

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

Execution Application No.49 of 2025

In

Execution Application No.46 of 2018(disposed of)

**Veterans Forum for Transparency in
Public Life through its General Secretary**

....

Applicant

Versus

Chapra Nagar Parishad & others

Respondents

Sub: Counter Affidavit on behalf of Respondent No.1

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Drafted by

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18.10.25

Through
Indu Bhushan
 (Indu Bhushan)
 Advocate

for the Respondent no.1

18.10.25



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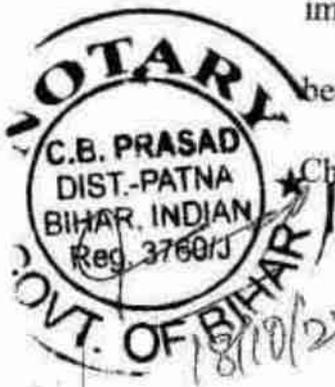
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Respondents

The humble Counter Affidavit on behalf of Respondent No.1.

I, Sunil Kumar Pandey, aged about more than 59 years, Male, son of Sri Surendra Pandey, resident of Flat No.203, S.D. Apartment, Kavi Raman Path, Near Nageshwar Colony, Boring Road, P.S.-Shrikrishnapuri, District-Patna, presently posted as Municipal Commissioner, Nagar Nigam, Chapra, do hereby solemnly affirm and state as follows:-

1. That Chapra Nagar Parishad through its Executive Officer has been impleaded as Respondent No.01 and now Chapra Nagar Parishad has become Chapra Nagar Nigam and I am the Municipal Commissioner of Chapra Nagar Nigam as such I am competent to file counter affidavit on



behalf of Respondent No.01 and I am well acquainted with the facts and circumstances of this case.

2. That I have gone through the contents of Execution Application No. 49 of 2025 in Execution Application No. 46 of 2018(disposed of) filed by the applicant.
3. That the allegations made in Execution Application are misconceived and incorrect. The Respondent No.01 has taken all necessary steps to comply with the direction of this Hon'ble Tribunal.
4. That the Execution Application is hopelessly barred by limitation.
5. That the present execution application is misconceived, devoid of merit and is liable to be dismissed the outset.
6. That the Execution Application is not maintainable as per the directions of this Hon'ble Tribunal complied with the applicant has filed the present application without verifying the facts.
7. That fact of the case is that the applicant Veterans Forum for Transparency in Public Life filed the Execution Application No.49 of 2025 in Execution Application No.46 of 2018(Disposed of) and stated that O.A. No.234/2015 was filed before Hon'ble Tribunal with the prayer for restoration of Khanua Nala and removal of encroachment thereupon. During hearing counsel of the State Government submitted before the Tribunal that Khanua Nala will be restored and encroachment will be removed.



8. That before giving parawise reply of the instant Execution Application No.49 of 2025 the real fact pertaining to compliance of the order of this Hon'ble Tribunal is brought on record.
9. That it is stated that it is settled law that execution cannot be used to seek modification or reconsideration of the original order passed by this Hon'ble Tribunal.
10. That fact of the case is that that in O.A.No.234 of 2015 (M.A. No.830 of 2015) in which on 27.10.2016 counsel appearing for the State of Bihar submitted that:-

- (I) There is a project for setting up of a STP at Khanua Nala.
- (II) There is no project of the Development Authority to make any development over Khanua Nala.
- (III) Government and all concerned Authority would take appropriate steps to clean and restore the Khanua Nala and remove the encroachments thereupon.
- (IV) They would also maintain clean conditions in future.

However, the existing development project would continue on the site and all the unauthorized structure would be demolished from the Khanua Nala.

Respondents would abide by the statement.

In view of the statement made nothing survives in this application.



Thus this application is disposed of with no order as to cost and the file be consigned to the record room.

11. That it is stated that for compliance of order dated 27.10.2016 vide Memo No. 90 dated 27.02.2019 the Special Secretary to the Government of Bihar, Urban Development and Housing Department wrote a letter to the Municipal Commissioner, Municipal Corporation, Chapra and in this letter in the subject matter it has been stated that in the financial year 2018-19 for implementation of storm, water drainage(Khanua Nala) Scheme for solving the problem of water logging in Chapra City under Municipal Corporation, Chapra Area, administrative approval of 2995.00 lacs (Twenty Nine Crore Ninety five lacs only rupees) only has been given and a total of 2553.95 lacs(Five Crore Fifty three lacs ninety five thousand rupees) has been immediately allocated as grant in aid.

Order approved.

And in this letter it has been stated that in the financial year 2018-19 while granting administrative approval of Rs.2995.00 lacs(Twenty Nine Crore ninety five lacs rupees) only for implementation of storm, water drainage scheme to solve the problem of water logging in Chapra City under Municipal Corporation, Chapra Area, in the light of Departmental Order 132 dated 27.02.2019, a total of Rs.553.95 lacs(Five Crore fifty three lacs ninety five thousand rupee) only is immediately allocated as per

Column-5 of the Table below:-



Sl. No	Name of Entity	Snake of planning	Total amount of approval/administrative sanction	Immediately allocated amount	Balance amount (4-5)
1	2	3	4	5	6
1.	Municipal Corporation Chapra	Regarding approval of storm, water drainage (Khanua Nala scheme in Chapra City	2995.00	553.95	2441.05

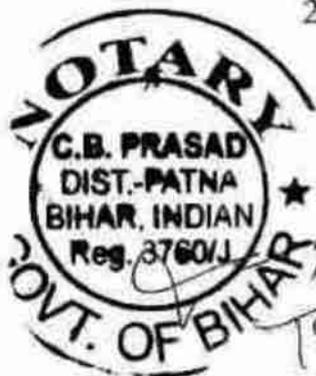
i.e. the total allocated amount is Rs.553.95 lacs(Five Crore Fifty Three lacs Ninety Five Thousand) total.

The Scheme will be implemented by BUIDCO and other conditions have been imposed in this letter and it has been stated that scheme will be implemented by inviting tender through e-Tendering.

A copy of Memo No.90 dated 20.02.2019 is enclosed herewith and is marked as Annexure-R/1 to this counter affidavit.

12. That it is stated that through e-Tendering BUIDCO selected M/s Jai Mata Di Road Construction Pvt. Limited, ADD-H.O.-3/97,LIG, Hanuman Nagar, Kankarbagh, Patna-800020, Bihar and thereafter an Agreement No. BUIDCO/YO-598/14-34 dated 22.08.2019 was prepared in between Bihar Urban Infrastructure Development Corporation Limited and M/s Jai Mata Di Road Construction Pvt. Limited. In the contract dated 20.08.2019 terms and conditions have been imposed.

A copy of Agreement No. BUIDCO/YO-598/14-34 dated 22.08.2019 is enclosed



herewith and is marked as Annexure-R/2 to this counter affidavit.

13. That the scheme Storm, Water Drainage (Khanua Nala) Scheme was started since 22.08.2019.
14. That it is stated that in Execution Application No.49 of 2025 when notice was served upon the District Magistrate, Saran as well as Municipal Commissioner, Nagar Nigam Chapra, Saran, then after going through the contents of the Execution Application No.49 of 2025 the District Magistrate, Saran vide Memo No.2393 dated 06.09.2025 directed the Project Officer of BUIDCO, Saran stating therein that regarding above mentioned matter M.A. No. 29 of 2025(Execution Application No.46 of 2018 and E.A. No. 49 of 2025 in E.A. No.46 of 2018) Veterans Forums for Transparency in Public Life Versus Chapra Nagar Parishad and others by sending copy of order dated 11.08.2025 passed by the Hon'ble N.G.T. along with Annexure, it is requested that for filing the counter affidavit in question, the fact should be made available without delay to the Municipal Commissioner, Municipal Corporation, Chapra, so that the counter affidavit may be filed before the date fixed by the Hon'ble N.G.T.

A copy of Memo No.2393 dated 06.09.2025 is enclosed herewith and is marked as Annexure-R/3 to this counter affidavit.



15. That it is stated that copy of Memo No.2393 dated 06.09.2025 issued by the under the signature of the District Magistrate, Saran was served to the Municipal Commissioner, Nagar Nigam Saran for information and necessary action.
16. That it is stated that after receiving Memo No.2393 dated 06.09.2025 issued by the District Magistrate, Saran. the Municipal Commissioner, Nagar Nigam Chapra prepared questions considering the allegation leveled into the Execution Application No. 49 of 2025 and vide Letter No. 1800 dated 12.09.2025 directed the BUIDCO to submit the reply of questions by way of statement of fact. At this, the Project Director, BUIDCO, Chapra, Saran vide Letter No.1128 dated 25.09.2025 submitted the reply of the formulated questions by way of statement of facts before the Municipal Commissioner, Chapra Nagar Nigam and stated that Khanua Drain in the Chapra Municipal Corporation Area covers a total of 3200Mtrs. One section of Khanua Drain covers 1750Mtrs. and the other covers 1450 Mtrs. On 27.02.2019, the State Government granted administrative approval for total Rs.29.95 Crore for the construction of Khanua Drain.(Annexure-R/1), under which provision was made for the construction of 1885 Mtrs of Drain, of this 1085 Mtrs, 1030 Mtrs of the drain has been completed so far, and a 55 Mtrs. stretch that face encroachment problems since the beginning of the project was freed by district administration in 2024. In 2023, the government again approved



Rs.212538 crore of the construction of 665 Mtrs. drainage under Khanua Nala Nirman Yojna. Revised administrative approval was granted for construction of a 1750 drain for a total amount of Rs.512,038 with completion date was 10th August, 2025. So far 416 Mtrs. of drain construction work has been done in comparison to 665 Mtrs drain. Action is being taken to complete the remaining work as soon as possible. In this scheme the main reason for the delay are as follows:-

- (A) Existing of encroachment on the drain
- (B) Covid-19 Pandemic 2019-20
- (C) Due to excessive rain fall and flood
- (D) Due to construction of Double Decker Bridge
- (E) Presence of big trees and electric poles in the canal.

Due to all these problems there was delay in construction of drain and the dead line for completion of this work was fixed as 10.08.2025.

Second Part of Khanua Nala Scheme is 1450 Mtrs. long and has been included in storm, water drainage scheme under *Saat Nischay*. The contract for this work was signed on 06.08.2024 and completion period of the scheme has been fixed at 02 years.

The physical progress of 750 Mtrs. drain construction is 82% and physical progress of 1450 Mtrs. drain construction is 15%.



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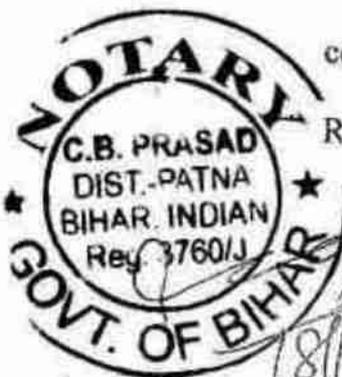
The design of section of work being carried out under the Khanua Drain project has been prepared keeping in mind the drains hydraulics maximum rain fall intensity and flooding. The structure designed of this drain has been prepared according to Class-A, loading, standard. The hydraulic and structure design prepared has been approved by N.I.T. Patna. The drains in this 1750 Mtrs. action are:-

- (i) Construction of drain of 3 Mtrs. width in 182 Mtrs.
- (ii) Construction of 4 Mtrs. wide drain in 1125 Mtrs.
- (iii) Construction of drain of 6 Mtrs. wide drain in 443 Mtrs.

The work being carried out under the Khanua Nala drain Project is being executed in accordance with the approval, design, drawing and hydraulic. There has been no compromise of quality of work under the scheme and all works is being completed in accordance with prescribed standards and guidelines.

The quality of work was regularly inspected by the Road Construction Department, Chapra, Road Division, and N.I.T. Patna. Currently vehicles are plying over the construction drains.

The construction and demolished waste generated during the construction of Khanua Drain is collected as per Waste Management Rules, 2016. After constructing the drain with good soil, backfilling is



done and remaining solid and demolition waste is restored at the designated place.

A copy of Letter No.1128 dated 25.09.2025 is enclosed herewith and is marked as Annexure-R/4 to this counter affidavit.

17. That it is stated that for completion of additional work of Khanua Nala which is construction of storm, water, box, drain of Class-A. Loading for 665 Mtrs. in Chapra Town, Bihar, which is in addition to length of Box drain of 1085 Mtrs. mentioned under the original agreement dated 22.08.2019, The BUIDCO prepared supplementary agreement on 05.03.2024 in between BUIDCO and M/s Jai Mata Di Road Construction Pvt. Ltd.

A copy of supplementary agreement dated 05.03.2024 is enclosed herewith and is marked as Annexure-R/5 to this counter affidavit.

18. That it is stated that weekly progress report of Storm Water drainage system (Khanua Nala) in Chapra town dated 27.09.2025 has been made available to the Nagar Nigam Chapra. In Weekly Progress Report details of previous week physical progress in meter and in this week physical progress in meters has been shown and cumulative physical progress in meter has been shown. And it is stated that Weekly Progress Report dated



27.09.2025 will show that- 1440(82.29%) out of 1750Mtrs. work has been completed and remaining work is 310 Mtrs.(17.72%).

A copy of Weekly Progress Report dated 27.09.2025 is enclosed herewith and is marked as Annexure-R/6 to this counter affidavit.

19. That it is stated that vide Memo No.658 dated 03.07.2025 the Project Director, BUIDCO, Chapra, Saran wrote a letter to the Municipal Commissioner, Municipal Corporation, Chapra and brought attention about encroachment at four places with respect to remove the encroachment.

A copy of Memo No.658 dated 03.07.2025 is enclosed herewith and is marked as Annexure-R/7 to this counter affidavit.

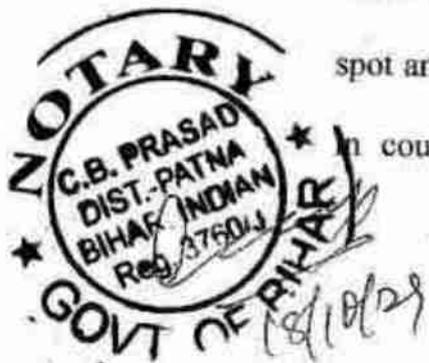
20. That it is stated that pursuant to Memo No.658 dated 03.07.2025 the Municipal Commissioner, Municipal Corporation, Chapra vide Letter No.1308 dated 05.07.2025 wrote a letter to the Circle Officer, Chapra Sadar, Saran stating therein that in the light of relevant page of above subject, it is to be said during construction work of Khanua Drain, information has been received from the Project Director, BUIDCO regarding obstruction in the construction work due to encroachment at various places. A copy of relevant letter of the Project Director,



BUIDCO is attached herewith this letter and it is requested on 10.07.2025 the Anchal Amin should be kindly directed to measure the above placed and marked the encroachment area. For the marking on 10.07.2025, the Officers and employees of Nagar Nigam and BUIDCO will also be available to assist Anchal Amin in identifying the encroachment and it is stated that in Letter No.1308 dated 05.07.2025 the Circle Officer, Sadar Chapra vide Memo No.1547 dated 08.07.2025 copy of this letter was forwarded to Sri Rajendra Rai and Sri Arun Kumar, Anchal Amin to submit the report after measurement and copy was also given to Sri Subham Kumar, Anchal Amin to submit the measurement report.

A copy of Letter No. 1308 dated 05.07.2025 is enclosed herewith and is marked as Annexure-R/8 to this counter affidavit.

21. That it is stated that on 14.07.2025 the Anchal Amin of Sadar Chapra, Saran submitted a Measurement Report to the Circle Officer, Sadar, Chapra, Saran stating therein that on 13.07.2025 he along with City Manager, the Assistant Engineer of BUIDCO, the Junior Engineer arrived at Mauza-Dahiawan, Thana No.284, Section No.26, Section No.34, Section No.33, Section No.-38, Section No.37 for measurement of the spot and with the help of Map the measurement was done of the spot and in course of measurement not any encroachment was found, but at



Section 34 in Khanua Nala Municipality, Khesra No.8818 encroachment was found and name of encroacher is Surendra Prasad, son of Laxman Prasad who encroached in land into length 30'0", in North-3'0" breadth + South-4'0" breadth and has encroached by way of construction of dilapidated wall and house.

A copy of report of Anchal Amin dated 14.07.2025 is enclosed herewith and is marked as Annexure-R/9 to this counter affidavit.

22. That it is stated that when the Anchal Amin reported that Surendra Prasad son of Laxman Prasad has been encroached some part of Khanua Nala then Surendra Prasad was directed to remove the encroachment as early as possible before start of renovation work of Khanua Nala and he assured that it will be removed very soon.
23. That it is stated that the renovation work of Khanua Nala is being done by the BUIDCO and it is being monitored by the Respondent Nos.01 and 02 and there is no any deliberate negligence in order to complete the renovation work of Khanua Nala and it is also stated that the renovation work of Khanua Nala is not being done continuously, because in rainy season due to heavy rain and flood the work is stopped.

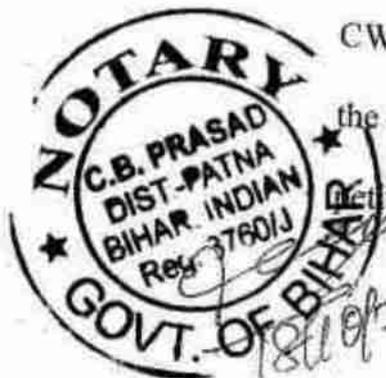
That it is stated that one of the factor for delay in renovation of Khanua Nala has been that over Khanua Nala some shops were constructed by the



District Administration of Saran much earlier and when the order of this Hon'ble N.G.T. was passed for renovation of Khanua Nala then notices were issued upon the shop keepers to remove the construction of the shops, at this 10 shop keepers Dewanti Devi and 09 others filed CWJC No. 15979 of 2021 before the Hon'ble High Court Patna which has been heard behind the back of the Chapra Nagar Nigam during Covid-19 period and on 30.09.2021 the Hon'ble High Court, Patna and order was passed to maintain status quo as of today shall be maintained by the parties and further direction was to list the case on 17.11.2021.

A copy of order dated 30.09.2021 passed in CWJC No.15979 of 2021 is enclosed herewith and is marked as Annexure-R/10 to this counter affidavit.

25. That it is stated that due to stay order of the Hon'ble High Court Patna the encroachment over Khanua Nala over which shops were constructed much earlier could not be removed and no renovation work of Khanua Nala could be done.
26. That it is stated that after best efforts CWJC No.15979 of 2021 was listed before a bench of the Hon'ble High Court Patna and on 26.09.2023 CWJC No. 15979 of 2021 was dismissed for non-prosecution, in this way the stay order automatically ended and it is stated that not any restoration petition was filed by the writ petitioner.



A copy of order dated 26.09.2023 passed in CWJC No.15979 of 2021 is enclosed herewith and is marked as Annexure-R/11 to this counter affidavit.

27. That it is stated that due to order of status quo of the Hon'ble High Court Patna from 30.09.2021 to 26.09.2023 the renovation work of Khanua Nala and encroachment of Khanua Nala could not be done for two years.
28. That now from this paragraph the reply of Execution Application No. 49 of 2025 is being given.
29. That with respect to paragraph No.1 of the Execution Application No. 49 of 2025 under reply, needs no comment, as it is a matter of record.
30. That with respect to paragraph No.2 of the Execution Application No. 49 of 2025 under reply, the allegation is denied, because from the above facts it will appear that work for renovation of Khanua Nala is under progress and most of the work for renovation has been completed and there is no any latches.
31. That with respect to paragraph No.3 of the Execution Application No. 49 of 2025 under reply, it is stated that order has been passed on 30.10.2017 by this Hon'ble Tribunal and work of renovation of Khanua Nala started from 22.08.2019 and length of Khanua Nala is very long and in a short period it is very difficult to complete the work.



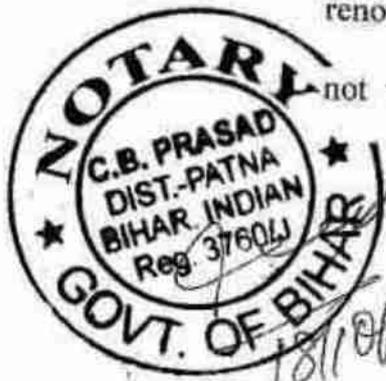
32. That with respect to paragraph No.4 of the Execution Application No. 49 of 2025 under reply, it is wrong to say that despite the order of this Hon'ble Tribunal, the State Authorities non-active, rather continuous work for renovation is going on and State Government has sanctioned so much huge amount and work is being done by BUIDCO which is being monitored and weekly report is submitted by the BUIDCO.
33. That with respect to paragraph No.5 of the Execution Application No. 49 of 2025 under reply, it is stated that order passed by this Hon'ble Tribunal is being complied and it is being monitored.
34. That with respect to paragraph No.6 of the Execution Application No. 49 of 2025 under reply, it is wrong to say that the renovation work of Khanua Nala started in the year 2021, rather real fact is that work of renovation of Khanua Nala since 22.08.2019 and total work 82.28% has been completed.
35. That with respect to paragraph No.7 of the Execution Application No. 49 of 2025 under reply, the allegation is not sustainable, because the work of renovation of Khanua Nala has been designed by N.I.T. Patna which was approved and is being done as per guideline of N.I.T. Patna and width and length of Khanua Nala has been considered as per the Revenue Records and Map and it has not been narrowed.

That with respect to paragraph No.8 of the Execution Application No. 49 of 2025 under reply, it is stated that the allegation is furious and in order



to renovation work of Khanua Nala, high quality of materials are being used and the applicant has relied upon the false news of Prabhat Khabar dated 22.12.2024.

37. That with respect to paragraph No.9 of the Execution Application No. 49 of 2025 under reply, it is stated that by way of renovation work of Khanua Nala encroachment and blockage is being removed.
38. That with respect to paragraph No.10 of the Execution Application No. 49 of 2025 under reply, the allegation is denied.
39. That with respect to Grounds of the Execution Application No. 49 of 2025 under reply, it is stated that there is no any violation of order of this Hon'ble Tribunal passed in Execution Application No.46 of 2018 dated 08.03.2021 and other grounds are not proper and justified, because allegation has been brought without any documentary evidences, allegation is based on oral evidence, which is not sustainable in the eye of law.
40. That it is stated that intention of the applicant has been only to create hindrance in renovation work of Khanua Nala and also to unnecessarily vex the responsible respondents.
41. That the prayer made in this application is not justified, because the renovation work of Khanua Nala is in progress and respondent No.1 has not violated Environmental Law under such circumstances imposing



Environmental Compensation upon the Respondent No.1 will be not justified.

It is, therefore, prayed that your Lordships may graciously be pleased to accept the counter affidavit of the Respondent No.01 and be pleased to dismiss Execution Application No.49 of 2025 in Execution Application No.46 of 2018 (disposed of)

And for this the Respondent No.01 shall ever pray.



VERIFICATION

Verified by the deponent named on this, the 18th day of October, 2025 and I do hereby verify that all the facts mentioned in the counter affidavit are true to my knowledge and no part thereof is false and nothing material has been concealed there from.

Shri. Kumar Sandey
18.10.25





AFFIDAVIT

I, Sunil Kumar Pandey, aged about more than 50 years, the son of Sri Surendra Pandey, resident of Flat No.203, S.D. Apartment, Kavi Raman Path, Near Nageshwar Colony, Boring Road, P.S.-Shrikrishnapuri, District-Patna, presently posted as Municipal Commissioner, Nagar Nigam, Chapra, do hereby solemnly affirm and state as follows:-

1. That I am Respondent No.1 in this application and as such am well acquainted with the facts and circumstances of this case.
2. That the contents of this counter affidavit have been read by me which I have fully understood the same and they are true to my knowledge and belief.
3. That the statements made in paragraph nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 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414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000 are true to my knowledge and those made in paragraph nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000 are true to my information derived from records of this case and rests are by way of submissions in this Hon'ble Tribunal.
4. That the annexures are true/photocopies of their respective originals.

Sunil Kumar Pandey
18.10.2025

Si. Nominations Date 18/10/25

Shri Sunil Kumar Pandey
Who has been identified by Shri Shashi Prasad
Advocate, solemnly affirmed and
declared before me.

C.B. PRASAD
NOTARY PATNA



Identified by the reporter Shri Shashi Prasad
Advocate who has signed in my presence
18.10.2025

21



सुनील कुमार पण्डेय
 Sunil Kumar Pandey
 जन्म तिथि: DCIB, 02/02/1966
 पुरुष / MALE

मेरा आकार, मेरी पहचान



सुनील कुमार पण्डेय, 203
 अपार्टमेंट, रास गंगा पथ,
 मेडिकल कॉलेज रोड,
 पटना - 800001

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 S/O: Surendra Pandey, 203, S/O
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 Medical College Road,
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Sunil Kumar Pandey



Annexure-R/1

सं ई-मेत
स्पीड पोस्ट/निवणित
डाक

क्रमांक-256/नॉरि०-02-10/2018

पत्र

/नॉरि०-02-10/2018

बिहार सरकार
नगर विकास एवं आवास विभाग

प्रेषक,

जय प्रकाश गंडल,
सरकार के विशेष सचिव।

सेवा में,

नगर आयुक्त,
नगर निगम, छपरा।

पटना, दिनांक- २३.३.१८

विषय:- वित्तीय वर्ष 2018-19 में नगर निगम, छपरा क्षेत्र अंतर्गत छपरा शहर के जल जमाव की समस्या के निदान हेतु Storm Water Drainage (खनुआ नाला) योजना कार्यान्वयन हेतु ₹2995.00 लाख (उनतीस करोड़ पंचानवे लाख रु०) मात्र प्रशासनिक स्वीकृति प्रदान करते हुए तत्काल कुल ₹553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार रु०) मात्र सहायक अनुदान के रूप में आवंटित।

आदेश:- स्वीकृत।

वित्तीय वर्ष 2018-19 में नगर निगम, छपरा क्षेत्र अंतर्गत छपरा शहर के जल जमाव की समस्या के निदान हेतु Storm Water Drainage योजना के कार्यान्वयन हेतु ₹2995.00 लाख (उनतीस करोड़ पंचानवे लाख रु०) मात्र की प्रशासनिक स्वीकृति प्रदान करते हुए तत्काल विभागीय राज्यादेश सं०-10 दिनांक- २३.३.१८ के आलोक में कुल ₹553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार रु०) तालिका के स्तम्भ- 5 के अनुरूप निम्नवत् आवंटित की जाती है:-

क्र० सं०	निकाष का नाम	योजना का नाम	(राशि लाख में)		
			तकनीकी अनुमोदन/ प्रशासनिक स्वीकृति की कुल राशि	तत्काल आवंटित राशि	अवशेष राशि (4-5)
1	2	3	4	5	6
1	नगर निगम, छपरा	छपरा शहर में स्टोर्म वाटर ड्रेनेज (खनुआ नाला) योजना की स्वीकृति के संबंध में।	2995.00	553.95	2441.05

अर्थात् कुल आवंटित राशि कुल ₹553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार रु०) मात्र।

2. योजना का कार्यान्वयन युडकी द्वारा कराया जायेगा।

3. आवंटित कुल ₹553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार रु०) मात्र राशि अनुदान की राशि के निगमरी एवं व्ययन पदाधिकारी, नगर आयुक्त, नगर निगम, छपरा द्वारा, जि द्वारा वित्तीय वर्ष 2018-19 में वित्त विभाग के परिपत्र सं०- 2561 दिनांक- 17.04.18 एवं पत्रांक- 3 दिनांक- 28.03.2018 में निहित अनुदेशों के आलोक में राशित कोषागार से राशि की निगमरी को जारी

for M/s Di Food Conclude निर्देशों के अंतर्गत नगर आयुक्त, नगर निगम, छपरा द्वारा राशि का हस्तांतरण बैंक द्वारा/

Sanjiv Kumar

Director

3 Gandhi Square, T. (E) Office, 2518-194, Patna, Bihar.

for M/s Di Food Conclude
22/08

के माध्यम से मुडकों को कर भी जाएगा। राशि की निकासी जिसी भी परिस्थिति में A.C विपत्र पर नहीं की जायेगी। राशि का संभारण पी०एल० खाता में किया जाएगा।

4. चूंकि यह अनुदान है, इसलिए बिहार कोषागार संहिता के नियम- 431 के आलोक में तथा B.T.C. फॉर्म सं०- 42 में राशि की निकासी की जायेगी। वित्त विभाग के परिपत्र संख्या- 1496, दिनांक- 22.02.2008 के आलोक में राशि की निकासी हेतु विपत्र तैयार कर संबंधित कोषागार में प्रस्तुत किया जायेगा। राशि के भुगतान के पश्चात् विभागीय पत्रांक- 63, दिनांक- 11.01.2019 के आलोक में उपयोगिता प्रमाण-पत्र BCT- 42A फॉर्म में तैयार कर रोकड़ बही की संबंधित पृष्ठ की अभिप्रमाणित छायाप्रति के साथ निश्चित रूप से विभाग को उपलब्ध करायी जायेगी।

5. वित्त विभाग के संकल्प सं०- 573, दिनांक- 18.01.1975 एवं एम 04-15/2009-9736, दिनांक- 19.10.2011 एवं बिहार कोषागार संहिता के नियम 271(ड) के अनुसार "सहायता अनुदान की राशि का उपयोगिता प्रमाण-पत्र स्वीकृत्यादेश की तिथि से 18 माह के अंदर महालेखाकार (लेखा एवं हकदारी) बिहार, पटना के कार्यालय को प्रेषित किया जाना है।"

6. उक्त आवंटित राशि ₹553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार ००) मात्र की निकासी मांग संख्या-48 मुख्य शीर्ष- 2215-जल पूर्ति तथा सफाई, उपमुख्य शीर्ष- 02-मल जल तथा सफाई, लघु शीर्ष- 191-नगर निगम को सहायता, उपशीर्ष-0102-नाली निर्माण एवं मल निकासी के लिए शहरी स्थानीय निकायों को सहायक अनुदान विपत्र कोड- 48-2215021910102, विषय शीर्ष- 0102.31.05 सहायक अनुदान परिसंपत्तियों का निर्माण से की जायेगी।

7. राशि का उपयोगिता प्रमाण-पत्र विहित प्रपत्र में सरकार को उपलब्ध करायी जायेगी। साथ ही कार्यों का वित्तीय एवं भौतिक प्रगति प्रतिवेदन भी सरकार को उपलब्ध कराया जायेगा। उक्त राशि का व्यय स्वीकृत कार्य पर ही किया जायेगा तथा किसी भी परिस्थिति में उक्त राशि का विचलन कर किसी अन्य नदों में खर्च नहीं किया जायेगा।

8. वित्त विभाग के परिपत्र सं०- 7355 वि(2), दिनांक- 05.10.07 में निहित अनुदेय के आलोक में राशि की निकासी के लिए महालेखाकार, बिहार, पटना के प्राधिकार पत्र की आवश्यकता नहीं होगी।

9. नाला निर्माण, सिवरेज एवं अन्य सैनिटेशन योजना गद के अन्तर्गत योजनाओं के कार्यान्वयन हेतु नन्मलेखित शर्तों के अधीन राशि आवंटित की जाती है:-

(i) योजना का कार्यान्वयन मुडकों द्वारा कराया जाएगा।

(ii) जिला पदाधिकारी, स्मरण द्वारा योजना का अनुश्रवण/पर्यवेक्षण/निर्देश समय-समय पर किया जायेगा।

(iii) स्वाकृत निधि की अधिरीमा के अन्तर्गत ही योजनाओं के अनुलग्न सक्षम स्तर से तत्संबंधी स्वीकृति प्राप्त कर कार्यान्वित करायी जायेगी। यह ध्यान में रखा जायेगा कि योजनाओं का कार्यान्वयन न हो एवं पाँच वर्ष पूर्व से अर्थात् किसी भी एजेंसी से कोई कार्य नहीं कराया गया है।

Ranjit Kumar

(iv) योजना के कर्तरी स्थल पर एक चोरी प्रदर्शित होगा, जिन पर नियम का नाम, योजना की प्राक्कलित शर्त, योजना का विवरण-लागत तथा पूर्ण होने की तिथि अंकित होगी।

(v) योजना का कार्यान्वयन ई-टेंडरिंग के माध्यम से निविदा आमंत्रित कर कराया जाएगा।

10. भारतीय लेखा एवं अंकेक्षण विभाग को इससे संबंधित अभिलेखों को देखने एवं जांच पड़ताल करने का पूर्ण अधिकार होगा।

11. सक्षम प्राधिकार का अनुमोदन पृष्ठ सं०- 17/टि० पर दिनांक- 25.02.2019 को प्राप्त है।

12. इसकी सूचना महालेखाकार, बिहार, पटना/आयुक्त, सारण प्रमंडल, छपरा/जिला पदाधिकारी, छपरा/प्रबंध निदेशक, बुडको/कोषागार पदाधिकारी, संबंधित कोषागार एवं अन्य को भी दी जा रही है।

बिहार राज्यपाल के आदेश से,

[Signature] 27-02-19

सरकार के विशेष सचिव।

ज्ञापक-250/ना०नि०-02-10/2018 210 /न०वि०एवंआ०वि०/पटना, दिनांक-23.02.19

प्रतिलिपि:- महालेखाकार, बिहार, पटना/आयुक्त, सारण प्रमंडल, छपरा/जिला पदाधिकारी, छपरा/प्रबंध निदेशक, बुडको/प्रबंध निदेशक, बुडको/कोषागार पदाधिकारी, संबंधित कोषागार/योजना एवं विकास विभाग/वित्त विभाग (बजट प्रशाखा)/प्रधान सचिव, नगर विकास एवं आवास विभाग के आप्त सचिव/विभागीय मंत्री के आप्त सचिव/स्थानीय लेखा परीक्षक, पटना/प्रशाखा पदाधिकारी, प्रशाखा- 02 एवं 07, नगर विकास एवं आवास विभाग/विभागीय आई०टी० मैनेजर जो विभागीय वेबसाइट पर अपलोड करने हेतु/कार्यवाहक सहायक, नगर विकास एवं आवास विभाग, पटना (5 प्रतियों में) को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

[Signature] 27-02-19

सरकार के विशेष सचिव।

Jas Meta Engineering Construction Pvt. Ltd.

Ranjit Kumar

Executive Engineer

UP
Saral Chhapra

= 22/08

True typed copy of Annexure-R/1

ई-मेल
स्पीड पोस्ट/निर्दिष्ट
डाक

पत्रांक-2ब0/ना0वि0-02-10/2018 90 /न0वि0 एवं आ0वि0

प्रेषक,

बिहार सरकार
नगर विकास एवं आवास विभाग

सेवा में,

जय प्रकाश मंडल,
सरकार के विशेष सचिव,नगर आयुक्त,
नगर निगम, छपरा।

पटना, दिनांक-27.2.19

विषय:-

वित्तीय वर्ष 2018-19 में नगर निगम छपरा क्षेत्र अंतर्गत छपरा शहर के जल जमाव की समस्या के निदान हेतु Storm Water Drainage(खनुआ नाला) योजना के कार्यान्वयन हेतु रु0 2995.00 लाख (उन्तीस करोड़ पंचानवे लाख रु0) मात्र की प्रशासनिक स्वीकृति प्रदान करते हुए तत्काल कुल रु0 553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार रु0) मात्र सहायक अनुदान के रूप में आवंटित।

आदेश-स्वीकृत।

वित्तीय वर्ष 2018-19 में नगर निगम, छपरा क्षेत्र अंतर्गत छपरा शहर के जल जमाव की समस्या के निदान हेतु Storm Water Drainage योजना के कार्यान्वयन हेतु रु0 2995.00 लाख (उन्तीस करोड़ पंचानवे लाख रु0) मात्र की प्रशासनिक स्वीकृति प्रदान करते हुए तत्काल विभागीय राज्यादेश सं0-1322 दिनांक-27.2.19 के आलोक में कुल रु0 553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार रु0) मात्र तालिका के स्तम्भ-5 के अनुरूप निम्नवत् आवंटित की जाती है:-

क्र0 सं0	निकाय नाम	का	योजना का नाम	तकनीकी अनुमोदन/ प्राशासनिक स्वीकृति की कुल राशि	तत्काल आवंटित राशि	अवशेष राशि (4-5)
1	2	3	3	4	5	6
1.	नगर छपरा	निगम	छपरा शहर में स्टोर्म वाटर ड्रेनेज (खनुआ नाला) योजना की स्वीकृति के संबंध में।	2995.00	553.95	2441.05

अर्थात् कुल आवंटित राशि 553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार रु0) मात्र।

2. योजना का कार्यान्वयन बुहको द्वारा कराया जायेगा।

3. आवंटित कुल 553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार रु0) मात्र सहायक अनुदानकी राशि के निकासी एवं व्ययन पदाधिकारी, नगर आयुक्त, नगर निगम, छपरा होंगे, जिनके द्वारा वित्तीय वर्ष 2018-19 में वित्त विभाग के परिपत्र सं0-2561 दिनांक-17.04.99 एवं पत्रांक 354 दिनांक- 28.03.18 में निहित अनुदेशों के आलोक में संबंधित कोषागार से राशि की निकासी की जायेगी। निकासी के उपरांत नगर आयुक्त, नगर निगम, छपरा द्वारा राशि का हस्तांतरण बैंक ड्राफ्ट/ चेक

ह0 अस्पष्ट

के माध्यम से बुझको को कर दी जासगी। राशि की निकासी किसी भी परिस्थिति में AC विपत्र पर नहीं की जायेगी। राशि का संघारण पी0एल0 खाता में किया जाएगा।

4. चूंकि यह अनुदान है, इसलिए बिहार कोषागार संहिता के नियम-431 के आलोक में यथा B.T.C. फार्म सं0-42 में राशि की निकासी हेतु विपत्र तैयार कर संबंधित कोषागार में प्रस्तुत किया जायेगा। राशि के भुगतान के पश्चात् विभागीय पत्रांक-63, दिनांक-11.01.2019 के आलोक में उपयोगिता प्रमाण-पत्र B.T.C.-42ए फार्म में तैयार कर रोकड़ बही की संबंधित पृष्ठ की अभिप्रमाणित छायाप्रति के साथ निश्चित रूप से विभाग को उपलब्ध करायी जायेगी।

5. वित्त विभाग के संकल्प सं0-573, दिनांक-16.01.1975 एवं एम 04-15/2009-9736, दिनांक-19.10.2011 एवं बिहार कोषागार संहिता के नियम 271(इ)के अनुसार "सहायता अनुदान की राशि का उपयोगिता प्रमाण-पत्र स्वीकृत्यादेश की तिथि से 18 माह के अंदर महालेखाकार (लेखा एवं हकदारी) बिहार, पटना के कार्यालय को प्रेषित किया जाना है।"

6. उक्त आवंटित राशि रु0 553.95 लाख (पाँच करोड़ तिरपन लाख पंचानवे हजार रु0) मात्र की निकासी मांग संख्या-48 मुख्य शीर्ष-2215-जल पूर्ति तथा सफाई, उपमुख्य शीर्ष-02-नल मल तथा सफाई, लघु शीर्ष-191-नगर निगम को सहायता, उपशीर्ष-0102-नाली निर्माण एवं मल निकासी के लिए शहरी स्थानीय निकायों को सहायक अनुदान विपत्र कोड-48-2215021910102, विषय शीर्ष-0102.31.05 सहायक अनुदान परिसंपत्तियों का निर्माण से की जायेगी।

7. राशि का उपयोगिता प्रमाण-पत्र विहित प्रपत्र में सरकार को उपलब्ध करायी जायेगी। साथ ही कार्यों का वित्तीय एवं भौतिक प्रगति प्रतिवेदन भी सरकार को उपलब्ध कराया जायेगा। उक्त राशि का व्यय स्वीकृत कार्य पर ही किया जायेगा तथा किसी भी परिस्थिति में उक्त राशि का विचलन कर किसी अन्य मदों में खर्च नहीं किया जायेगा।

8. वित्त विभाग के परिपत्र सं0-7355वि(2), दिनांक-05.10.07 कमें निहित अनुदेश के आलीक में राशि की निकासी के लिए महालेखाकार, बिहार,पटना के प्राधिकार पत्र की आवश्यकता नहीं होगी।

9. नाला निर्माण, सिचरेज एवं अन्य सैनिटेशन योजना मद के अन्तर्गत योजनाओं के कार्यान्वयन हेतु निम्नलिखित शर्तों के अधीन राशि आवंटित की जाती है:-

- (i) योजना का कार्यान्वयन बुझको द्वारा कराया जाएगा।
- (ii) जिला पदाधिकारी, सारण द्वारा योजना का अनुषूचण/पर्यवेक्षण/निर्देश समय-समय पर किया जाएगा।
- (iii) स्वीकृत निधि की अधिसीमा के अन्तर्गत ही योजनाओं के अनुरूप सक्षम स्तर से तकनीकी स्वीकृति प्राप्त कर कार्यान्वित करायी जायेगी। यह ध्यान में रखा जायेगा कि योजनाओं का इन्सपेक्सन हो एवं पाँच वर्ष पूर्व से अबतक किसी भी एजेंसी से कोई कार्य नहीं कराया गया हो।

- (iv) योजना के कार्य स्थल पर एक बोर्ड प्रदर्शित रहेगा, जिस पर विभाग का नाम योजना का प्राक्कलित राशि, योजना का विवरण-लागत तथा पूर्ण होने की तिथि अंकित रहेगी।
- (v) योजना का कार्यान्वयन ई-टेंडरिंग के माध्यम से निविदा आमंत्रित कर कराया जाएगा।
10. भारतीय लेखा एवं अंकेक्षण विभाग को इससे संबंधित अभिलेखों को देखने एवं जाँच पड़ताल करने का पूर्ण अधिकार होगा।
11. सक्षम प्राधिकार का अनुमोदन पृष्ठ सं0-17/टि0 पर दिनांक-25.02.2019 को प्राप्त है।
12. इसकी सूचना महालेखाकार, बिहार,पटना/आयुक्त, सारण प्रमंडल, छपरा/जिला पदाधिकारी छपरा/प्रबंध निदेश, बुइको/कोषागार पदाधिकारी, संबंधित कोषागार एवं अन्य को भी दी जा रही है।

बिहार राज्यपाल के आदेश से

ह0 अस्पष्ट

27.02.19

सरकार के विशेष सचिव

ज्ञापक-2व0/ना0वि0-02-10/2018 90 /न0वि0 एवं आ0वि0,पटना दिनांक-27.2.19
प्रतिलिपि-महालेखाकार, बिहार,पटना/आयुक्त, सारण प्रमंडल, छपरा/जिला पदाधिकारी, छपरा/प्रबंध निदेशक, बुइको/प्रबंध निदेशक, बुइको/कोषागार पदाधिकारी, संबंधित कोषागार/ योजना एवं विकास विभाग/दिल्ली विभाग (बजट प्रशाखा) / प्रधान सचिव, नगर विकास एवं आवास विभाग के आप्त सचिव/विभागीय मंत्री के आप्त सचिव/स्थानीय लेखा परीक्षक, पटना/ प्रशाखा पदाधिकारी, प्रशाखा-02 एवं 07, नगर विकास एवं आवास विभाग/ विभागीय आई0टी0 मैनेजर को विभागीय वेबसाईट पर अपलोड करने हेतु/कार्यवाहक सहायक, नगर विकास एवं आवास विभाग, पटना (5 प्रतियाँ में) को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

ह0 अस्पष्ट

27.02.19

सरकार के विशेष सचिव

Translated copy of Annexure-R/1

Letter No.2B/NaVi-02-10@2018 90 /Na.Vi.& Awa.Bibh.
e-mail

Speed post/

Registered post

Government of Bihar
Urban Development and Housing Department

From:-

Jay Prakash Mandal,
Special Secretary to the Government

To,

The Municipal Commissioner,
Municipal Corporation, Chapra

Patna, dated 27.02.19

Sub:- In the Financial Year 2018-19, Administrative approval of Rs.2995.00 lacs (Rs. Twenty Nine Crore Ninety Five lacs) was given for the implantation of Storm Water Drainage(Khanua Nala) scheme to solve the problem of Water Logging in Chapra City under Municipal Corporation, Chapra Area and a total of Rs. 553.95 lacs (Five crore Fifty three lacs Ninety Five thousand only) was immediately allocated as grant in add only.

Order approved.

In the financial year 2018-19, while granting administrative approval of Rs.2995.00 lacs (Rs. Twenty Nine Crore Ninety Five lacs) only for implementation for the implantation of Storm Water Drainage(Khanua Nala) scheme for solving the problem of Water logging in Chapra City under Municipal Corporation, Chapra area, in the light of departmental order No.132 dated 27.02.2019 a total of Rs. 553.95 lacs (Five crore Fifty three lacs Ninety Five thousand only) is immediately allocated as per column 5.

Sl. No	Name of Entity	Snake of planning	Total amount of approval/administrative sanction	Immediately allocated amount	Balance amount (4-5)
1	2	3	4	5	6
1.	Municipal Corporation Chapra	Regarding approval of storm, water drainage (Khanua Nala) scheme in Chapra City	2995.00	553.95	2441.05

i.e. the total allocated amount is Rs.553.95 lacs(Five Crore Fifty Three lacs Ninety Five Thousand) total.

- The Scheme will be implemented by BUIDCO
- The Municipal Commissioner, Municipal Corporation Chapra will be withdrawal and disbursement officer of total allocated grant of Rs. Rs.553.95 lacs(Five Crore Fifty Three lacs Ninety Five Thousand) only. The amount will be withdrawn from the concerned Treasury in the light of instruction contained in Finance Department's Circular No.2561 dated 17.04.1999 and letter No.354 dated 28.03.18 in the financial year 2018-19. After withdrawal the Municipal Commissioner, Municipal Corporation, Chapra will transfer the amount through Bank Draft/Cheque

Under no circumstances funds be withdrawn on A.C. Bills. The amount will be deposited in the P.L. Account.

4.This is a grant a bill for withdrawal of the amount will be prepared in BTC Form No.42 in accordance with Rule 431 of the Bihar Treasury Code and submitted to the concerned Treasury. After payment of the amount utilization Certificate will be prepared in BTC-42A form in accordance with Departmental Letter No.63 dated 11.01.2019 and will be made available to the department along with an attested photo copy of relevant page in the cash book.

5.Finance Department's resolution No.573 dated 16.01.1975 and M04-15/2009-9736 dated 19.10.2011 and Rule 271(e) of Bihar Treasury Code, "Utilization Certificate of Amount of Grant in Aid is to be sent to the office of the Accountant General(Accounts & Entitlement), Bihar, Patna within 18 months from the date of sanction order"

6.Withdrawal of above allocated amount of Rs. Rs.553.95 lacs(Five Crore Fifty Three lacs Ninety Five Thousand) only. will be made from demand No.48 Main Head 2215-Water Supply & Sanitation, Sub Head 02-Sewerage & Sanitation, Minor Head-191-assistance to Municipal Corporation, Sub Head-0102- Grant in Aid to Urban Local Bodies for Drain construction & Sewerage disposal, Bill Code 48-2215021910102 subject Head -0102.031.05 grant in aid for construction of assets.

7.Utilization Certificate of Funds will be provided to the Government in the prscribed format. Financial & Physical progress reports of the work will also be provided to the government. The funds will be spent only on theh approved work and under no circumstances will they be diverted or spend on any other items.

8.According with the instructions contained in finance Department's circular No.7355V(2) dated 5.10.2007, authorization letter from the Accountant General, Bihar, Patna will not be required for withdrawal of funds.

9.Under the head of drain constructions, sewerage and other sanitation schemes, funds are allocated for the implementation of the schemes subject to the following conditions:-

- (i) The scheme will be implemented by BUIDCO
- (ii) Monitoring/supervision/direction of the scheme by the District Magistrate, Saran will be done from time to time.
- (iii)The Schemes will be implemented within the approved fund limit after obtaining technical approval from the competent level, it will be kept in mind that the schemes should be inspected and no work should be done by any agency since five years.

- (iv) Board shall be displayed at the work side of the scheme on which the name of department estimated amount of scheme, description of schemes, cost and date of completion shall be mentioned.
- (v) The scheme will be implemented by inviting tender through e-tendering.
10. The Indian Audit and Account Department will have full authority to inspect and investigate the records related to this.
11. Approval of competent authority has been received on page No.17/T dated 25.02.2019.
12. Information regarding this is also being given to the Accountant General, Bihar Patna/Commissioner, Saran, Saran Division, Chapra/District Magistrate, Chapra/Managing Director, BUIDCO/Treasury Officer of concerned Treasury and others

by the order of Governor, Bihar.

27.2.2019

Special Secretary to the Government

Memo No.2B/NaVi-02-10@2018 90 /Na.VI.& Awa.Bibh., Patna dated 27.2.19

Copy forwarded to:- Accountant General, Bihar, Patna/Commissioner, Saran Division, Chapra/The District magistrate, Chapra/Managing Director, BUIDCO, Managing Director/ Treasury Officer, concerned treasury, Planning and Development Department/Finance Department(Budget Branch), Principal Secretary, Urban Development and Housing Department/ Personnel Secretary to the Departmental Minister/ Local Auditor, Patna/Branch Officer, Branch-02 & 07, Urban Development and Housing Department/ and Departmental I.T. Manager for uploading on Departmental Website. Acting Assistant, Municipal Development and Housing Department, Patna(in 5 copies) for information and necessary action.

Sd/ illegible

27.2.2019

Special Secretary to the Government



भारतीय गैर न्यायिक INDIA NON JUDICIAL

Annexure-R/2

एक हजार रुपये

ONE THOUSAND RUPEES

रु.1000

Rs.1000



बिहार BIHAR



क्रमांक 5007 208 2019 1000
 दिनांक 22/08/2019
 जय माता दी रोड कंकड़बाग पटना
 चयनित प्रमाणित कंकड़बाग पटना
 प्रकृत विकला, 2019 22/08/2019
 इन्फ्रास्ट्रक्चर कॉन्स्ट्रक्शन प्राइवेट लिमिटेड

AE 778

THIS AGREEMENT No. BUIDCo/ Yo-598/14-34 is made in Patna on this day 22 of 08 2019 at Patna

Between

Bihar Urban Infrastructure Development Corporation Ltd, A Govt. of Bihar Undertaking, # Near Rajapur Pul, West Boring Canal Road, Patna-800 001, Email id-mdbuidco@gmail.com (hereinafter referred to as "BUIDCo" or "Employer") which expression shall include its successors, administrators, assigns;

And

M/s Jai Mata Di Road Construction Private Limited, Add- H.O-3/97, LIG, Hanuman Nagar, Kankarbagh, Patna-800020, Bihar, E-mail ID: jmdroadconstructionprivat ltd@gmail.com (hereinafter referred to as "Contractor") which expression shall include its successors and permitted assigns;

Ranjit Kumar

Handwritten signature and date: 22/08/2019

WHEREAS:

- a. In this Agreement, words and expression shall have the same meanings as are respectively assigned to them in the conditions of contract herein after referred to and they shall be deemed to form and be read and construed as part of this Agreement.
- b. 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.
- c. 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.
- d. The Employer desires to engage the Contractor for execution of the Storm Water Drainage System (Khanua Nala) with PCC road in Chhapra Town, Bihar and ensure the effectiveness and sustainability of the said facility; the Employer has accepted the Bid by the Contractor for the execution and completion of such works and the remedying of any defects therein, at a cost of **INR 27,38,63,232.00 (Rupees Twenty Seven Crore Thirty Eight Lakh Sixty Three Thousand Two Hundred Thirty Two Only)**.
- e. The Contractor has represented to the Employer that it has the skills and ability for execution of the Storm Water Drainage System (Khanua Nala) with PCC road in Chhapra Town, Bihar and ensure the effectiveness and sustainability of the said facility in an economical and effective manner and agrees to do so upon and subject to the terms and conditions of the Contract Documents;
- f. The Contractor responded to the Bidding Documents dated 31.05.2019 organized by the Employer and was selected as the recommended Contractor to fulfil the Operating Services set out in the Technical Standards Schedule;
- g. The Contractor has the corporate capacity and authority to enter into the Contract;
- h. The operator accepts to adhere the provisions mentioned under schedule "A" and is attached with this document.

NOW THEREFORE, in consideration of the mutual covenants and Agreements hereinafter set forth, the Employer and the Contractor agree as follows:

Contract Documents:

This Contract for execution of the Storm Water Drainage System (Khanua Nala) with PCC road in Chhapra Town, Bihar State of Bihar, India between the Employer and the Contractor (the "Contract") consists of the following documents (collectively, the "Contract Documents"), shall be deemed to form and be read and construed as part of this Agreement :-

- a. Letter of Acceptance

Annexure-R/3

33

अमन समीर, भा0प्र0से0

जिला पदाधिकारी, सारण, छपरा।

Saran Collectorate, Chapra
(District Legal Section)Aman Samir, I.A.S.
District Magistrate, Saran, Chapra

E-mail ID: amansamir@nic.in

Phone 06152-240001 (Office)

06152-240002 & 240005 (Residence)

छपरा

निगम

दिनांक

लेखन

प्रेषक,

सेवा में,

जिला पदाधिकारी,
सारण, छपरा।

विषय:-

परियोजना पदाधिकारी,
बुडको, सारण।

महाराज,

उपर्युक्त विषयक O M.A. No.-29/2025 (In Execution Application No-46/2018

&E.A. No.-49/2025 in E.A. No.-46/2018) Veterans Forum for Transparency in Public Life

Vs. Chapra Nagar parishad & Ors. वाद में माननीय N.G.T. द्वारा दिनांक-11.08.2025 को

पारित आदेश की प्रति अनुलग्नक सहित संलग्न कर भेजते हुए अनुरोध है कि प्रश्नगत वाद में

प्रतिशपथ पत्र दायर करने हेतु तथ्य विवरणी नगर आयुक्त, नगर निगम, छपरा को माध्यम से

अविलंब उपलब्ध कराना सुनिश्चित किया जाय, ताकि माननीय N.G.T. के द्वारा निर्धारित तिथि के

पूर्व प्रतिशपथ पत्र दायर किया जा सके।

अनु0:-यथाउपर्युक्त।

विश्वासभाजन

ह0/-

जिला पदाधिकारी,
सारण, छपरा।

ज्ञापांक..2393 दिनांक..06.09.2025

प्रतिलिपि:- नगर आयुक्त, नगर निगम, सारण, छपरा को सूचनाार्थ एवं आवश्यक कार्रवाई हेतु
प्रेषित।48/9/25
जिला पदाधिकारी,
सारण, छपरा।

Translated copy of Annexure-R/3

Aman Samir, I.A.S.

Saran Collectorate Chapra Aman Samir, I.A.S.

District Magistrate, Saran, Chapra

(District Legal Section)

District Magistrate, Saran, Chapra

E-mailID:dm-saran.bih@nic.in

Phone-06152-240001(Off.)

06152-240002& 240005(Res.)

Letter Dated.....

From:-

The District Magistrate, Saran, Chapra

To,

The Project Officer,
BUIDCO, Saran

Sub:- Regarding filing Counter Affidavit in M.A.No. 29 of 2025(in Execution Application No.46 of 2018 and E.A. No. 49 of 2025)Veterans Forum for Transparency in Public Life Versus Chapra Nagar Parishad and others.

Sir,

In the above mentioned matter the case of O.M.A. No. 29/2025 (in Execution Application No.46 of 2018 and E.A. No. 49 of 2025 in E.No. 46 of 2018)Veterans Forum for Transparency in Public Life Versus Chapra Nagar Parishad and others, a copy of order dated 11.8.2025 passed by the Hon'ble N.G.T. is sent along with the annexure and it is requested that the fact sheet for filing the counter affidavit in the question memory should be made available without delay through the Municipal Commissioner, Municipal Corproation, Chapra, so that the counter affdaivit can be filed before the date fixed by the Hon'ble N.G.T.

Encl:-As above

Faithfully,
Sd/ illegible
District Magistrate,
Saran, Chapra

Memo No.2393 dated 06.09.2025

Copy to:- The Municipal Commissioner, Municipal Corporation, Saran Chapra for information and necessary action.

Sd/ illegible
District Magistrate,
Saran, Chapra

बिहार शहरी आधारभूत संरचना विकास निगम लि०
Bihar Urban Infrastructure Development Corporation Ltd.
(बिहार सरकार का उपक्रम)

पत्रांक-1128/बुडको, छपरा

दिनांक-25/09/2025

पिता : कमिश्नरी कॉलोनी, जिला अल्पसंख्यक कल्याण पदाधिकारी, के
आवास के बगल में छपरा, सारण-841301,
ईमेल / E-mail : buidcosaran@gmail.com, website: <http://buidco.in>
CTN - U45200BR2009SGC014600

सेक में,

नगर आयुक्त,
छपरा नगर निगम।

विषय :- प्रतिशपथ दावर करने के संबंध में।

प्रसंग :- भवदीय पत्रांक-1800छ0न0नि0, दिनांक-12.09.2025.

महाशय,

उपरोक्त विषयक प्रसांगिक पत्र के आलोक में कहना है कि भवदीय द्वारा प्रासंगिक पत्र के माध्यम से SOF देने की मांग कि गई थी। जिस हेतु प्रतिवेदन निम्नवत है-

Point	Questions	Statement of Fact
Point-6	That, only after unambiguous and clear order of the Hon'ble Tribunal State Respondents swung in to action and construction towards renovation/rehabilitation of Khanua Nala started in 2021. The Construction/renovation activities are moving with snail's pace and as on date after expiry of 3 years only 20% of scheduled construction/renovation activities have been completed. In fact construction/renovation activities has rendered cause of old Khanua Nala non functional, thereby water stagnation/flooding has become a chronic affair.	<p>छपरा नगर निगम क्षेत्र में खनुआ नाला कुल-3200मी० में है। खनुआ नाला का एक भाग 1750 मी० में है एवं दूसरा भाग 1450 मी० में है राज्य सरकार द्वारा दिनांक-27.02.2019 को खनुआ नाला निर्माण हेतु कुल-29.95 करोड़ कि प्रशासनिक स्वीकृति प्रदान कि गई (Annexure-1) जिसके अन्तर्गत 1085मी० नाला निर्माण का कार्य प्रावधानित हो पाया। इस 1085मी० के सापेक्ष में अबतक 1030 मी० नाला निर्माण का कार्य पूर्ण हो चुका है एवं 55 मी० के भाग में योजना के प्रारंभ से ही अतिक्रमण की समस्या थी जिसे वर्ष-2024 में जिला प्रशासन द्वारा मुक्त करा दिया गया है। पुनः सरकार द्वारा वर्ष-2023 में खनुआ नाला निर्माण योजनान्तर्गत 665मी० नाला निर्माण हेतु ₹0-21.2538 करोड़ कि स्वीकृति प्रदान कि गई एवं कुल राशि-51.2038 के अन्तर्गत 1750 मी० नाला निर्माण का पुनरीक्षित प्रशासनिक स्वीकृति प्रदान कि किया गया (Annexure-2) जिसे पूर्ण करने हेतु अवधि दिनांक-10.08.2025 निर्धारित की गई (Annexure-3)। 665मी० नाला के सापेक्ष में अबतक 416मी० नाला निर्माण का कार्य किया जा चुका है। शेष बचे कार्य जल्द-से-जल्द पूर्ण करने की कार्रवाई की जा रही है। इस योजना में हुए विलम्ब का मुख्य कारण निम्न है-</p> <ol style="list-style-type: none"> 1.नाला के उपर व्याप्त अतिक्रमण का होना। 2.Covid-19 महामारी (2019-20) 3.अतिवृष्टि एवं बाढ़ के कारण। 4.डबल डेकर पुल निर्माण के कारण। 5.नाल के सरंखन में बड़े-बड़े वृक्ष एवं बिजली के खम्भे होना। <p>इन सभी समस्याओं के कारण नाला निर्माण में विलम्ब हुआ तथा इस कार्य को पूर्ण करने की अवधि दिनांक-10.08.2025 निर्धारित कि गई। खनुआ नाला योजना का दूसरा भाग 1450 मी० का है जिसे सात निशान-2 के अन्तर्गत स्ट्रीम वाटर ड्रेनेज योजना में समाहित किया गया है। इस कार्य का एकरारनामा दिनांक-06.08.2024 को किया गया है और योजना को पूर्ण करने की अवधि 2 वर्ष निर्धारित कि गई है।</p> <p>1750 मी० नाला निर्माण का भौतिक प्रगति 82% है एवं 1450 मी० नाला निर्माण का भौतिक प्रगति 15% है। (Annexure-4)</p>

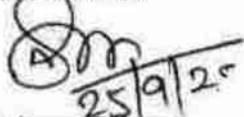
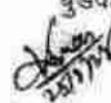
5/09/25
4/118
25/9/25

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Point-7	<p>That, it is humbly submitted that respondent No. 2 in his submission before the Hon'ble Tribunal has described extent and encroachment status of Khanua Nala and same has been put in record and it has formed part of order of Tribunal dated-08.03.2021 Annexure AIII page. At present smaller size of drain is being constructed which is limited to the width ranging between 3.5 meters -5.5 meters, whereas width of Khanua Nala in its entire length has width ranging between 27.2-7.79 meters. Therefore, present restoration process of Khanua Nala will result in narrowing and associated flooding. The bottom portion of the new structure has been laid over debris resulting into drain that since state authorities failed to comply with their own submission made before the Hon'ble Tribunal, O.A 444/2017 was filed before the Hon'ble Tribunal.</p>	<p>खनुआ नाला परियोजनान्तर्गत कराये जा रहे कार्य के Section का Design इस नाले के Hydraulic एवं Maximum Rainfall Intensity एवं बाढ़ को ध्यान में रखकर तैयार किया गया है। इस नाले का Structural Design Class-A Loading मानक के अनुसार तैयार किया गया है। तैयार किए गये Hydraulic Design एवं Structural Design को NIT Patna द्वारा अनुमोदित किया गया है। 1750 मी० के भाग में नाले का Section निम्न प्रकार से बाटा गया है (Annexure-5):-</p> <ol style="list-style-type: none"> 1. 182 मी० में 3 मी० चौड़ाई में नाला निर्माण। 2. 1125 मी० में 4 मी० चौड़ाई में नाला निर्माण। 3. 443 मी० में 6 मी० चौड़ाई में नाला निर्माण।
Point 8	<p>That, technically the proposed Khanua Nala construction is of very poor quality. The matter has been reported in News paper "Prabhat Khabar" dated-22.12.2024 (Annexure IV) As per the aforesaid report Executive Officer of Chapra Nagar Nigam (Respondent No1) has submitted a detailed report about quality of construction to District Magistrate Saran (Respondent No2).</p>	<p>खनुआ नाला परियोजना के अन्तर्गत कराया जा रहा कार्य अनुमोदित Design/Drawing एवं Hydraulics के अनुसार निष्पादित किया जा रहा है। योजनान्तर्गत कार्य की गुणवत्ता में कोई समझौता नहीं किया गया है तथा सभी कार्य निर्धारित मानकों एवं दिशा-निर्देश के अनुरूप संपन्न किया जा रहा है। कार्य की गुणवत्ता की जाँच पथ निर्माण, पथ प्रमंडल छपरा एवं NIT Patna से निरंतर कराया जा रहा है। वर्तमान में बनाए गये नाले के उपर वाहनो का परिचालन हो रहा है।</p>
Point-10	<p>That the construction and demolition has generated substantial amount of waste material. The contractor responsible for construction activity has remained non active towards disposal of waste management rules 2016. Photograph of construction site is placed at Annexure V (Colly).</p>	<p>खनुआ नाला निर्माण के काम में construction and demolition waste निकलता है उसको Waste Management Rule 2016 के अनुसार पालन करते हुए एकत्रित किया जाता है। जिसमें अच्छी मिट्टी से नाला निर्माण के पश्चात् Backfilling कर मिट्टी भराई का कार्य किया जाता है एवं शेष बचे मिट्टी तथा Demolition Waste को चिन्हित किए गये स्थान पर संघारित कर दिया जाता है।</p>

अ.गु.-444/2017

विश्वनाथनाथन


परियोजना निदेशक
बुडको छपरा (साराण)


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True typed copy of Annexure-R/4

बिहार शहरी आधारभूत संरचना विकास निगम लि०
Bihar Urban Infrastructure Development Corporation Ltd.
(बिहार सरकार का उपक्रम)

पत्रांक- 1128/बुडको छपरा पता:कमिश्नरी कॉलोनी, जिला अल्पसंख्यक कल्याण
दिनांक-25.09.2025 पदाधिकारी के आवास के बगल में छपरा,
सारण-841301
ईमेल/ E-mail:buidcosaran@gmail.com, website:http// buidoco.in
CIN-U45200BR20009SGC014600

सेवा में,

नगर आयुक्त,
छपरा नगर निगम।

विषय- प्रतिशोध दावर करने के संबंध में।

प्रसंग- भवदीय पत्रांक-150080न0नि0, दिनांक-12.09.2025

महाशय,

उपरोक्त विषयक प्रसंगिक पत्र के आलोक में कहना है कि भवदीय द्वारा प्रसंगिक पत्र के माध्यम से SOI देने की मांग की गई थी। जिस हेतु प्रतिवेदन निम्नवत् है:-

Point	Questions	Statement of Fact.
Point-6	That, only after unambiguous and clear order of the Hon'ble Tribunal State Respondents swung in to action and construction towards renovation/ rehabilitation of Khanua Nala started in 2021. The Construction/ renovation activities are moving with snail's pace and as on date after expiry of 3 years only 20% of scheduled construction/renovation activities have been completed. In fact construction/ renovation activities has rendered course of old Khanua Nala non functional, thereby water stagnation/flooding has become a chronic affair	<p>छपरा नगर निगम क्षेत्र में खनुआ नाला कुल-3200मी० में है। खनुआ नाला का एक भाग 1750 मी० में है एवं दूसरा भाग 1450 मी० में है। राज्य सरकार द्वारा दिनांक-27.02.2019 को खनुआ नाला निर्माण हेतु कुल-29.95 करोड़ कि प्रशासनिक स्वीकृति प्रदान की गई (Annexure-1) जिसके अन्तर्गत 1085 मी० नाला निर्माण का कार्य प्रावधानित हो पाया। इस 1085 मी० के सापेक्ष में अबतक 1030 मी० नाला निर्माण का कार्य पूर्ण हो चुका है एवं 55 मी० के भाग में योजना के प्रारंभ से ही अतिक्रमण की समस्या थी जिसे वर्ष-2024 में जिला प्रशासन द्वारा मुक्त करा दिया गया है। पुनः सरकार द्वारा वर्ष-2023 में खनुआ नाला निर्माण योजनाअन्तर्गत 665 मी० नाला निर्माण हेतु रु०-21.2588 करोड़ कि स्वीकृति प्रदान की गई एवं कुल राशि-51.2038 के अन्तर्गत 1750 मी० नाला निर्माण का पुनरीकित प्रशासनिक स्वीकृति प्रदान किया गया (Annexure- 2) जिसे पूर्ण करने हेतु अवधि दिनांक-10.08.2025 निर्धारित की गई (Annexure-3) 665 मी० नाला के सापेक्ष में अबतक 416 मी० नाला निर्माण का कार्य किया जा चुका है। शेष बचे कार्य जल्द-से जल्द पूर्ण करने की कार्यवाई की जा रही है। इस योजना में हुए विलम्ब का मुख्य कारण निम्न है:-</p> <ol style="list-style-type: none"> 1.नाला के उपर व्याप्त अतिक्रमण का होना। 2.Covid-19 महामारी (2019-20) 3.अतिकृष्टि एवं बाढ़ के कारण। 4.डबल डेकर पुल निर्माण के कारण। 5.नाले कंसेरेशन में धरे-बड़े पूरा एवं बिजली के खम्भे होना। <p>इन सभी समस्याओं के कारण नाला निर्माण में विलम्ब हुआ तथा इस कार्य को पूर्ण करने की अवधि दिनांक-10.08.2025 निर्धारित कि गई।</p> <p>खनुआ नाला योजना का दूसरा भाग 1450 मी० का है जिसे सात निम्न-2 के अन्तर्गत स्प्रेड वाटर ट्रेनेज योजना में समाहित किया गया है। इस कार्य का एकरणामा दिनांक-06.08.2024 को किया गया है और योजना को पूर्ण करने की अवधि 2 वर्ष निर्धारित कि गई है।</p> <p>1750मी० नाला निर्माण का भौतिक प्रगति 82% है एवं 1450 मी० नाला निर्माण का भौतिक प्रगति 15% है (Annexure-4)</p>

Point-7	<p>That, it is humbly submitted that respondent No.2 in his submission before the Hon'ble Tribunal has described extent and encroachment status of Khanua Nala and same has been put in record and it has Formed part of order of Tribunal dated 08.03.2021 Annexure AIII page, At present smaller size of drain is being constructed which is limited to the width ranging between 3.5 meters-5.5 meters, whereas width of Khanua Nala in its entire length has width ranging between 27.2-27.79 meters. Therefore, present restoration process of Khanua Nala will result in narrowing and associated flooding. The bottom portion of the new structure has been laid over debris resulting into drain That since state authorities failed to comply with their own submission made before the Hon'ble Tribunal, O.A. 444/2017 was filed before the Hon'ble Tribunal</p>	<p>खनुआ नाला परियोजनाअन्तर्गत कराये जा रहे कार्य के section का Design इस नालेक के Hydraulic एवं Maximum Rainfall Intensity एवं बाढ़ को ध्यान में रखकर तैयार किया गया है। इस नाले का Structural Design Class-A Loading मानक के अनुसार तैयार किया गया है। तैयार किये गये Hydraulic Design एवं Structural Design को NIT Patna द्वारा अनुमोदित किया गया है। 1750 मी० के भाग में नाले का Section निम्न प्रकार से बाँटा गया है (Annexure-5):-</p> <p>1.182 मी० में 3 मी० चौड़ाई में नाला निर्माण। 2.1125 मी० में 4 मी० चौड़ाई में नाला निर्माण। 3.443 मी० में 6 मी० चौड़ाई में नाला निर्माण।</p>
Point-8	<p>That technically the proposed Khanua nala construction is of very poor quality. The matter has been reported in News paper "Prabhat Khabar" dated 22.12.2024 (Annexure- IV)As per the aforesaid report Executive Officer of Chapra Nagar Nigam(Respondent No.1) has submitted a detailed report about quality of construction to District Magistrate Saran(Respondent No.2)</p>	<p>खनुआ नाला परियोजना के अन्तर्गत कराया जा रहा कार्य अनुमोदित Design/Drawing एवं Hydraulic के अनुसार निष्पादित किया जा रहा है। योजनाअन्तर्गत कार्य की गुणवत्ता में कोई कमज़ोरी नहीं किया गया है तथा सभी कार्य निर्धारित मानकों एवं दिशा-निर्देश के अनुरूप संपन्न किया जा रहा है।</p> <p>कार्य की गुणवत्ता की जाँच पथ निर्माण, पथ प्रमंडल छपरा एवं NIT Patna से निरंतर कराया जा रहा है। वर्तमान में बनाए गये नाले के उपर बाहरी का परिचालन हो रहा है।</p>
	<p>That the construction and demolition has generated substantial amount of waste material. The contractor responsible for construction activity has remained non active towards disposal of waste management rules 2016. Photograph of construction site is placed at Annexure-V (Colly)</p>	<p>खनुआ नाला निर्माण के काम में construction and demolition waste निकलता है उसको Waste Management Rule 2016 के अनुसार पालन करते हुए एकत्रित किया जाता है। जिसमें अच्छी मिट्टी से नाला निर्माण के पश्चात Backfilling कर मिट्टी भराई का कार्य किया जाता है एवं शेष बचे मिट्टी तथा Demolition Waste को विहित किए गये स्थान पर संचालित कर दिया जाता है।</p>

अनु०-संशोधक

विश्वामाजक
२० अक्टूबर
२५.९.२५
परियोजना निदेशक
बुढ़के छपरा(सारन)

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Translated copy of Annexure-R/4
Bihar Urban Infrastructure Development Corporation Ltd.
(A Unit of Government of Bihar)

Letter No. 1128/BUIDCO Chapra Add: Commissioner's Colony, Next to the District
Minority Welfare Officer's Residence Chapra, Saran
Date-25.09.2025 841301
E-mail:buidcosaran@gmail.com,website:http//buidoco.in
CIN-U45200BR20009SGC014600

To,
The Municipal Commissioner,
Chapra Nagar Nigam
Sub:- Regarding filing of counter affidavit.
Ref:- Your Letter No.1800 Chapra Nagar Niam dated 12.09.2025
Sir,

In the light of relevant letter on the above subject, it is to be stated that you had requested S.O.F. through the relevant letter. The following are the report on this matter.

Point	Questions	Statement of Fact
Point-6	That, only after unambiguous and clear order of the Hon'ble Tribunal State Respondents swung in to action and construction towards renovation/ rehabilitation of Khanua Nala started in 2021. The Construction/ renovation activities are moving with snail's pace and as on date after expiry of 3 years only 20% of scheduled construction/renovation activities have been completed. In fact construction/ renovation activities has rendered course of old Khanua Nala non functional, thereby water stagnation/flooding has become a chronic affair	<p>The Khanua Drain in Chapra Municipal Corporation Area covers a total of 3200 meters. One Section of drain covers 1750 meters and other covers 1450 meters. On February, 2019, the State Government granted administrative approval for the construction of the Khanua Drain for a total 29.95 crores rupees(Annexure-1) under this, provision was made for the construction of 1085 meters of drain of this 1085 meters, 1030 meters of drain construction has been completed so far and a 55 meters stretch, which had been encroached upon since the beginning of the project, was cleared by the District Administration in 2024. Again, in 2023, the government approved Rs.21.2538 crores for the construction of 665 meters of drain under the Khanua drain construction scheme, and revised administrative approval was granted for construction of 1750 meters of drain for total amount of Rs.51.2038 crores(Annexure-2), with a completion date of 10.8.2025(Annexure-3) of the 665 meters of drain, 416 meters of drain construction has been completed. Action is being taken to complete the remaining work as soon as possible. The main reasons for the delay are as follows:-</p> <ol style="list-style-type: none"> 1.Existing of encroachment of the drain. 2.Covid-19 pandemic(2019-20) 3.Due to excessive rainfall and floods. 4.Due to construction of Double Decker Bridge. 5. Presence of big trees and electric poles in the channel of the drain. <p>Due to all these problems, the construction of the drain got delayed and this period for completion of chronic work was fixed as 10.8.2025.</p> <p>The second part of Khanua Nala Scheme is 1450 meters long in which it has been included storm water drainage scheme under SAAT NISCHIT-2. The agreement for this work has been done on 6.8.2024 and the period for completion of the scheme has been fixed at 2 years.</p> <p>The physical progress of 1750 meters construction is 82% and 1450 meters. The physical progress of drain is 15%(Annexure-4)</p>

Point-7	<p>That, it is humbly submitted that respondent No.2 in his submission before the Hon'ble Tribunal has described extent and encroachment status of Khanua Nala and same has been put in record and it has Formed part of order of Tribunal dated 08.03.2021 Annexure AIII page. At present smaller size of drain is being constructed which is limited to the width ranging between 3.5 meters-5.5 meters, whereas width of Khanua Nala in its entire length has width ranging between 27.2-7.79 meters. Therefore, present restoration process of Khanua Nala will result in narrowing and associated flooding. The bottom portion of the new structure has been laid over debris resulting into drain. That since state authorities failed to comply with their own submission made before the Hon'ble Tribunal, O.A. 444/2017 was filed before the Hon'ble Tribunal</p>	<p>The design of section of work being carried out under the Khanua Project has been prepared keeping in mind in hydraulic maximum rainfall intensity of the drain. The structural design of this drain has been prepared as class-A loading standards. The prepared hydraulic design and structural design have been approved by NIT Patna. The drain in this 1750 meters section. The section has been divided as follows Annexure-5:-</p> <ol style="list-style-type: none"> 1. Construction of 3 meters width drain in 182 Meters. 2. Construction of 4 meters width drain in 1125 Meters 3. Construction of 6 meters width drain in 443 Meters
Point-8	<p>That technically the proposed Khanua nala construction is of very poor quality. The matter has been reported in News paper "Prabhat Khabar" dated 22.12.2024 (Annexure- IV) As per the aforesaid report Executive Officer of Chapra Nagar Nigam (Respondent No.1) has submitted a detailed report about quality of construction to District Magistrate Saran (Respondent No.2)</p>	<p>The work being carried out under the Khanua drain project is being executed in accordance with the approval design/drawing and hydraulics. There has been no compromise of quality of work under the scheme, and all work is being completed in accordance with prescribed standards and guidelines. Vehicles are plying over the construction drain.</p>
	<p>That the construction and demolition has generated substantial amount of waste material. The contractor responsible for construction activity has remained non active towards disposal of waste management rules 2016. Photograph of construction site is placed at Annexure-V (Colly)</p>	<p>During the construction of Khanua drain, construction and demolition based is generated and collected as per the waste management rules, 2016. After constructing the drain with goods while, backfilling is done and the remaining soil and demolition waste is restore as the designated place.</p>

Encl: As above

Faithfully
Sd/ Illegible
25.9.25
Project Director
BUIDCO Chapra(Saran)

41.

Annexure-R/5



बिहार BIHAR

25/2
 158167 दिनांक 25/2/24 मूल्य 1000 रु. के लिए जारी किया गया है।

AS 332299

केला का नाम एवं पता: जयमती डी रोड कंस्ट्रक्शन प्राइवेट लिमिटेड, H.O. 3/97, Hanuman Nagar, Kenkarbagh, Patna-800020, Bihar, India.

अशोक कुमार, मुद्रित विक्रेता
 समाहरणालय, पटना
 अनुज्ञापति सं०-34/1987



THIS SUPPLEMENTARY AGREEMENT is made in Patna on this day 25 of 03, 2024 at Patna.

Between

Bihar Urban Infrastructure Development Corporation Ltd., A Govt. of Bihar Undertaking, Raja Pur Pul, West Boring Canal Road, Patna-800 001, Ph. No.-0612-2506213, 2506109, 2506208 Fax No. - 91-612-2906132 (hereinafter referred to as "BUIDCo" or "Employer") which expression shall include its successors, administrators, assigns;

And

M/s Jai Mata Di Road Construction Private Limited, Add- H.O- 3/97, I.I.G, Hanuman Nagar, Kenkarbagh, Patna-800020, Bihar, E-mail ID: jmdroadconstructionpytltd@gmail.com (hereinafter referred

Jai Mata Di Road Construction Pvt. Ltd

Ranjit Kumar

Director

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to as "Contractor") which expression shall include its successors and permitted assigns;

Whereas the Employer and the Contractor signed a Contract Agreement on 22.08.2019 for execution of the Storm Water Drainage System (Khanua Nala) with PCC Road in Chhapra Town, Bihar (herein after referred as Original Agreement). The Employer is desirous that the contractor execute additional work apart from the work scope mentioned in the Original Agreement of the Project named as Storm Water Drainage System (Khanua Nala) with PCC Road in Chhapra Town, Bihar, NIT No. BUIDCO/Yo-598/14-34 dated 31/05/2019. The cost of the original work as per Administrative Approval vide Letter No-90 dated-27.02.2019 of Urban Development & Housing Department, Govt. of Bihar (UD&HD) is Rs. 29,95,00,000/- (inclusive of GST) and Agreement Cost is Rs. 27,38,63,232/-, subsequently modified to Rs. 51,20,38,000/- by Revised Administrative Approval vide Letter No-2710 dated-23.06.2023 of UD&HD (inclusive of GST but exclusive of difference of GST) and including other approved additional work. The amount of additional work (as per Annexure) is approved as Rs. 21,25,38,000/- (Rupees Twenty one Crore, Twenty Five lacs, Thirty eight Thousand only) (hereinafter referred as Additional work), which is inclusive of GST but exclusive of difference of GST. As per Original Agreement, the length of Box Drain is 1085 meter. Additional work consists of following component:-

1. Construction of Storm Water Box Drain of Class-A Loading for 665 meter in Chhapra Town, Bihar, which is in addition to the length of Box Drain of 1085 meter mentioned under the Original Agreement dated 22.08.2019.

Jai Mata Di Road Construction Pvt. Ltd.

Ranjit Kumar

Director

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True typed copy of Annexure-R/5

BIHAR 156 Date 29.2.24 Cost-1000 Sheet No.1
Name and address of Purchaser: Jai Mata Di Road Construction Pvt.Ltd., P.C. Colony,
Kankarbagh, Patna.

THIS SUPPLEMENTARY AGREEMENT is made in Patna non this day 05 of 03
2024 at Patna

Between

Bihar Urban Infrastructure Development Corproaiton Ltd. A Govt. of Bihar
Undertaking Raja Pur Pul, West Boring Canal Road, Patna-800001, Ph.No.-0612-
2506213, 2506109, 2506208 Fax No.91-612-2506132(hereinafter refewrred to as
"BUIDCO" or Employer") which expression shall include its successors,
administrators, assigns:

And

M/s Jai Mata Di Road Construction Private Limited, Add-H.O.-3/97, LIG, Hanuman
Nagar, Kankarbagh, Patna-800020 Bihar E-mail ID:jmrdroadconstructionpytld
@gmail.com (hereinafter referred

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to as "Contractor") which expression shall include its successors and permitted assigns; Whereas the Employer and the Contractor signed a contract Agreement on 22.08.2019 for execution of the Storm Water Drainage System (Khanua Nala) with PCC Road in Chhapra Town, Bihar (herein after referred as Original Agreement). The Employer is desirous that the contractor execute additional work apart from the work scope mentioned in the Original Agreement of the Project named as Storm Water Drainage System (Khanua Nala) with PCC Road in Chhapra Town, Bihar, NIT No. BUIDCO/Yo-598/14-34 dated 31.05.2019. The cost of the original work as per Administrative Approval vide Letter No.90 dated 27.02.2019 of Urban Development & Housing Department, Govt. of Bihar(UD & HD) is Rs.29,95,00,000/-(inclusive of GST) and Agreement cost is Rs.27,38,63,232/- subsequently modified to Rs.51,20,38,000/- by Revised Administrative Approval vide Letter No.2710 dated 23.06.2023 of UD & HD(inclusive of GST but exclusive of difference of GST) and including other approved additional work. The amount of additional work(as per Annexure) is approved as Rs.21,25,38,000/- (Rupees Twenty8 One Crore, Twenty five lacs, Thirty eight Thousand only) (hereinafter referred as Additional Work) which is inclusive of GST but exclusive of difference of GST,. As per Original Agreement, the length of Box Drain is 1085 meter. Additional work consists of following component:-

- 1.Construciton of Storm Water Box Drain of Class-A Loading for 665 meter in Chhapra Town, Bihar, which is in addition to the length of Box Drain of 1085 meter mentioned under the Original Agreement dated 22.08.2019.

Annexure-2/6 45

STORM WATER DRAINAGE SYSTEM (Khanua Nala) IN CHHAPRA TOWN
Weekly Progress Report

Date-27.09.2025

Project Name & Name of Contractor	Revised AA & ES with Reference & Date (RS in Cr.)	Revised Agreement Value & Date (RS in Cr.)	As per Revised Agreement Date of Completion	Phy. Progress %	Fin. Progress %	Main Component	Previous Week (Physical Progress in mtr)	In this week (Physical Progress in mtr)	Next Week Target (Physical Progress in mtr)	Cumulative (Physical Progress in mtr)
Storm Water Drainage System (Khanua Nala) with PCC road in Chapra Town. Total Length -1085+665=1750 mtr./ Jai Mata Di. Road Construction Pvt. Ltd.	51.2038000 Vide letter no-2710 Dated-23-06-2023	48.6401 Dated-05.03.2024	10.08.2025	82.29		Excavation	20	10	0	1454
						1750				
						Raft casting	18	8	0	1440
						1750				
						Wall casing	18	8	0	1440
						1750				
						Slab casing	18	8	0	1440
						1750				



Annexure-R/17

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बिहार शहरी आधारभूत संरचना विकास निगम लि०
Bihar Urban Infrastructure Development Corporation Ltd.
(बिहार सरकार का उपक्रम)

पत्रांक:- / बुडको, छपरा
दिनांक:-

पता : कमिश्नरी कॉलोनी, जिला अल्पसंख्यक कल्याण पदाधिकारी, के
आवास के बगल में छपरा, सारण-841301,
ईमेल / E-mail : buidcosaran@gmail.com, website: <http://buidco.in>
CIN - U45200BR2009SOC014600

सेवा में,

नगर आयुक्त।
छपरा नगर निगम।

विषय :- छपरा नगर निगम क्षेत्रान्तर्गत स्ट्रॉम वाटर ड्रेनेज सिस्टम (खनुआ नाला) योजना के संबंध में।

महाशय,

उपर्युक्त विषय के संबंध में कहना है छपरा नगर निगम क्षेत्रान्तर्गत स्ट्रॉम वाटर ड्रेनेज सिस्टम (खनुआ नाला) योजना का कार्य प्रगति पर है। उक्त योजनांतर्गत निम्न सूची के अनुसार कुल-4 जगहों पर अतिक्रमण की समस्या है, अतिक्रमणकारीयों का नाम कि सूची, मापी प्रतिवेदन एवं Line Diagram इस पत्र के साथ संलग्न है। जिन स्थानों पर अतिक्रमण कि समस्या है, उसकी विवरणी निम्नवत है:-

क्रमांक	स्थल का नाम	अतिक्रमण की लंबाई	वर्तमान में उपलब्ध चौड़ाई	नाला निर्माण कार्य हेतु आवश्यक चौड़ाई
1	रुद्रा होटल (ज्योती सिनेमा) के समीप	70 मीटर	लगभग 5 मीटर	8.5 मीटर
2	पुरानी गुरुद्वी के समीप	14 मीटर	लगभग 5 मीटर	8.5 मीटर
3	सब्जी मंडी (सरकारी बाजार) के समीप	37 मीटर	लगभग 6 मीटर	8.5 मीटर
4	आजाद रोड (करीम चौक) के समीप	34 मीटर	लगभग 7.2 मीटर	10.5 मीटर

अतः भवदीय से अनुरोध है कि खनुआ नाला के भूमि पर किये गये अतिक्रमण को मुक्त कराने की कृपा करना चाहेंगे, ताकि कार्य को संसमय पूर्ण किया जा सकें।
अनु०:-यथोक्त।

विश्वासभाजन
ह०/-
परियोजना निदेशक
बुडको, छपरा (सारण)

ज्ञापांक:- 658 दिनांक:- 03/07/25
प्रतिलिपि:- 1.प्रबंध निदेशक, बुडको, पटना को सादर सूचनार्थ समर्पित।
2.मुख्य महाप्रबंधक, बुडको, पटना को सादर सूचनार्थ समर्पित।


03/07/25
परियोजना निदेशक
बुडको, छपरा (सारण)

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Translated copy of Annexure-R/7
Bihar Urban Infrastructure Development Corporation Limited

(A Unit of Bihar Government)

Letter
Dated

/BUIDCO Chapra

Address: Commissioner's colony,
Next to the house of District Minor Welfare Officer, Chapra,
Saran,-841301

e-mail-buidcosaran@gmail.com, [website-http://buidco.in](http://buidco.in)

CIN-45200BR2009SGC014600

To

The Municipal Commissioner,
Chapra Municipal Corporation.

Sub:- Regarding Storm water drainage system, (Khanua Nala) scheme under Chapra
Municipal Corporation Area.

Sir,

Regarding the above topic it is worth noting that work on the storm water
drainage system(Khanua Drain) Project is under way within the Chapra Municipal
Corporation Area. Under this project there are encroachment problems at four
locations as detailed below. A list of encroachers, measurement report and Lying
Diagram are attached to this letter. The Locations where encroachment problems exist
are detailed below:-

Sl.No.	Name of place	Length of Encroachment	currently available Width	Required width for drain construction work
1.	Near Rudra Hotel (Jyoti Cinema)	70 Mtrs.	About 5 Mtrs.	8.5 Mtrs.
2.	Near Old Gurhatti	14 Mtrs.	About 5 Mtrs.	8.5 Mtrs.
3.	Near Sabji Mandi, Government Market	37 Mtrs.	About 6 Mtrs.	8.5 Mtrs.
4.	Near Azad Chowk (Karim Chowk)	34 Mtrs.	About 7.2Mtrs.	10.5 Mtrs.

Therefore, your's faithfully is requested to kindly free the land of Khanua Drain from
encroachment, so that, the work can be completed on time.

Yours,
Project Director, BUIDCO
Saran, Chapra

Letter No.658 dated 3.7.2025

Copy to:- 1. Manaigng Director, BUIDCO Patna for kind information.

2. The Chief General Manager, BUIDCO Patna for kind information.

Project Director, BUIDCO
Saran, Chapra

मुख्य अधिकारी, वि० प्र० न०

छपरा नगर निगम

Sunil Kumar Pandey

Municipal Commissioner, Chapra



E-mail ID : ulbehapranagarofgan@gmail.com

पत्रांक :- 1308/ दिनांक :- 05.07.2025

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सेवा में,

अंचलाधिकारी,
छपरा सदर, सारण।

विषय :- छपरा नगर निगम क्षेत्रांतर्गत स्ट्रांग वाटर ड्रेनेज सिस्टम (खनुआ नाला) योजना के अंतर्गत विभिन्न स्थानों पर अतिक्रमण को चिन्हांकित करने के संबंध में।

प्रसंग :- परियोजना निदेशक, बुडको छपरा (सारण) का पत्रांक-658 दिनांक-03.07.2025

महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र के आलोक में कहना है कि खनुआ नाला निर्माण कार्य के दौरान विभिन्न स्थानों पर अतिक्रमण के कारण निर्माण कार्य में व्यवधान की सूचना परियोजना निदेशक बुडको से प्राप्त हुई है। परियोजना निदेशक बुडको के प्रासंगिक पत्र की प्रति इस पत्र के साथ संलग्न करते हुए अनुरोध है कि दिनांक-10.07.2025 को अंचल अमीन को उक्त स्थलों की मापी करते हुए अतिक्रमण क्षेत्रों को चिन्हांकित करवाने की कृपा की जाए। दिनांक-10.07.2025 को चिन्हांकित कार्य हेतु निगम एवं बुडको के पदाधिकारी एवं कर्मी भी अतिक्रमण की पहचान में अंचल अमीन के सहयोग हेतु उपलब्ध होंगे।

अनु० :- यथोक्त।

नगर आयुक्त

नगर निगम छपरा

पत्रांक :- 1547 दिनांक :- 08/7/25

प्रतिलिपि :- राजेंद्र शर्मा एवं आरुण कुमार अंचल अमीन को
मापी का मापी प्रतिवेदन उपलब्ध कराने हेतु
उपलब्ध

प्रति - शुभम कुमार, अंचल अमीन से मापी का
मापी प्रतिवेदन उपलब्ध कराने हेतु
उपलब्ध।

अंचल अधिकारी
सदर छपरा

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True typed copy of Annexure-R/8

सुनील कुमार पाण्डेय, बि०प्र०से० छपरा नगर निगम

पत्रांक-1308 दिनांक 05.07.2025

सेवा में,

अंचलाधिकारी,
छपरा सदर, सारण।

विषय:- छपरा नगर निगम क्षेत्रांतर्गत स्ट्रॉंग हेनेज सिस्टम (खनुआ नाला) योजना के अंतर्गत विभिन्न स्थानों पर अतिक्रमण को चिन्हांकित करने के संबंध में।

प्रसंग:- परियोजना निदेशक, बुडको छपरा (सारण) का पत्रांक-658 दिनांक-03.07.2025

महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र के आलोक में कहना है कि खनुआ नाला निर्माण कार्य के दौरान विभिन्न स्थानों पर अतिक्रमण के कारण निर्माण कार्य में व्यवधान की सूचना परियोजना निदेशक बुडको से प्राप्त हुई है। परियोजना निदेशक बुडको के प्रासंगिक पत्र की प्रति इस पत्र के साथ संलग्न करते हुए अनुरोध है कि दिनांक 10.07.2025 को अंचल अमीन को उक्त स्थलों की मापी करते हुए अतिक्रमण क्षेत्रों को चिन्हांकित करवाने की कृपा की जाए। दिनांक-10.07.2025 को चिन्हांकित कार्य हेतु निगम एवं बुडको के पदाधिकारी एवं कर्मी भी अतिक्रमण की पहचान में अंचल अमीन के सहयोग हेतु उपलब्ध होंगे।
अनु०-यथोक्त।

ह० अस्पष्ट
05.07.25
नगर आयुक्त
नगर निगम छपरा

ज्ञापक-1547 दिनांक 08.07.25

प्रतिलिपि- राजेन्द्र राय एवं अरुण कुमार अंचल अमीन को मापी कर मापी प्रतिवेदन उपलब्ध कराने हेतु प्रेषित।

प्रति- शुभम कुमार, अंचल अमीन को मापी कर मापी प्रतिवेदन उपलब्ध कराने हेतु प्रेषित।

ह० अस्पष्ट
05.07.25
अंचल अधिकारी
सदर छपरा

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Translated copy of Annexure-R/8

Sunil Kumar Panday,
BASA,
Municipal Commissioner, Chapra Municipal Corporation
Letter No. 1308 dated 05.07.2025

To,

The Circle Officer,
Chapra Sadar, Saran.

Sub:- Regarding making of encroachment at various places under Storm Drainage System (Khanua Nala) scheme under Chapra Municipal Corporation Area.

Context: Letter No.658 dated 3.7.2025 of Project Director, BUIDCO, Chapra Saran Sir,

In the light of relevant letter on the above subject it is to be said that during construction of Khanua Drain information has been received from the Project Director, BUIDCO regarding obstruction in the construction work due to encroachment at various places. A copy of relevant letter of the Project Director, BUIDCO is attached with this letter and it is requested that on 10.7.2025 the Anchal Amin may kindly measure the above places and marked the encroached area. For the marking work on 10.7.205 the officers and employees of the corporation and BUIDCO also be available to assist the Anchal Amin in identifying the encroachments.

Encl: As above.

Sd/ illegible
5.7.2025

Memo No.1547 dated 8.7.2025

Copy sent to: Rajendra Rai and Arun Kumar, Anchal Amin for measurement and providing the measurement report

To Subham Kumar, The Circle Amin for providing measurement report.

Sd/ illegible
Circle Officer,
Sadar Chapra

Annexure R/9-

संख्या १

अंचल अधिकारी

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सं. सं. २२ धरारा, सारणा

विषय:- धरारा नगर निगम क्षेत्रांतर्गत रुईंग वाटदर इ. १
सिस्टम (एनयुआ नाला) मापना के अंतर्गत विभिन्न
स्थानों पर पुडको के सहायक अभियंता के तत्वा
अंशल को मापी के सम्बन्ध में।

महोदय,

आपका खापांक-1547 दिनांक-08/07/2025 के
आलोक में मापना-दखिमावा, ग्रामा नं- 284 के अंत
-त सैफसन नं- 26, सैफसन नं- 34, सैफसन नं
33, सैफसन नं- 38, सैफसन नं- 37 में अर्पित ए
नयुआ नाला की मापी करने अंशल पर दिनांक-13/07/2025
के पडको, पडकोर उपरिगत नगर निगम धरारा के सिटी में नगर
पुडको के सहायक अभियंता, एव कनीय अभियंता की उपरिगती में
नकशा के सहारे सहायक अभियंता के द्वारा तत्वा गये अंशलो
मापी की गयी, मापी के क्रम में पाया गया कि कछे अतिक्रम
नही मिला, सैफसन नं- 34 में एनयुआ नाला का नगरपालिके
खेसरा नं- 8818 में अतिक्रम पाया गया जो अतिक्रमण कार्ड
मा को नाम सिम्नवत है।
(2) सुरेन्द्र प्रसाद सिंह - लक्षणा प्रसाद के द्वारा 300 लम्बा x
300 चौड़ा + 40 चौड़ा - चौड़ा में जर्जर विवाल बनाए एव महा
लनाकर अतिक्रमण किया हुआ पाया।

अतः श्रीमान के यहाँ आकर मक कार्रवाई हेतु संप्रेषित।
विश्वपालमान्त!
संयोजक अमी
सुख अंचल धरारा

14/07/2025
अंचल अधिकारी
धरारा, सारणा

Printed Matter Posted Under Clause 114, of P.O. Guide Part-1.

True typed copy of Annexure-R/9

सेवा में,

अंचलाधिकारी,
छपरा सदर, सारण।

विषय:-

छपरा नगर निगम क्षेत्रांतर्गत स्ट्रॉंग ड्रेनेज सिस्टम (खनुआ नाला) योजना के अंतर्गत विभिन्न स्थानों पर बुडको के सहायक अभियंता के बताए गए स्थल को मापी के संबंध में।

महाशय,

आपका ज्ञापांक-1547 दिनांक 08.07.2025 के आलोक में मौजा-दहियावाँ, थाना नं0-284 के अन्तर्गत सेक्सन नं0-26, सेक्सन नं0-34, सेक्सन नं0-33, सेक्सन नं0-38, सेक्सन नं0-37 में अवस्थित खनुआ नाला की मापी करने स्थल पर दिनांक 13.07.2025 को पहुँचा, पहुँचकर उपस्थित नगर निगम छपरा के सिटी मैनेजर, बुडको के सहायक अभियंता, एवं कनीय अभियंता की उपस्थिति में नक्शा के सहारे सहायक अभियंता के द्वारा बताये गए स्थलों की मापी की गयी, मापी के कम में पाया गया कि कहीं अतिक्रमण नहीं मिला, सेक्सन नं0-34 में खनुआ नाला का नगरपालिका खेसरा नं0-8818 में अतिक्रमण पाया गया जो अतिक्रमणकारियों का नाम निम्नवत् है।

1- सुरेन्द्र प्रसाद पिता लक्ष्मण प्रसाद के द्वारा 30फीट 0 इंच x उत्तर 3 फीट 0 इंच + द0-4फीट 0 इंच चौड़ा में जर्जर दिवाल एवं मकान बनाकर अतिक्रमण किया हुआ पाया।

अतः श्रीमान् के यहाँ आवश्यक कार्यवायी हेतु समर्पित।

विश्वासभाजन
राजेन्द्र राय
अमीन
सदर अंचल छपरा
14.7.2025

ह0- अरुण कुमार

14.7.2025

अंचल सदर, छपरा सारण।

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Translated copy of Annexure-R/9

To,

The Circle Officer,
Chapra Sadar, Saran.

Sub:- Regarding measurement of site indicated by Assistant Engineer of BUIDCO at various places under strong drainage system (Khanua Nala) scheme in Chapra Municipal Corporation Area.

Sir

In the light of your letter No.1547 dated 8.7.2025 I reached at the place of measurement of Khanua Nala situated in Section No.26, Section No.34, Section No.33, Section No.38, Section No.37 under Mauza-Dahiawan, Police Station No.284, on 13.7.2025 after reaching there in presence of City Manager of Municipal Corporation, Chapra, Assistant Engineer, BUIDCO, and Junior Engineer, the places mentioned by the Assistant Engineer were measured with the help of map. It was found in the measurement places that no encroachment was found anywhere. In Section No. 34 encroachment of Khanua Nala is found in Municipal Khesra No. 8818, the names of encroachers are as follows:-

1. Surendra Prasad son of Laxman Prasad was found to have encroached upon an area measuring 30'0"x3'0", south-4'0", in width by constructing a dilapidated wall and a house.

Therefore submitted to you for necessary action.

Yours,

Sd/ illegible

Rajendra Rai

Amin

Sadar Anchal Chapra

14.7.25

Sd/ Arun Kumar

Amin

Anchal Sadar, Chapra, Saran

14.7.2025

Annexure R/10

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15979 of 2021

1. Dewanti Devi Wife of Yogendra Praad Resident of Village - Sonar Patti, Sahebganj, P.S. - Chapra Town, District- Saran.
2. Manoj Kumar Kushwaha Son of Badri Mahto Resident of Village - Daulatganj, Mirchaiya Tola, P.S. - Bhagwan Bazar, District- Saran.
3. Md. Gulam Gaus Son of Md. Nurul Basar Resident of Village - Karim Chowk, Sahebganj, P.S. - Chapra town, District- Saran.
4. Chandeshwar Singh Son of Radhacharan Singh Resident of Mona Chowk, Sadha Road, P.S. - Chapra Town, District- Saran.
5. Rameshwar Sah Son of Ram Prasad Sah Resident of Mohalla - Mauna, P.S. Chapra (Town), District- Saran.
6. Mahesh Prasad Gupta Son of Om Prakash Gupta Resident of Mohan Nagar, Mauna Sadha Road, District- Saran.
7. Umashankar Prasad Son of Trigunanand Prasad Resident of Village Pachraul (Amnaur), P.S. - Amnaur, District- Saran.
8. Krishnamohan Prasad Son of Rameshwar Prasad Resident of Village Maiki, P.S. - Garkha, District- Saran.
9. Ganesh Prasad Son of Ramekbar Prasad Resident of Village - Mauna, Dhanukoli, P.S. - Chapra Town, District- Saran.
10. Rajkumar Singh Son of Ramsudhak Singh Resident of Village - Doriganj, Kadipur, P.S. - Chapra Town, District- Saran.
11. Malti Devi Wife of Devnath Singh Resident of Village - Chota Telpa, P.S. - Chapra Town, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna, Bihar.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The District Magistrate - cum - Collector, Saran at Chapra.
4. The Municipal Corporation, Chapra through its Commissioner, Saran at Chapra.
5. That Municipal Commissioner, Chapra Municipal Corporation, Saran at Chapra.
6. The Superintendent of Police, Saran at Chapra.
7. The Executive Officer, Urban Development Department, Division - I, Chapra, Saran at Chapra.
8. The Executive Engineer, Urban Development, Division - I, Chapra, Nagar Nigam Area, BUIDCO, Saran.

... .. Respondent/s



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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Madhav Raj, Advocate
For the Respondent/s : Mr. Suresh Kumar, AC to GP-1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-09-2021

Heard Mr. Yogesh Chandra Verma, learned senior counsel for the petitioners and Mr. Suresh Kumar, learned AC to GP-1 appearing for the State.

The petitioners are aggrieved by the Notice dated 25.8.2021 as contained in Annexure 4 series by which the lease agreement of the shops executed between the petitioners and Municipal Corporation, Chapra has been cancelled and petitioners have been directed to remove their belongings from the shops and further it is indicated in the notice that for renovation and rehabilitation of *Khanua* drainage, the shops of the petitioners shall be demolished by Chapra Nagar Nigam.

Learned senior counsel for the petitioners submits that the petitioners are not the encroachers and they are *bona fide* allottees of the shops. There is subsisting lease agreement between the shop owners and the Chapra Municipal Corporation. Learned counsel next submits that the petitioners have been running the shops and are earning their livelihood for the last 20 years and earlier also in 2011, a notice was published in the newspaper for removal of the encroachment from the



drainage (*nala*) which was challenged by some of the petitioners before this Court in CWJC No. 11846 of 2011 and this Court after hearing the parties, permitted the petitioners to file their representations before Respondent No. 5 therein i.e. the Collector as well as Executive Engineer, Chapra Nagar Parishad with a direction to the Collector and Executive Engineer to dispose the same within five weeks. The status-quo with regard to structure of shops was also granted by this Court.

Learned counsel further submits that the representation filed by the petitioners are still pending and the same has not been disposed uptill now and in spite of status-quo having been granted by this Court way back in the year 2011, a fresh notice has been published for demolition of shops of the petitioners on the ground of rehabilitation and renovation of the *Khanua* drainage.

Issue notice to the Respondent Nos. 4, 5 and 8 by both processes i.e. ordinary as well as registered cover with A/D, for which, requisites etc. must be filed within one week from today failing which this application shall stand rejected without further reference to the Bench.

In the meantime, status-quo as of today shall be maintained by the parties.



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List this case on 17th November, 2021 under appropriate heading upon service of notice.

S.Ali/-

(Anil Kumar Sinha, J)

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Annexure R/11 58

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15979 of 2021

1. Dewanti Devi Wife of Yogendra Praad Resident of Village - Sonar Patti, Sahebganj, P.S. - Chapra Town, District- Saran.
2. Manoj Kumar Kushwaha Son of Badri Mahto Resident of Village - Daulatganj, Mirchaiya Tola, P.S. - Bhagwan Bazar, District- Saran.
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4. Chandeshwar Singh Son of Radhacharan Singh Resident of Mona Chowk, Sadha Road, P.S. - Chapra Town, District- Saran.
5. Rameshwar Sah Son of Ram Prasad Sah Resident of Mohalla - Manna, P.S. Chapra (Town), District- Saran.
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7. Umashankar Prasad Son of Trigunanand Prasad Resident of Village Pachraul (Amnaur), P.S. - Amnaur, District- Saran.
8. Krishnamohan Prasad Son of Rameshwar Prasad Resident of Village Maiki, P.S. - Garkha, District- Saran.
9. Ganesh Prasad Son of Ramekbar Prasad Resident of Village - Mauna, Dhamuktoli, P.S. - Chapra Town, District- Saran.
10. Rajkumar Singh Son of Ramsudhak Singh Resident of Village - Doriganj, Kadipur, P.S. - Chapra Town, District- Saran.
11. Maiti Devi Wife of Devnath Singh Resident of Village - Chota Telpa, P.S. - Chapra Town, District- Saran.

Versus

... .. Petitioner/s

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna, Bihar.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The District Magistrate - cum - Collector, Saran at Chapra.
4. The Municipal Corporation, Chapra through its Commissioner, Saran at Chapra.
5. That Municipal Commissioner, Chapra Municipal Corporation, Saran at Chapra.
6. The Superintendent of Police, Saran at Chapra.
7. The Executive Officer, Urban Development Department, Division - I, Chapra, Saran at Chapra.
8. The Executive Engineer, Urban Development, Division - I, Chapra, Nagar Nigam Area, BUIDCO, Saran.



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... Respondent/s

Appearance :
For the Petitioner/s : None
For the Respondent/s : Mr. (GP-1)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-09-2023

Despite repeated calls, nobody has bothered to appear for the petitioners, hence, it appears that the petitioners have got no interest in prosecuting the present writ petition, thus, this Court has no option but to dismiss the present writ petition for want of prosecution.

2. Accordingly, the present writ petition stands dismissed for non-prosecution.

S.Sb/-

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(Mohit Kumar Shah, J)





ATNAMA
NAL GREEN TRIBUNAL,
BENCH, NEW DELHI

Execution Application NO.49 of 2025

In

Execution Application No. 46 of 2018 (*Disposed off*)

IN THE MATTER OF :

Veteran Forum for Transparency in Public Life

..... Applicant

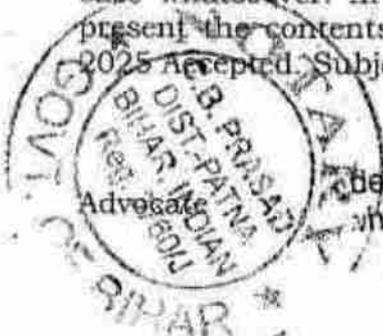
VERSUS

Chapra Nagar Parishad & others..... Respondents

Do Hereby Appoint Mr. *INDU BASHAN, Advocate, Lawyer's Association*
Table No 1, Patna High Court, A.O.N 02656, Enrolment No 1049/53

(Herein After called the Advocates) to be My/Our Advocate in the above noted case Authorizes him. To act, appear and plead in the above noted case in this court or in any other Court in which the same may be tried to heard and also in the appellate Court including High Court Subject to payment of fees separately for each court by me/us. To sign file verify and present pleadings appeals cross-objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents to admit and/or deny the documents of opposite party to withdraw or compromise the said case or submit to arbitration any difference or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. To appoint and instruct and other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the advocate whenever he may think fit to do so and sign the power of attorney on our behalf. I/We the/ undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes. And I/We undertake that I/We or my/our duly authorized agent would appear in the court on all hearings and will inform the Advocate for appearance when the case is called. And I/We undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the process union of the said case until the same is paid. I/We will not be entitled for the refund of the same in any case whatsoever. In Witness Where of I/We do hereunto set my/our hand to these present the contents or which have been undersigned by me/us on this..... day..... 2025 Accepted. Subject to the terms of fees.

Sumit Kumar Pandey
has been identified by *Sumit Kumar Pandey* SI No. *18/10/25*
Advocate, Solemnly affirmed and
read before me
Sumit Kumar Pandey



Identify the ~~Respondent/Executed~~
who, has signed in my presence

Indu Bashan
Advocate
18/10/2025

Sumit Kumar Pandey

Client
18/10/2025