

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA

M.A. No.:11 of 2022 (EZ)

IN

O.A No.: 99 of 2016 (EZ)

Tribunal on its own motion

Applicant

Vs.

State of Jharkhand &Ors.

Respondents

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Filed by: -

Surendra Kumar
Advocate

Jharkhand State Pollution Control Board



(11032)

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State of Jharkhand & Ors.

Respondents

Counter Affidavit on behalf of Respondent No. -
03 Jharkhand State Pollution Control Board in
compliance with order dated 17.10.2022

I, Yatindra Kumar Das, son of Late K.K. Das,
presently posted as the Member Secretary, Jharkhand
State Pollution Control Board, H.E.C, Dhurwa, Ranchi
and am duly authorized and hereby solemnly state and
affirm as follows:-



1. That at present, I am working and posted as the Member Secretary, Jharkhand State Pollution Control Board, H.E.C, Dhurwa, Ranchi, and as such, I am well acquainted with all the facts and circumstances of this case.
2. That I have gone through the order dated 17.10.2022 passed by Hon'ble NGT and have understood the contents therein.
3. That, I have been authorized to swear this affidavit on behalf of Respondent No- 03 Jharkhand State Pollution Control Board (JSPCB) by the competent authority. Further, it is stated that I have gone through the relevant files and records.
4. That, it is humbly stated and submitted that the Hon'ble NGT(EZ) in its order dated 17.10.2022 in M.A No. 11 of 2022 (EZ) in O.A No. 99 of 2016 (EZ) has given certain directions which is reproduced below:-

"The Jharkhand State Pollution Control Board is directed to go through this affidavit as well as Rejuvenation Plan filed with the affidavit and



submit its report with regard to point-wise compliance,...".

5. That, it is humbly stated and submitted that the affidavit and the revised action plan submitted by Respondent No. 2 before the Hon'ble NGT (EZ) were studied by the Regional Officer, JSPCB Regional Office, Hazaribagh and has submitted the report vide memo no. 1016 dated 12.11.2022. The content of which has been reproduced below: -
- "The Revised Action Plan has been prepared based on the following factors:***

- a. Identification of primary sources of water pollution.***
- b. Quantity of sewage discharged into the pond***
- c. Water quality standard of the pond.***

Further, the Revised Action Plan has been divided into two stages:

- i. Short Term Measures***
- ii. Long Term Measures***



The point-wise details on the Revised Action Plan prepared based on the gap analysis and its status of implementation has been stated below

S. N.	Action Points	Compliance Status as per Revised Action Plan
Short Term Action		
01.	Intercepti on and diversion of the Drains	i. RCC cover drains have been constructed to tap and divert the sewage generated from the nearby household. ii. Two Soak pits (Filtration Chamber) has been constructed to filter (treat) the waste water generated from 10 buildings where construction of drain is not feasible.
02.	Restrict Encroachme nt	i. Boundary wall has been constructed along the western side of the Dhobia talab to prevent/ restrict encroachment.
03.	To improve the water quality	i. Weed Harvester machine is being used on regular basis to remove weeds like water hyacinth which will improve the aeration rate. ii. Increase in green cover around the pond by planting species of trees like Ficus, Jamun, Neem etc.
04.	Create awareness.	i. Information, Education & Communication (IEC) strategy has been adopted

		and being implemented to create awareness and disseminate information among the citizens. ii. IEC activities like Nukkadnataks, wall painting, Environmental Awareness Programs, use of signboards etc. are being carried out to create awareness among the people.
Long Term Measures		
01.	Solid Waste Management	i. Tipper has been deputed for the Ward for door-to- collection of the domestic solid waste.
02.	Sewage Treatment Plant (STP)	i. Detailed Project report has been prepared for construction of STP of 500 KLD with an approx. cost of Rs. 39 Lacs. ii. Detailed Project report has been prepared for construction of Aeration tank and Oxidation tank. ii. Hazaribagh Municipal Corporation in process of implementation of Phytoremediation technology by the end of November by planting some floating plants such as Azolla pinnata, Lemna species, emergent plants like Nymphaea species, Typa Species, submerged plants like Hydrilla verticillata. iv. Hazaribagh Municipal

		Corporation has prepared a proposal for construction of an in-situ pond cleaning technology for improving the water quality of Dhobia Talab and tender has been floated for the same.
03.	Removal of encroachment	i. Out of nine encroachments three have been removed and action has been initiated against remaining six encroachers under section 4(H) of Bihar (Jharkhand) Land Reforms Act 1950 by the Circle Officer, Sadar, Hazaribagh.

Photocopy of the report submitted by the Regional Officer, JSPCB Regional Office, Hazaribagh vide memo no. 1016 dated 12.11.2022 is annexed as **Annexure - I.**

6. That the statement made in forgoing paragraphs is true to my knowledge and the annexure is a true copy of its original.

Yashwantrao A

DEPONENT

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VERIFICATION:

Verified at Ranchi on this the day of 18th November, 2022 that the averments & facts stated herein above are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

Yashwanth Kumar
DEPONENT

*I identify by the
Deponent's initials
Dum A/C to m.
mulcash Dum
(ADM)*

*D: 166/2022
18/11/2022*

Solemanly affirmed before me by deponent
Who is identified by *Y. K. Das*
I have satisfied my self by examining the deponent that
he understands the contents of this affidavit which has
been read *Y. K. Das* by *Y. K. Das* me and
over and explained which he acknowledges as to be
correct Jharkhand High Court, Ranchi
Date *18/11/22* Advocate Oath Commissioner *18/11/22*

11032

Y. K. Das
(A/C)

YK

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Report prepared in light of the direction
issued by Hon'ble NGT in No. 11 of 2022 (EZ) in
O.A No. 99 of 2016 (EZ) dated 17.10.2022

1. That in light of the directions issued by the Hon'ble NGT(EZB) in its order dated 17.10.2022. in M.A No. 11 of 2022 (EZ) in O.A No. 99 of 2016 (EZ) which is as follows:

"The Jharkhand State Pollution Control Board is directed to go through this affidavit as well as Rejuvenation Plan filed with the affidavit and submit its report with regard to point-wise compliance,..."

2. That the affidavit and the revised action plan submitted by the Respondent No. 2 before the Hon'ble NGT (EZ) were studied. The Revised Action Plan has been prepared based on the following factors:

- a. Identification of primary sources of water pollution.
- b. Quantity of sewage discharged into the pond
- c. Water quality standard of the pond.

Further, the Revised Action Plan has been divided into two stages:

- i. Short Term Measures
- ii. Long Term Measures

The point-wise details on the Revised Action Plan prepared based on the gap analysis and its status of implementation has been stated below:

S. N.	Action Points	Compliance Status as per Revised Action Plan
Short Term Action		
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01.	Solid Waste Management	i. Tipper has been deputed for the Ward for door-to-collection of the domestic solid waste.
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		for construction of an in-situ pond cleaning technology for improving the water quality of Dhobia Talab and tender has been floated for the same.
03.	Removal of encroachment	i. Out of nine encroachments three have been removed and action has been initiated against remaining six encroachers under section 4(H) of Bihar (Jharkhand) Land Reforms Act 1950 by the Circle Officer, Sadar, Hazaribagh.

sd/-

(Ashok Kr. Yadav)
(Regional Officer)

Memo no.- 1016

Hazaribag,

Date...12.11.2022.

Copy to The Member Seretary, Jharkhand State Pollution Control Board, Ranchi for informations and necessary action.

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(Ashok Kr. Yadav)
(Regional Officer)

12/11/2022