledging your instructions to them.		
	v. Your unit for the operation and maintenance of the STP had carried out the analysis by the NABL certified / approved laboratory under E.P. Act, 1986 but has not submitted quarterly monitoring reports of treated sewage to the State Board yet.	Desired analysis of treated effluent by NABL Certified/ Approved lab along with ESMP is being submitted for your kind perusal. In this regards it is to add that these have already been submitted to BUIDCo.	As informed, analysis by the NABL certified / approved laboratory under E.P. Act, 1986 has been submitted to BUIDCO not to the Board.	Hence, Violation confirmed

5) **WHEREAS,** your reply was considered and was found to be not satisfactory as you have admitted the violations which were pointed out by the inspecting team of the State Board and you have stated that corrective measures is being taken. The corrective measures taken by you makes out a case for not directing closure of your unit, however, since the environmental compensation proposed to be imposed on you is for the violations already committed, therefore subsequent steps taken cannot absolve you from the liability to deposit assessed environmental compensation.

I, therefore, in exercise of the powers under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981, and Section 33A of the Water (Prevention and Control of Pollution) Act, 1974, '**Imposition an Environmental Compensation of Rs.78,80,000/- (Rs. Seventy-Eight Lacs Eighty Thousand Only-) on you are being confirmed and you are**

Attested
Director

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directed to deposit the Environmental Compensation through Demand Draft (DD) drawn in name of Member-Secretary, Bihar State Pollution Control Board, Payable at Patna, within15 days from the receipt of this direction.

Failing which appropriate proceeding will be initiated against you for the recovery of the Environmental Compensation amount.

Signed by
Devendra Kumar Shukla
Date: 26-08-2025 10:27:52

(D. K. Shukla)
Chairman

Copy to:-

I. The Executive Director (Technical), NMCG, Department of Water Resources, River Development & Ganga Rejuvenation, Ministry of Jal Shakti, 1st Floor, Major Dhyanchand National Stadium, India Gate, New Delhi- 110 002, for information and necessary action.

II. The Managing Director, Bihar Urban Infrastructure Development Corporation Ltd., (BUIDCO), West Boring Canal Road, Near Rajapur Pul, Patna- 800001, Bihar, India, for information of necessary action.

III. The Board Analyst, for information and necessary action.

IV. The R.O. Muzaffarpur, for information and necessary.

V. The Legal Cell for records.

VI. Sri Neeraj, Assistant Programmer, IT Cell, BSPCB, for uploading on server.

Attested

Annexure-2

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6980 of 2026

M/s S.G. Constructions (A partnership Firm) having its branch office at Jagat Amrawati Apartment, Flat No. A/16, Bailey Road, Near Officers Flat, District- Patna-800001, its registered office -S.24, Manish Global Mall, Sector-22, Dwarika, New Delhi-110075, through its Project Manager Mr. Chandan Sinha, (male) aged about 45 years, son of Sri Ashok Kumar Sinha, resident of A.R. Builder, Sanchar Nagar, Flat No. 611, 6th Floor, Block-8, P.S. Khagaul, District- Patna.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Environment, Forest and Climate Change, Bihar Govt. Patna.
2. The State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Patliputra Industrial Area, Patna-10, through the member Secretary, Bihar State Pollution.
3. The Chairman, Bihar State Pollution Control Board.
4. The Bihar Urban Infrastructure Development Corporation Ltd., through its Managing Director Bihar Urban Infrastructure Development Corporation Ltd. Patna.
5. The Project Director, Sonpur S.T.P. and Adjoining Network Bihar Urban Infrastructure Ltd. Bihar, Patna.
6. The Union of India through the Secretary, Ministry of Jal Shakti, Department of Water Resources River Development and Ganga Rejuvenation, Govt. of India, New Delhi.
7. The National Mission for Clean Ganga through the Director General, National Mission for Clean Ganga (Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, Govt. of India) 1 Floor, Major Dhaynchand National Stadium, India Gate, New Delhi-110002.
8. The Chairman, National Mission for Clean Ganga (Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, Govt. of India)) 1st Floor, Major Dhaynchand National Stadium, India Gate, New Delhi-110002.

... ... Respondent/s

Appearance :
For the Petitioner/s : Mr. Virendra Kumar Ray, Adv.
For the Respondent/s : Mr. Additional Solicitor General

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-06-2026 Heard the parties.

Attested
Virendra Kumar Ray
Adv.

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2. The present application has been preferred for the following relief(s):

(i) for issuance of an appropriate writ preferably in the nature of certiorari to quash letter no. 285730 dated 26.08.2025, issue under the signature of Chairman Bihar State Pollution Control Board. (hereinafter to be referred as Board) whereby and where under in exercise of power under section 31A of the Air (Prevention and Control of Pollution) Act, 1981 and section 33A of the Water (Prevention and Control Pollution) Act 1974 (herein referred as Act), imposing an Environmental Compensation of Rs. 78,80,000/- (Rupees Seventy-Eight Lakhs Eighty thousand only) on the petitioner's company has been confirmed and the petitioner has been directed to deposit the same through Demand Draft drawn in name of Member Secretary, Bihar State Pollution Control Board, Patna failing which appropriate proceeding will be initiated against the petitioner's company for the recovery of the compensation amount.

(ii) For issuance of further writ in the nature of certiorari to quash letter no. 224636 dated 03.04.2025 issued under the signature of Chairman whereby and where under the petitioner's company has been directed to deposit Rs. 78,80,000/- drawn in

Attested
Virendra Kumar Das
Advs.

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favour of within 21 days from the received of the letter failing which the direction as above shall be confirmed without giving any further notice.

(iii) For issuance of further writ in the nature of certiorari to quash the alleged inspection report dated 01.02.2025, by calling upon the respondent to produce the same as it has never been supplied to the petitioner at any time which has been said to be the basis of issuance of the impugned order.

(iv) for issuance of further writ in the nature to refund the amount to the tune of Rs. 7381105 and/or in the name of alleged in cumulate company, which has been so withheld and adjusted illegally and without any authority of law

(v) For issuance of consequential writ in the nature of mandamus commanding and directing the respondent not to interference with the function of the petitioner's company in any manner save and except as permissible under the law.

(vi) To any other relief or reliefs for which the petitioners are found to be entitled in the facts and circumstances of the case.

3. At the outset, Mr. Kumar Ravish representing the Bihar State Pollution Control Board submits that the order dated 26.08.2025 (Annexure-P/2) is appealable before the National Green Tribunal, Eastern Zone Bench, Kolkata under Section 33B

Attested

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(c) of the Water Prevention and Control of Pollution Act, 1970.

4. Learned counsel, after some argument, submits that he will be availing the said remedy available before the NGT, Eastern Zone, Kolkata and shall be filing appropriate petition in next four weeks.

5. In view of the limited submissions put forward by the parties, the writ petition is disposed of allowing the petitioner to approach the aforesaid Tribunal in next four weeks so that a reasoned order is passed in the matter. In view of the fact that the petitioner was litigating the matter before this Court, limitation, if any, has to be condoned if the petition is preferred in next four weeks.

6. The writ petition is disposed of with aforesaid observation.

Sd/-

(Rajiv Roy, J)

Vijay
Singh/Munindra
Kumar Sahu

U			

Attested

Virendra Kumar Ray
Advn.

Date of Requisition	23-06-2026	Date of Delivery	23-06-2026	Date of uploading on website.	19-06-2026
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23.06.26
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COPYING (COMPUTER) DEPARTMENT
PATNA HIGH COURT
"authorized under Section 76 of Act 1 of 1872"

~~Annexure-II~~ Annexure-P/3 000036

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Important Notice

(NIT No.:- BUIDCo/Yo-933/2018-69 Date –15.10.2018)

The following bidders have been technically qualified for "Sonepur I&D and STP Project"

S.No	Name of Technically Qualified Bidders
1	**M/s Sophisticated Industrial Materials Analytic Labs. Pvt. Ltd. M/s Anand Kumar Contractor JV.** A 3/7, Mayapuri Industrial Area Phase II, New Delhi-110064
2	**M/s S.G Constructions & SN Enviro-Tech Pvt. Ltd. (JV)** Ground Floor, H/o Chandrika Chowdhary, Birla Colony, Dagar, Phulwari Sharif, , Patna-801505

The financial Bid of the above mentioned bidders will be opened on **06.02.2019 at 12:30 PM.**

31/1/19

Chief Engineer
BUIDCo, Patna

Attested

31/1

31/1

SGC - SNET JV

दिनांक–29.01.2019 को अपराह्न 04:00 बजे Sonepur I&D and STP Project (NIT.No- BUIDCo/Yo-933/2018-69 Date –15.10.2018) हेतु प्राप्त निविदा पर निर्णय लेने हेतु आहूत तकनीकी निविदा समिति की बैठक की कार्यवाही।

उपस्थिति :–

1. मुख्य अभियंता (आयोजन, निरूपण एवं अनुश्रवण) उत्तर एवं दक्षिण उपभाग–सह–अध्यक्ष, तकनीकी निविदा समिति।
2. मुख्य अभियंता (उत्तर उपभाग)–सह–सदस्य, तकनीकी निविदा समिति।
3. अधीक्षण अभियंता (तकनीकी सचिव), आयोजन, निरूपण एवं अनुश्रवण–सह–सदस्य, तकनीकी निविदा समिति।
4. अधीक्षण अभियंता, सारण प्रमंडल–सह–सदस्य, तकनीकी निविदा समिति।
5. महाप्रबंधक (वित्त)–सह–सदस्य, तकनीकी निविदा समिति।
6. कार्यपालक अभियंता (सिविल), आयोजन, निरूपण एवं अनुश्रवण–सह–सदस्य, तकनीकी निविदा समिति।
7. कार्यपालक अभियंता, सारण प्रमंडल–सह–सदस्य, तकनीकी निविदा समिति।

कार्यवाही :–

Sonepur I&D and STP Project हेतु निविदा आमंत्रित की गई थी, जिसके आलोक में चार (4) निविदादाताओं द्वारा निविदा समर्पित किया गया। जिसकी तकनीकी जाँच तकनीकी शाखा एवं वित्तीय शाखा द्वारा की गयी।

S. No	Bidder's Name	Technically Qualified/ Disqualified	Remarks
1	M/s VOLTAS, Water Management Business Division	Disqualified	• इनके द्वारा ई–प्रोक पर Upload किये गये Document को Download करने पर पृष्ठ सं०–19–113 तक Readable नहीं पाया गया। जिस कारण वित्तीय पहलुओं की जाँच नहीं की जा सकी। उक्त के Clarification के संबंध में दिनांक–24.01.19 को इस कार्यालय से ई–मेल किया गया, जिसके आलोक में उनके द्वारा 5 Volume में संबंधित Document का Hard Copy कार्यालय में उपलब्ध कराया गया, जो Download Document से मिलान करना संभव नहीं है। • इनके द्वारा समर्पित अनुभव–प्रमाण Part-II Qualification Criteria के Clause No. 1.4 (a) 5 की अर्हता को पूरा नहीं करता है। इनके द्वारा समर्पित अनुभव प्रमाण–पत्र का कार्य 31.05.2009 को समाप्त हो गया था, जो पिछले सात वर्ष में नहीं था।
2	Pawan Kumar-Charith (JV)	Disqualified	इनके द्वारा ई–प्रोक पर Upload किये गये Document को Download करने पर एक Document (supporting007) Corrupt पाया गया, जिसके संबंध में निविदाकार को ई–मेल से सूचना दी गयी, किन्तु उनका कोई भी जबाव निर्धारित तिथि तक प्राप्त नही हुई।
3	M/s Sophisticated Industrial Materials Analytic Labs. Pvt. Ltd. M/s Anand Kumar Contractor JV.	Qualified	इनके द्वारा ई–प्रोक पर Upload किये गये Document को Download करने पर एक Document (INFORMATIONFORM4BUIDCO0901) Corrupt पाया गया, लेकिन Eligibility Criteria के लिए आवश्यक सभी अर्हता शेष Document से पूरी हो जाती है।
4	S.G Constructions & SN Enviro Tech Pvt. Ltd. (JV)	Qualified	Part-II Qualification Criteria के Clause No. 1.4 (a) 6 की अर्हता को पूरा करने हेतु पिछले सात वर्ष में एक वर्ष का O&M होना चाहिए। संवेदक द्वारा जो अनुभव प्रमाण–पत्र लगाया गया है। यह NIT Publication के तिथि तक लगभग 10 माह होता है, परंतु निविदा प्राप्त करने की अंतिम Corrigendum की तिथि 05.01.2019 तक आवश्यक एक वर्ष का अनुभव पूरा हो जाता है।

अतः उक्त निविदा में सफल दोनों निविदाकारों का वित्तीय निविदा खोले जाने का अनुशंसा तकनीकी निविदा समिति द्वारा किया गया ।

सधन्यवाद बैठक की कार्यवाही समाप्त की गयी।

(उदय कुमार दास)
कार्यपालक अभियंता,
सारण प्रमंडल
–सह–सदस्य,
तकनीकी निविदा समिति।

(जितेन्द्र कुमार शाही)
कार्यपालक अभियंता (सिविल),
आयोजन, निरूपण एवं अनुश्रवण,
–सह–सदस्य,
तकनीकी निविदा समिति।

(रघुवीर कुमार)
महाप्रबंधक (वित्त),
–सह–सदस्य,
तकनीकी निविदा समिति।

(ओम प्रकाश सिंह)
अधीक्षण अभियंता,
सारण प्रमंडल
–सह–सदस्य,
तकनीकी निविदा समिति।

(अशोक कुमार)
अधीक्षण अभियंता
(तकनीकी सचिव),
आयोजन, निरूपण एवं अनुश्रवण,
–सह–सदस्य,
तकनीकी निविदा समिति।

(मदन मोहन कुमार)
मुख्य अभियंता
उत्तर उपभाग,
–सह–सदस्य,
तकनीकी निविदा समिति।

(गणेश [illegible])
मुख्य अभियंता
(आयोजन, निरूपण एवं अनुश्रवण)
उत्तर एवं दक्षिण उपभाग
–सह–अध्यक्ष,
तकनीकी निविदा समिति।

Attested

Virendra Kumar Ray

Annexure-P/4 59

भारतीय गैर न्यायिक INDIA NON JUDICIAL

भारत

एक हजार रुपये ONE THOUSAND RUPEES

रु.1000 Rs.1000

सत्यमेव जयते

INDIA

बिहार BIHAR

AB 956775

क्रेता का नाम एवं पता.....

लाo नं०-57/90 , समाहरणालय, पटना

This agreement no.- BUIDCo/Yo-933/2018-69 (Sonepur I&D and STP Project) made the 04 day of 06/2019 between

Bihar Urban Infrastructure Development Corporation Ltd., Bihar Government Undertaking Company having its Registered Office at 2nd Floor, Khadya Bhawan, Road No-02, Daroga Rai Path, Patna-800 001, Bihar, India, hereinafter referred to as "BUIDCo" (which expression shall unless excluded by or repugnant to the context be deemed to mean and include its successors-in-business and assigns) of the One Part.

And

M/s S.G Constructions & SN Enviro-Tech Private Limited (JV) AKA SGC-SNET JV, Add (Branch Off: Ground Floor, H/o Chandrika Chowdhary, Birla Colony, Dagar, PhulwariSharif, Patna-801505, Registered Off: S-24, Manish Global Mall, Sector 22, Dwarka, New Delhi-110075 (hereinafter referred to as "Contractor") which expression shall include its successors and permitted assigns of the other part.

SGC-SNET JV

Attested

Birendra Kumar Ray

Whereas BUIDCo is desirous that the Contractor execute (I) DESIGN AND BUILD SEWAGE TREATMENT PLANTOF INSTALLED CAPACITY 3.5 MLD INCLUDING MPS AND ALL APPURTENANT STRUCTURES AND ALLIED WORKS;(II) SURVEY, REVIEW THE DESIGNS, REDESIGN WHERE NECESSARY, AND BUILD NEW DIVERSION WORKS WITH INTERCEPTION WITH RISING MAIN, GRAVITY MAIN OF LENGTH 3.576 KM. WITH TAPPING OF 4 DRAINS (NEAR RAVINDRA NATH TAGORE SCHOOL WARD NO 3, WARD BOUNDARY 3&4, GRAVEYARD IN WARD NO 18, MEENA BAZAAR WARD NO 18) AND CONSTRUCTION OF 4 OUTFALL STRUCTURE WITH SLUICE GATE INCLUDING EFFLUENT CHANNEL (500 MTR) FOR REUSE OF TREATED WASTE WATER.(III) OPERATION & MAINTENANCE OF THE COMPLETE WORKS OF SEWAGE TREATMENT PLANT INCLUDING MPS AND INTERCEPTION & DIVERSION WORKS FOR A PERIOD OF 15 YEARS IN SONEPUR TOWN , STATE OF BIHAR , INDIA. NIT No. BUIDCo/Yo-933/2018-69 Dated-15.10.2018 (hereinafter called "the Works") and BUIDCo has accepted the Bid by the Contractor for the execution and completion of such works and the remedying of any defects therein, at a negotiated bid price of **29,35,16,308.00** (Rupees Twenty Nine Crore Thirty Five Lakh Sixteen Thousand Three Hundred and Eight only)

NOW THIS AGREEMENT WITNESSETH as follows:

1. In this Agreement, words and expression shall have the same meanings as are respectively assigned to them in the conditions of contract hereinafter referred to and they shall be deemed to form and be read and construed as part of this Agreement.

2. In consideration of the payments to be made by BUIDCo to the Contractor as hereinafter mentioned, the Contractor hereby covenants with BUIDCo to execute and complete the Works and remedy any defects therein in conformity in all aspects with the provisions of the contract.

3. BUIDCo hereby covenants to pay the Contractor in consideration of the Execution and completion of the Works and the remedying the defects wherein Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract.

4. The following documents shall be deemed to form and be ready and construed as part of this Agreement viz.

   (i) Letter of Acceptance
   (ii) Notice to proceed with the works;
   (iii) Performance security and its verification from bank
   (iii) Contractor's Bid
   (iv) Condition of Contract : General and Special
   (v) Contract Data
   (vi) Biil of Quantities and
   (vii) Any other documents listed in the Contract Data as forming part of the Contract.

5. All disputes arising in connection with this contract shall be referred to Bihar Public Works Contracts Disputes Arbitration Tribunal situated at Patna and the provisions of Bihar Public Contracts Disputes Arbitration Tribunal Act, 2008 including any amendments thereof shall be applicable with respect to such disputes between the parties to the contract. Both the parties out of their own free consents accepts the replacement of settlement of disputes clauses

mentioned under Clause 1.6 of Article 1 of RFP/Bid Document for resolution of disputes with the above arbitration clause and accord their approval there upon. There shall not be any ambiguity now onwards with the application of above arbitration clause with respect to this contract agreement. This arbitration clause will prevail over clause 1.6 of Article 1 of RFP/Bid Document.

We the above mentioned parties have signed sealed and delivered this Agreement after fully understanding the contents of this Agreement which shall be binding on our successors and legal assignees as well on the date and place mentioned above in the presence of the following witnesses;

Signed, for Employer	Signed, for Contractor
Name: Uday Kumar Das	Name: AMIT GOENKA
Designation: E. E. Buildco (Saran)	Designation: PARTNER - IN-CHARGE

Witness	Witness
Name:	Name: CHANDAN SINHA
Address:	Address: B-222, Rajnigandha Appt Sadakat Ashram, Patna - 800010

SGC-SNET JV

Attested
Virendra Kumar Ray

Annexure- 5

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REGISTERED

BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan
Phone-0612-2261250/2262265,Fax-0612-2261050
E-mail: msbspcb-bih@gov.in,Website http://bspcb.bihar.gov.in

Ref. No.- Patna, dated:-

From

Dr. D. K. Shukla,
Chairman.

To

M/s Sewage Treatment Plant,
(Capacity 3.5 MLD),
Village- Sonepur Adam,
P.S.-Sonepur, Dist.- Saran, Bihar,
(Lat.= 25.701463, Long= 85.174333).

PROPOSED DIRECTION FOR CLOSURE AND IMPOSITION OF ENVIRONMENTAL COMPENSATION UNDER SECTION 33A OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974.

1) **WHEREAS,** you were required to obtain previous 'Consent- to- Establish' (hereinafter referred to as CTE) and 'Consent- to- Operate' (hereinafter referred to as CTO) from the State Board under section 21 of the Air (Prevention and control of Pollution) Act, 1981 (hereinafter referred to as 'Air act') and under section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974, (hereinafter referred to as 'Water Act') before establishing and operating your unit.

2) **WHEREAS,** a Consent order (CTO) has been issued to you vide State Board Ref. No.- 3264/3265, dated 20.10.2022.

3) **WHEREAS,** for verification of operational status of STP inspection has been done of the STP of 3.5 MLD capacity at Sonepur, on 01.02.2025, and the following non-compliance has been observed:-

Attested
Rivendra Kumar Roy

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i. Logbook was not maintained for generated sludge disposal, power consumption, chemical use in laboratory & chlorine dosing, disposal of waste (like plastic material, wooden material debris;

ii. Treated effluents were being discharged in to the Mehura river then in Gandak river which is in non- complying with prescribed standards;

iii. Your unit for the operation and maintenance of the STP had not submitted the point wise compliance report of the previous CTO conditions issued by the Board and the audited balance sheet for the current year within a month;

iv. Your unit for the operation and maintenance of the STP had developed proper green belt but rain water harvesting system was not constructed as per guidelines; and

v. Your unit for the operation and maintenance of the STP had carried out the analysis by the NABL certified / approved laboratory under E.P. Act, 1986 but has not submitted quarterly monitoring reports of treated sewage to the State Board yet;

4) **WHEREAS,** the Hon'ble National Green Tribunal, New Delhi, in its order dated 03.08.2018, passed in O.A. No. 593 of 2017 and vide order dated 22.11.2018 passed in O.A. No. 353 of 2016, has directed to assess and impose Environmental Compensation from polluters/violators on the 'Polluter Pays Principle

5) **WHEREAS,** the committee of the State Board constituted for assessing Environmental Compensation in its meeting, examined your case and from the records available at the State Board has found that you have operated the STP plant in violation for 394 days (June 2023, Sep.2023, Nov.2023, Jan.2024 to Feb 2024, April. 2024 to Sept. 2024, Nov. 2024 to Dec.2024) and accordingly has assessed the Environmental Compensation **at Rs.78,80,000/- (Rs. Seventy-Eight Lakhs Eighty Thousand Only-)** based on the formula given by Central Pollution Control Board, i.e., EC= PIxNxRxSxLF, where.

PI= Pollution Index of industrial sector; (80 as your unit is Red category)

N= Number of days of violation took place; (394 days)

Attested

Rivendra Kumar Roy

R=A factor in Rupees for EC; (250)

S=Factor of scale of operation; (1 as the unit comes in medium category)

LF= Location factor. (1.0 as Patna has a population of more than One million)

I, therefore, in exercise of the powers under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974, 'propose to direct you to close the Water Solutions unit and impose Environmental Compensation of **Rs. Rs.78,80,000/- (Rs. Seventy-Eight Lakhs Eighty Thousand Only-)** you are hereby directed to **deposit Rs. Rs.78,80,000/- (Rs. Seventy-Eight Lakhs Eighty Thousand Only-), through Demand Draft (DD) drawn in name of Member-Secretary, Bihar State Pollution Control Board, Payable at Patna**, within 21 days from the receipt of this.

You are hereby given an opportunity to file a reply to the aforesaid proposed direction within 21 days from the receipt of this notice failing which the direction above will be confirmed against you without giving any further notice/opportunity.

Sd/-
(D. K. Shukla)
Chairman

Copy to.- 224636 Patna, Dated: 03-04-25

I. Sri Arun Kumar, Scientist, for information and necessary action.
II. The R.O. Muzaffarpur, for information and necessary.
III. The Legal Cell for records.
IV. Sri Neeraj, Assistant Programmer, IT Cell, BSPCB, for uploading on server.

Signed by
Devendra Kumar Shukla
Date: 03-04-2025 10:25:14

(D. K. Shukla)
Chairman

Attested
Devendra Kumar Rao

Annexure-6 56

SG CONSTRUCTIONS
(ISO 9001:2015, 27001:2013 & CMMI Maturity Level 3)
4th Floor, Phase-C, Lalit Bhawan, J.L. Nehru Marg, Bailey Road, Patna, Bihar-800001
GST No.10ABPFS2668Q1ZH

Date: 05.06.2025

Ref: SGC/25-26/0136

बिहार राज्य प्रदूषण नियंत्रण पर्षद
पटलीपुत्र औद्योगिक क्षेत्र, पटना-13
23 JUN 2025
प्राप्त किया

From,

S.G. Constructions

Sonepur STP and I & D

To,

The Hon'ble Chairman,

Bihar State Pollution Control Board, Patna

Sub: - Submission of reply with respect to direction of BSPCB related to STP Sonepur.

Ref: - BSPCB Letter no-224636 Dt. 03.04.2025

Respected Sir,

In connp ection with the above subject and letter under reference pointwise reply/compliance is hereby submitted for your kind perusal and necessary action.

I. Log books for generated sludge disposal and disposal of waste (Plastic Material, Wooden Material, Debris) have been opened and information's are being furnished accordingly. So far log book of other components such as power consumption, chemical use in laboratory and chlorine dosing is concerned, it is to inform you sir that these log books have already being opened and required information's are also being furnished accordingly.

II. So far non compliance with respect to prescribed standers of treated effluents is concerned we would like to draw your kind attentions toward previous submitted reports of effluents furnished by a NABL approved lab naming PHEET LAB PRIVATE LIMITED, Patna. From the perusal of reports, you will agree sir that parameters of effluents are substantially in accordance with prescribed standards directed by Hon'ble NGT. However, we are taking your directions seriously and assure you sir that the same will be followed in future too. So far flowing of treated effluents into Mehura river is concerned, it is to inform you sir that Mehura is a tributary of river Gandak and such the said effluents are being discharged into Gandak River itself through Mehura. The distance of Gandak River from STP side is nearly 2 Kilometer and as such if we wish to get the discharge flow into Gandak River directly an additional effluents channel will have to be constructed resulting the rise in the cost of the project to a great extent. This rise in cost will affect BC resio of the project.

III. So far compliance report of the previous CTO conditions issued by the Board along with audited balance sheet for current year is concerned it is to inform you sir that these are being complied and their reports have also been summited to BUIDCO regularly.

IV. Sir, you will agree that green belts and rain water harvesting systems have a synergistic relationship where each compliments the other to enhance water management and ecological benefits. Green belt improves water infiltration and reduces run off, while rain water harvesting systems collect and utilize excess run off effectively. In compliance of your valuable direction, we are approaching our client BUIDCO for acknowledging your instructions to them.

H.O.: S-23, Manish Global Mall, Sector-22, Dwarka, New Delhi - 110075
Ph: +91-11-45671605 Mob: +91-9971354174
Email: info@sgconstruction.co.in Website: www.sgconstruction.co.in
SG CONSTRUCTIONS

Attested
Virendra Kumar Ray

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Desired analysis of treated effluents by NABL certified/approved lab along with [illegible]

your kind perusal. In this regards it is to add that these reports have already been submitted to BUIDCO.

At Sl. No - 4&5 of the letter under reference "Environmental Compensations" has been calculated with respect to STP Sonepur. This has been calculated as Rs. 78,80,000.00. In this regard, we humbly state that the imposition of Environmental Compensations by BSPCB over us is not proper and justified at all. As we are following the direction of Hon'ble NGT and the characteristics of treated effluents are substantially meeting with the desired norms, which may be confirmed with report of PHEET LAB PRIVATE LIMITED, Patna which is a NABL approved lab. In this regard we would like to request you sir to kindly instruct the concerned officials to recollect the treated effluents and examine the same. We firmly believe that the report will come satisfactorily.

Lastly, we would like to inform you sir that we are a well-disciplined agency and we are committed to abide with order of Hon'ble NGT New Delhi.

Therefore, it is humbly requested sir to kindly consider our justification and withdraw the proposed direction for closure of STP along with compensation imposed over us. Sir, it is further to add that we are committed to abide the instructions of BUIDCO and BSPCB in course of O&M of the project for meeting all regulatory and operational requirements in future.

Enclosed: -As stated above.

With Regards

Yours faithfully,

S.G. Constructions

Sonepur STP and T & D

CC to:-

1. The Project Director BUIDCO Sonepur for information and necessary action.

Attested

Nivedan/Cum Lay

T.C Page No T.C

Annexure P/6

Ref: SGC/25-26/0136 Date: 05.06.2025 56

From,

S.G, Construction
Sonepur STP and L & D

To,

The Hon'ble Chairman,
Bihar State Pollution Control Board, Patna.

Sub: Submission of reply with respect to direction of BSPCB related to STP Sonepur
Ref: BSPCB Letter no-224636 Dt. 03.04.2025

Respected Sir,

In connection with the above subject and letter under reference pointwise reply/compliance is hereby submitted for your kind perusal and necessary action.

I. Log books for generated sludge disposal and disposal of waste (Plastic Material, Wooden Material, Debris) have been opened and information's are being furnished accordingly. So far log book of other components such as power consumption, chemical use in laboratory and chlorine dosing is concerned, it is to inform you sir that these log books have already being opened and required information's are also being furnished accordingly.

II. So far non compliance with respect to prescribed standards of treated effluents is concerned we would like to draw your kind attentions toward previous submitted reports of effluents furnished by a NABL approved lab naming PHEET LAB PRIVATE LIMITED, Patna. From the perusal of reports, you will agree sir that parameters of effluents are substantially in accordance with prescribed standards directed by Hon'ble NGT. However, we are taking your directions seriously and assure you sir that the same will be followed in future too. So far flowing of treated effluents into Mehura river is concerned, it is to inform you sir that Mehura is a tributary of river Gandak and such the said effluents are being discharged into Gandak River itself through Mehura. The distance of Gandak River from STP side is nearly 2 Kilometer and as such if we wish to get the discharge flow into Gandak River directly an additional effluents channel will have to be constructed resulting the rise in the cost of the project to a great extent. This rise in cost will affect BC ratio of the project.

III. So far compliance report of the previous CTO conditions issued by the Board along with audited balance sheet for current year is concerned it is to inform you sir that these are being complied and their reports have also been submitted to BUIDCO regularly.

IV. Sir, you will agree that green belts and rain water harvesting systems have a synergistic relationship where each compliments the other to enhance water management and ecological benefits. Green belt improves water infiltration and reduces run off, while rain water harvesting systems collect and utilize excess run off effectively. In compliance of your valuable direction, we are approaching our client BUIDCO for acknowledging your instructions to them.

Attested
Miranda/Counsel

Desired analysis of treated effluents by NABL certified/approved lab along with ESMP is being submitted for your kind perusal. In this regards it is to add that these reports have already been submitted to BUIDCO.

At Sl. No- 4&5 of the letter under reference "Environmental Compensations" has been calculated with respect to STP Sonepur. This has been calculated as Rs. 78,80,000.00. In this regard, we humbly state that the imposition of Environmental Compensations by BSPCB over us is not proper and justified at all. As we are following the direction of Hon'ble NGT and the characteristics of treated effluents are substantially meeting with the desired norms, which may be confirmed with report of PHEET LAB PRIVATE LIMITED, Patna which is a NABL approved lab. In this regard we would like to request you sir to kindly instruct the concerned officials to recollect the treated effluents and examine the same. We firmly believe that the report will come satisfactorily.

Lastly, we would like to inform you sir that we are a well-disciplined agency and we are committed to abide with order of Hon'ble NGT New Delhi.

Therefore, it is humbly requested sir to kindly consider our justification and withdraw the proposed direction for closure of STP along with compensation imposed over us. Sir it is further to add that we are committed to abide the instruction of BUIDCO and BSPCB in course of O & M of the project for meeting all regulatory and operational requirements in future.

Enclosed : - As stated above.

With Regards

Yours Faithfully,

Sd/-

S.G. Constructions

Sonepur STP and T & D

CC to :-

1. The Project Director BUIDCO Sonepur for information and necessary action.

Attested

Virendra Kumar Roy

Annexure 7

SG CONSTRUCTIONS

GST No. 10ABPFS2668Q1ZH

(ISO 9001:2015, 27001:2013 & CMMI Maturity Level 3)

4th Floor, Phase-C, Lalit Bhawan, J.L. Nehru Marg, Bailey Road, Patna, Bihar-800001

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बिहार राज्य प्रदुषण नियंत्रण पर्षद
पाटलीपुत्र औद्योगिक क्षेत्र, पटना-10
11 SEP 2025
प्राप्त किया

Ref: SGC/2025-26/0360

Date: 04.09.2025

To,

The Hon'ble Chairman,

Bihar State Pollution Control Board,

Patna, Bihar.

Sub: - Submission of appeal against IMPOSITION OF ENVIRONMENTAL COMPENSAION on STP unit at Sonepur.

Agreement No- BUIDCo/Yo-933/2018-69, dated 04.06.2019

Ref: - Your Letter No. - 285730 dated 26.08.2025

Respected Sir,

In connection with the above subject and letter under reference we express our heartfelt gratitude to you sir as you have considered our reply submitted vide our letter no.: - SGC/25-26/0126 dated 05.06.2025 and this has resulted as your kind order for not directly closure of this unit. So far as imposition of Environmental Compensation of **Rs 78,80,000-/ (Rs. Seventy-Eight Lakh Eighty thousand only)** on STP unit at Sonepur, is concerned, this has created severe mental anxiety over us. In this regard pointwise reply is again being elaborated for your sympathetic review and favorable order.

Sr. No.	Direction	BSPCB Observation	Reply
i.	Logbook was not maintained for generated sludge disposal, power consumption, chemical use in laboratory & chlorine dosing, disposal of waste (like Plastic Material, Wooden Material Debris;	Logbook opened for sludge disposal and disposal of waste (Plastic Material, Wooden Material, Debris) after inspection, as informed.	Your kind perusal is again requested towards reply related to this item. In the reply it has been stated that the logbook related to power consumption, chemical use in laboratory and in steal of chlorine dosing the logbook related to UV as this process is being used here, have already being opened and required information have been furnished accordingly. So far as non maintenance of logbook for generated sludge disposal is concerned, it was due to fact that since in the earlier stage sludge was not created due to short quantity of sewage producing

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Email info@sgconstruction.co.in Website www.sgconstruction.co.in

SG CONSTRUCTIONS

Attested

Virendra Kumar Roy

:C/2025-26/0360

Date: 04.09.2025

The Hon'ble Chairman,
Bihar State Pollution Control Board,
Patna, Bihar.

Sub: - Submission of appeal against IMPOSITION OF ENVIRONMENTAL COMPENSAION on STP unit at Sonepur.

Agreement No-BUIDCO/Yo-933/2018-69, dated 04.06.2019

Ref: Your Letter No. 285730 dated 26.08.2025

Respected Sir,

In connection with the above subject and letter under reference we express our heartfelt gratitude to you sir as you have considered our reply submitted vide our letter no.: SGC/25-26/0126 dated 05-06-2025 and this has resulted as your kind order for not directly closure of this unit. So far as imposition of Environmental Compensation of **Rs 78,80,000/- (Rs. Seventy-Eight Lakh Eighty thousand only)** on STP unit at Sonepur, is concerned, this has created severe mental anxiety over us. In this regard pointwise reply is again being elaborated for your sympathetic review and favorable order.

Sr No.	Direction	BSPCB Observation	Reply
i.	Logbook was not maintained for generated sludge disposal, power consumption, chemical use in laboratory & chlorine dosing, disposal of waste (like Plastic Material, Wooden Material, Debris).	Logbook opened for sludge disposal and disposal of waste (Plastic Material, Wooden Material, Debris) after inspection, as informed	Your kind perusal is again requested towards reply related to this item. In the reply it has been stated that the logbook related to power consumption, chemical use in laboratory and in steal of chlorine dosing the logbook related to UV as this process is being used here, have already being opened and required information have been furnished accordingly. So far as non maintenance of logbook for generated sludge disposal is concerned, it was due to fact that since in the earlier stage sludge was not created due to short quantity of sewage producing...

Attested

			negligible quantity of sludge and When the sludge is disposed of at the location suggested by the Nagar Parishad, the regular maintenance of its logbook shall be ensured.
ii.	Treated effluents were being discharge in to Mehura river then in Gandak river which is in non-complying with prescribed stands;	Sample collected and monitored by the Board were found non-complying with the prescribed standard. The treated effluent was discharge into the Mehura river.	It is requested, Sir, to kindly go through our reply once again, which is self-explanatory. We trust that BSPCB will be satisfied with our submissions. As per the tender agreement (Page No-125) (enclosed), it is clearly stated that "***The treated effluent, which is left after taking out the quantity intended for reuse, shall be discharged to the effluent channel.***" ***Furthermore, as per the DPR, the effluent is to be discharged into the Gandak River.*** Since the start of O&M, we have been regularly submitting monthly test reports covering effluent parameters, ambient air quality, ambient noise levels, and drinking water quality. These reports are issued by an NABL-approved laboratory, namely PHEET LAB PRIVATE LIMITED, Patna, and are submitted through the Environmental and Social Management Plan (ESMP) report to BUIDCo. In addition, the effluent discharge outlet report from the NABL laboratory, along with the onsite test report, is enclosed with this letter. Moreover, ***as the CTO has been issued in the name of the Executive Engineer, Sonepur, Saran, BUIDCo (Ref. No. 3264 dated 20-10-2022)***, the submission of compliance is accordingly required to be made to BUIDCo, being the owner of the STP plant.
iii.	Your unit for the operation and maintenance of the STP had not submitted the point wise compliance report of the	As informed, compliance report have been submitted to BUIDCO and not to the BSPC Board.	From the perusal of our earlier reply, you will kindly agree, Sir, that compliance has already been made. However, there appears to be a deviation in the route of submission of the compliance report. ***Since the CTO has been issued***

Attested
Virendra Kumar Ray

	previous CTO conditions issued by the Board and the audited balance sheet for the current year within a month;		***in the name of the Executive Engineer, Sonepur, Saran, BUIDCo (Ref. No. 3264 dated 20-10-2022), the submission of compliance is required to be made to BUIDCo.*** As the Owner of the STP plant is BUIDCo, we firmly believe that the compliance report should be routed through the proper channel.
iv.	Your unit for the operation and maintenance of the STP had developed proper green belt but rain water harvesting system was not constructed as per guidelines; and	As informed, they are agree that green belt and RWH system not developed.	Sir, in this regard review of our replies is again solicited. In the reply it has been elaborated as our unit, under O&M of STP Sonepur, has developed and is maintaining a proper green belt, which has also been acknowledged in your letter. Through this developed green belt, the objective of rainwater percolation and groundwater recharge is already being achieved. You will agree with the fact sir, that our role as an agency is to seek permission from our Owner (here BUIDCo) and same has been already done because ***the CTO has been issued in the name of the Executive Engineer, Sonepur, Saran, BUIDCo (Ref. No. 3264 dated 20-10-2022).*** Hence, our request stands for sympathy consideration.
v.	Your unit for the operation and maintenance of the STP had carried out the analysis by the NABL certified / approved laboratory under E.P. Act 1986 but has not submitted quarterly monitoring reports of treated sewage to the State Board yet.	As informed, analysis by the NABL certified / approved laboratory under E.P. Act, 1986 has been submitted to BIDCO not to the board.	Kindly review our submitted reply. Our reply is identical as mentioned above at Sl.no.3, here also ***Since the CTO has been issued in the name of the Executive Engineer, Sonepur, Saran, BUIDCo (Ref. No. 3264 dated 20-10-2022), the submission of compliance is required to be made to BUIDCo.*** As the Owner of the STP plant is BUIDCo, and in the light of that we submitted the report through proper channel i.e. through BUIDCo. Since the start of O&M, we have been regularly submitting monthly test reports covering effluent parameters, ambient air quality, ambient noise

Attested

Virendra Kumar Ray

			levels, and drinking water quality. These reports are issued by an NABL-approved laboratory, namely PHEET LAB PRIVATE LIMITED, Patna, and are submitted through the Environmental and Social Management Plan (ESMP) report to BUIDCo. In addition, the effluent discharge outlet report from the NABL laboratory, along with the onsite test report, is enclosed with this letter. Sir, in this way this too may kindly be not treated in the category of non-compliance.

From perusal of our above explanations, you will agree sir that there has never been any intention on our part to make any departure with respect to consent order issue by BSPCB. Sir, we are a well-disciplined agency and We should not be treated as non-compliant, as we have been regularly submitting the reports through the proper channel. However, in future, we will also ensure to send a copy of the same to BSPCB for their reference.

With reference to the **DISCHARGE CONSENT ORDER** for Sonepur issued by BSPCB, we seek clarification on the following points:-

1. **As per Point No. 7,** it is mentioned that "*there shall not be discharge of treated effluent into any drain which leads to any river system.*" But As per the Sonepur tender agreement (Page No-125) (enclosed), it is clearly stated that ***"The treated effluent, which is left after taking out the quantity intended for reuse, shall be discharged to the effluent channel." Furthermore, as per the DPR, the effluent is to be discharged into the Gandak River.*** We requested BUIDCo office to kindly provide a clear direction in this regard at the earliest.

2. **As per Point No. 8**, the limiting concentration for FC/MPN/100 ml is ≥ 100. Our regular monitoring indicates that this effluent discharge parameter has remained greater then, and in fact sometimes lower than, the specified limit i.e. ≥100. The effluent discharge outlet report from the NABL laboratory, along with the onsite test report, is enclosed with this letter.

Attested

Sr No.	Direction	BSPCB Observation	Reply
			levels, and drinking water quality. These reports are issued by an NABL-approved laboratory, namely PHEET LAB PRIVATE LIMITED, Patna, and are submitted through the Environmental and Social Management Plan (ESMP) report to BUIDCo. In addition, the effluent discharge outlet report from the NABL laboratory, along with the onsite test report, is enclosed with this letter. Sir, in this way this too may kindly be not treated in the category of non-compliance.

From perusal of our above explanations, you will agree sir that there has never been any intention on our part to make any departure with respect to consent order issue by BSPCB. Sir, we are a well-disciplined agency and We should not be treated as non-compliant, as we have been regularly submitting the reports through the proper channel. However, in future, we will also ensure to send a copy of the same to BSPCB for their reference.

With reference to the **DISCHARGE CONSENT ORDER** for Sonepur issued by BSPCB, we seek clarification on the following points:-

1. **As per Point No. 7**, it is mentioned that "there shall not be discharge of treated effluent into any drain which leads to any river system." But As per the Sonepur tender agreement (Page No-125) (enclosed), it is clearly stated that **"The treated effluent, which is left after taking out the quantity intended for reuse, shall be discharged to the effluent channel."** Furthermore, as per the DPR, the effluent is to be discharged into the Gandak River. We requested BUIDCo office to kindly provide a clear direction in this regard at the earliest.
2. **As per Point No. 8**, the limiting concentration for FC/MPN/100 ml is ≥ 100. Our regular monitoring indicates that this effluent discharge parameter has remained greater then, and in fact sometimes lower than, the specified limit i.e. ≥100. The effluent discharge outlet report from the NABL laboratory, along with the onsite test report, is enclosed with this letter.

Attested
Narendra Kumar Roy

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Enclosed herewith for reference, a copy of the CTO is enclosed.

Therefore, it is humbly requested sir to kindly consider our submissions and withdraw the imposed compensation over us for which we shall ever remain obliged to you.

Enclosures: As above.

With regards.

Thanking you.

For S. G. Constructions

(Authorized Signatory)

Cc to:

1. The Project Director, Sonepur, Saran Division, Patna, Bihar.

Attested

Enclosed herewith for reference, a copy of the CTO is enclosed.

Therefore, it is humbly requested sir to kindly consider our submissions and withdraw the imposed compensation over us for which we shall ever remain obliged to you.

Enclosures: As above.

With regards.

Thanking you.

Sd/

For S. G. Constructions

(Authorized Signatory)

Cc to:

1. The Project Director, Sonepur, Saran Division, Patna, Bihar.

Attested

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Annexure-8 series

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18936 of 2025

Universal MEP Projects and Engineering Services Ltd. Voltas House A Chinpokli Road, Dr. Babasaheb Ambedkar Road, Ghodapdeo, Chinpokli Mumbai, Maharashtra, Pin Code- 400 033, represented through Shri Yuvaraj K, Male, aged about 36 years, son of S. Karunanithi, resident of M 51/8, Telco Colony, Opposite G.E. Hostel Jamshedpur, Birshanagar, Chhota Gobindpur, Telco, P.S.- Birshanagar, Jamshedpur, District- East Singhbhum, Pin 831 004.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Environment and Climate Change Department, Bihar, Patna.
2. Bihar State Pollution Control Board, Patna through its Secretary.
3. Chairman, Bihar State Pollution Control Board, Patna.
4. Secretary, Bihar State Pollution Control Board, Patna.
5. Bihar Urban Infrastructure Development Corporation Limited, Patna through its Managing Director.
6. Managing Director, Bihar Urban Infrastructure Development Corporation Limited, Patna.
7. Project Director, Karmalichak STP Project, Bihar Urban Infrastructure Development Corporation Limited, Patna.

... ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Abhinav Srivastava, Sr. Advocate Mr.Raushan, Advocate Mr. Pushkar, Advocate
For the State	:	Mr.Standing Counsel (13)
For the UIDCL	:	Mr. Lalit Kishore, Sr. Advocate
For the B.S.P.C.B.	:	Mr. Kumar Ravish, Advocate
For the BUIDCO	:	Mr. Rabindra Kumar Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 08-12-2025 Heard the parties.

2. Four weeks' time is granted to learned counsel for the State to file para-wise counter affidavit, failing which the Member Secretary, Bihar State Pollution Control Board, Patna will appear virtually in Court on the next date of hearing.

Attested

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3. In the meantime, the respondents shall not take any coercive steps against the petitioner for realization of the fine amount.

4. The imposition of fine by the Board will not come in the way of consideration of the bills of the petitioner by the BUIDCO.

(Sandeep Kumar, J)

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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8705 of 2025

Toshiba Water Solutions Pvt. Ltd.

... ... Petitioner

Versus

The State of Bihar

... ... Respondents

Appearance :
For the Petitioner/s : Mr. Ashish Giri, Sr. Adv.
Mr.Riya Giri, Adv.
Mr. Sumit Kumar Jha, Adv.
Mr. Pratik Raj, Adv.
For the Respondent/s : Mr. Amish Kumar, Adv.
For the BSPCB : Mr. Shivendra Kishore, Adv.
Mr. Abhimanyu Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 20-11-2025 Heard learned senior counsel for the petitioner, learned counsel for the State, BUDCO, Union of India and Mr. Shivendra Kishore learned counsel for the BSPCB.

2. The counter affidavit of the Union of India is silent on the fact argued by the learned senior counsel for the petitioner that the inspection has been done behind the back of the petitioner and in complete violation of the Section 21 of the Water (Prevention and Control of Pollution) Act, 1974.

3. Learned counsel for Union of India submits that he will have to seek instructions and file a supplementary counter affidavit, if any.

4. As prayed by the learned counsel for the Union of India, list this case on 02.12.2025, the supplementary affidavit

Attested
Virendra Kumar Ray
Adv.

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should be filed as per the Patna High Court Rules, the affidavit may be shown in Delhi.

5. Interim order, if any shall continue till the hearing of the case.

(Sandeep Kumar, J)

Siddharth Soni/-

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Attested

Virendra Kumar Ray
Adv.

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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18936 of 2025

Universal MEP Projects and Engineering Services Ltd. Voltas House A Chinpokli Road, Dr. Babasaheb Ambedkar Road, Ghodapdeo, Chinpokli Mumbai, Maharashtra, Pin Code- 400 033, represented through Shri Yuvaraj K, Male, aged about 36 years, son of S. Karunanithi, resident of M 51/8, Telco Colony, Opposite G.E. Hostel Jamshedpur, Birshanagar, Chhota Gobindpur, Telco, P.S.- Birshanagar, Jamshedpur, District- East Singhbhum, Pin 831 004.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Environment and Climate Change Department, Bihar, Patna.
2. Bihar State Pollution Control Board, Patna through its Secretary.
3. Chairman, Bihar State Pollution Control Board, Patna.
4. Secretary, Bihar State Pollution Control Board, Patna.
5. Bihar Urban Infrastructure Development Corporation Limited, Patna through its Managing Director.
6. Managing Director, Bihar Urban Infrastructure Development Corporation Limited, Patna.
7. Project Director, Karmalichak STP Project, Bihar Urban Infrastructure Development Corporation Limited, Patna.

... ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Sr. Advocate Mr. Krishna Murari, Advocate Mr.Raushan Pushkar, Advocate Mr. Tauseef, Advocate Mr. Arpit Anand, Advocate
For the State	:	SC-15
For the BSPCB	:	Mr. Kumar Ravish, Advocate
For the BUIDCO	:	Mr. Rabindra Kumar Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 05-01-2026 Heard the parties.

2. It appears that the respondent no. 7 has exceeded the jurisdiction by deducting the fine imposed from the bills of the petitioner though the direction of the Court was otherwise.

A Hostel
Virendra Kumar Ray
Adv.

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3. If the respondent no. 7 has made deduction from the bills of the petitioner, as per the direction of the State Pollution Control Board, he will appear personally to assist this Court on the next date of hearing.

4. List this case after one week.

(Sandeep Kumar, J)

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Attested
Virendra Kumar Roy
Adv.

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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20888 of 2025

M/s Sophisticated Industrial Materials Analytic Labs. Pvt. Ltd. having its registered head office at A-37, Mayapuri Industrial Area, Phase-II, New Delhi- 110064 and its Regional Office at B-155, Badiha Kotti, Budha Colony, Patna, Bihar- 800001 through its Assistant Manager (Accounts) Amit Kumar, aged about 41 years (male), Son of Sri Basuki Nath Singh.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Environment, Forest and Climate Change, Bihar Govt. Patna.
2. The State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Patliputra Industrial Area, Patna 10, through the member Secretary, Bihar State Pollution.
3. The Chairman, Bihar State Pollution Control Board.
4. The Bihar Urban Infrastructure Development Corporation Ltd. through its Managing Director Bihar Urban Infrastructure Development Corporation Ltd. Patna.
5. The Project Director, Maner S.T.P. and Adjoining Network Bihar Urban Infrastructure Ltd. Bihar, Patna.
6. The Union of India, through the Secretary, Ministry of Jal Shakti, Department of Water Resources River Development and Ganga Rejuvenation, Govt. of India, New Delhi.
7. The National Mission for Clean Ganga, through the Director General, National Mission for Clean Ganga (Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, Govt. of India) 1st Floor, Major Dhaynchand National Stadium, India Gate, New Delhi- 110002.
8. The Chairman, National Mission for Clean Ganga (Ministry of Jal Shakti, Department of Water Resources, River Development and Ganga Rejuvenation, Govt. of India) 1st Floor, Major Dhaynchand National Stadium, India Gate, New Delhi- 110002.

... ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Virendra Kumar Ray Mr. Mithlesh Kumar Rai Mr. Abhishek Kumar
For the Respondent/s	:	Dr. K.N. Singh, Additional Solicitor General Mr. Amish Kumar Mr. Baua Jha
For the UIDCL	:	Mr. Lalit Kishore, Sr. Adv.
For the BSPCB	:	Mr. Kumar Ravish Mr. Rohit Kumar Mr. Ayush Kumar
For the State	:	Mr. N.H. Khan, SC -1

Attested

Virendra Kumar Ray
Adv.

70

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-01-2026 Heard the parties.

2. The Respondents are directed to file para-wise counter affidavit in this case before the next date of hearing today failing which the Member Secretary, Bihar State Pollution Control Board will appear personally in this case on the next date of hearing.

3. List this case after six weeks.

4. During the pendency of this application, no coercive steps shall be taken against the petitioner for demand of the environmental compensation amount imposed by the Bihar State Pollution Control Board.

(Sandeep Kumar, J)

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Attested

Virendra Kumar Ray
Advocate

Annexure - 9

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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.761 of 2026

Toshiba Water Solutions Pvt. Ltd. in JV with Chevrox Constructions Pvt. Ltd. through its lead Partner Toshiba Water Soloutions Pvt. Ltd. having its registered office at Pioneer Urban Square, 4th Floor Tower-D, Sector- 62, Gurugram, 122098 through its Site Incharge, STP Chapra, namely Ankit Kumar, aged about 31 years, male, Son of Awadhesh Kumar Singh, resident of Near D.A.V. Public School, Gaachi Tola, Dumri, Begusarai, Bihar 850110 currentl6y resididng at Maila Tanki, C/o BUIDCO, Near Road No. 6, Opposite Dheeraj optics, Rajendra nagar, Patna- 800004.

... ... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Environment, Forest and Climate Change Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Environment, Forest and Climate Change Department, Govt. of Bihar, Patna.
3. The Secretary, Environment, Forest and Climate Change Department, Govt. of Bihar, Patna.
4. The Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Patliputra Industrial Area, Patliputra, Patna- 800010 through the Member Secretary, Bihar State Pollution Control Board, Patna.
5. The Chairman, Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Patliputra Industrial Area, Patliputra, Patna- 800010.
6. The Member Secretary, Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2, Patliputra Industrial Area, Patliputra, Patna-800010.
7. Bihar Urban Infrastructure Development Corporation Ltd., through its Managing Director, Bihar Urban Infrastructure Development Corporation Ltd., Patna.
8. The Managing Director, Bihar Urban Infrastructure Development Corporation Ltd. Patna.
9. The Project Director, BUIDCO, Chapra (Saran).
10. The Deputy Project Director, BUIDCo, Chapra (Saran).
11. The Executive Engineer, Bihar Urban Infrastructure Development Corporation Ltd., Chapra, Saran.

... ... Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashish Giri, Sr. Advocate Ms. Riya Giri, Advocate Mr. Sumit Kr. Jha, Advocate
For the Respondent/s	:	Mr. Standing Counsel (18)
For the BSPCB	:	Mr. Abhimanyu Singh, Advocate
For the BUIDCO	:	Mr. Rabindra Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

Attested

Rajiv Kumar Roy

ORAL ORDER

5 30-04-2026 Heard Mr. Mr. Ashish Giri, learned Senior Counsel for the petitioner duly assisted by Ms. Riya Giri, Mr. Abhimanyu Singh, learned counsel for respondent nos. 04 to 06 as also the Rabindra Priyadarshi representing the respondent nos. 07 to 11.

2. The present petition has been preferred for the grant of following relief(s):

> *"(i) to issue writ/order or direction in the nature of Certiorari for quashing the order contained in* ***Ref. No.285955 dated 27.08.2025*** *issued under the signature of the* ***Chairman, Bihar State Pollution Control Board*** *by which the petitioner was directed to the deposit* ***Rs.12,20,000/-*** *(Rupees Twelve Lakhs Twenty Thousand Only) as* ***environmental compensation*** *in the name of Member Secretary, Bihar State Pollution Control Board.*
>
> *(ii) to produce and set aside the* ***inspection team report*** *of the Bihar State Pollution Control Board dated* ***01.02.2025*** *and the report of the committee of the State Board on*

Attested

the basis of which environmental compensation has been imposed upon the petitioner.

(iii) to pass interim / ex-parte interim order staying the operation of order contained in Ref. No.285955 dated 27.08.2025 issued under the signature of the Chairman, Bihar State Pollution Control Board by which the petitioner was directed to the deposit Rs.12,20,000/- (Rupees Twelve Lakhs Twenty Thousand Only) as environmental compensation in the name of Member Secretary, Bihar State Pollution Control Board.

(iv) to any other relief or reliefs for which the petitioners are found to be entitled in the facts and circumstances of the case."

3. This order be read in continuation of the order dated 09.04.2026 wherein a detailed order was passed and it is relevant to record paragraphs 14 to 16 which read as under:

14. Having heard the parties and perusing the records, it is clear that 'the Board' has utterly failed in its duty. The inspection was done behind

the back of the petitioner/his representative, no inspection report was handed over but on the basis of the said report, a fine was imposed. Pursuant to the notice issued, the petitioner presented his case.

15. However, in complete non-application of mind and without answering to the points raised by the petitioner, an order dated ***27.08.2025*** *was passed by the Chairman of 'the Board' reiterating its earlier stand.*

16. The petitioner has clearly made out a case. However to be fair to 'the BUIDCO' as also to 'the Board', it would be appropriate that the petitioner file reply to the counter-affidavit filed on behalf of both 'the Board' as also 'the BUIDCO' in the next two weeks.

4. Pursuant thereto, the reply to the counter affidavit has been filed and the stand of the petitioner once again is/are

Attested
Nivedita Kumari Roy

that:

(i) inspection took place behind the back of the petitioner and/or his representative;

(ii) no inspection report was handed over to the petitioner which forms basis for the imposition of the fine.

5. In paragraph-18 of the said order dated 09.04.2026 that from now on, it will be mandatory for the Bihar State Pollution Control Board (henceforth for short 'the Board') to do the videography of the entire movement of their officials from the visit to the premises/inspection till the report is prepared, signed and they leave the place. This is needed for the complete transparency both on the part of the person/premises where the visit/inspection takes place as also 'the Board' to show their bona-fide that they have acted in accordance with law. 'The Board' shall be duty bound to provide pen drive of the inspection alongwith the inspection report.

6. So far as the present case is concerned, in view of the aforesaid facts that has been recorded, the **reference no. 224633 dated 03.04.2025** (Annexure-P/7 to the writ

petition) as also **reference no. 285955 dated 27.08.2025** issued by the **Chairman of 'the Board'** (Annexure-P/9 to the writ petition) both issued by the Chairman of 'the Board' stands quashed.

7. 'The Board' is at liberty to re-inspect the premises of the petitioner in accordance with law and must ensure that:

(i) the representative of the petitioner firm is present at the time of inspection line with the provision of Water(Prevention & Control of Pollution) Act, 1974;

(ii) the entire inspection be videographed uninterrupted;

(iii) the inspection report alongwith the pen drive must be made available to the petitioner's firm.

8. With the aforesaid observation, the writ petition is disposed of.

(Rajiv Roy, J)

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WELFARE STAMP ₹40 ₹50 बिहार BIHAR पचास रुपये Rs. Fifty 03 Jul 2026

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE, KOLKATA, WEST BENGAL
VAKALATNAMA for THE APPELLANT

Appeal NO.- _____ of 2026

In the matter of:
M/s S. G. Constructions..... Appellant.

Versus

The State of Bihar & Ors..... Respondents.

Know all men by those Presents by this Vakalatnama

I/ We
M/s S. G. Constructions, (A Partnership Firm) having its branch office at Jagat Amrawati Apartment, Flat No. A/16, Bailey Road, Near Officers Flat, District Patna 800001, its registered office- S.24, Manish Global Mall, Sector- 22, Dwarika, New Delhi- 110075, through its Project Manager Mr. Chandan Sinha, Male, aged about 45 years, Son of Sri Ashok Kumar Sinha, resident of R.R. Builder, Sanchar Nagar, Flat No. 611, 6th Floor, Block- 8, P.S. Khagaul, District- Patna- 801105.
Do here by
Appoint the advocates noted below in the margin or any of them as my/our lawful Advocate in the above mentioned case for appearing, conducting and arguing the same or depositing or withdrawing any money in connection there with or putting in papers petition, etc. on my/our behalf or filling or taking back any document or with drawing suit, appeal or application with permission to institute fresh suit etc and make compromise and for referring the case for arbitration and for doing all acts that be necessary to be done in connection with said acts. I/we, further say that any act done by my/ our said Advocates or any one of them after accepting this Vakalatnama shall be considered of my/our true and lawful act and shall be binding on me/us.

1. Mr. Virendra Kumar Ray, Advocate.
2. Mr. Mithilesh Kumar Rai, Advocate.
3. Mr.
4. Mr.
5. Mr.

To the above effect I/ We execute this Vakalatnama on 15th day of July 2026.

Signature of the Executant

Chandan Sinha

Received the Vakalatnama from the executant(s) satisfied and accepted the same, as I hold no brief for the other side.

Virendra Kumar Ray

Mr. Virendra Kumar Ray Advocate
Er. No.- BR/3164/1999
A/385, A.G. Colony, Park,
Ashiyana Nagar, Patna-25
email- viroo1168@gmail.com
Mob- 9334960646

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