

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,

NEW DELHI

O.A. NO. 727 OF 2022

IN THE MATTER OF

Ramroop Rana

.....APPLICANT

VERSUS

The State of Bihar & Ors.

.... RESPONDENTS

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**FACTUAL AND ACTION TAKEN REPORT ON BEHALF OF JOINT
COMMITTEE CONSTITUTED VIDE ORDER DATED 18.11.2022
PASSED IN O.A. NO. 727 OF 2022.**

I, S. Chandrasekar, aged about 44 years, Son of Mr. S. Subramani, residing at B-202, Amarkunj Apartment, Vivekanand Marg-Patna-800013, do hereby solemnly affirm and state as follows: -

1. That I am posted as Member Secretary, Bihar State Pollution Control Board, Patna and as such I am well aware of the facts and circumstances of the present matter. I am competent and duly authorized to swear the present affidavit.
2. That the instant matter has been registered as an original Application on a letter petition filed by Sri Ramroop Rana resident of Banka District, Bihar,

(2)

before the Hon'ble National Green Tribunal, New Delhi, alleging therein that land mafia are illegally encroaching river Odhani in Banka by filling with earth and changing the status thereof.

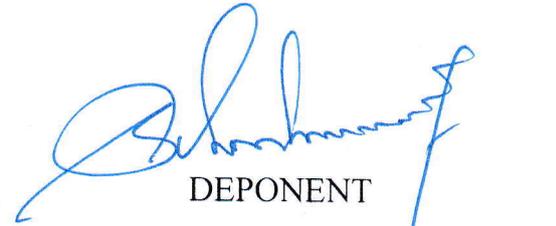
3. That the instant matter was heard on 18.11.2022 when the Hon'ble Tribunal was pleased to constitute a Joint Committee comprising of representative from Regional Office, MOEF&CC, Ranchi, Jharkhand, Principal Secretary, Water Resources Department, Government of Bihar and District Magistrate, Banka, Bihar and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, verify the factual position and submit its report. The State PCB was made nodal agency for coordination and compliance.
4. That pursuant to passing of the order a meeting of the joint committee was convened on 20.12.2022. In the said meeting it was decided that the site visit will be undertaken on 28.12.2022.
5. That on site visit, the joint committee observed that the river bank has been encroached for construction of the road for the area under reference, the extent of encroachment of the river bank is being estimated and the stretch all along the embankment is being verified jointly by the Water Resources Department, govt. of Bihar, & Land and Revenue Department, Govt. of Bihar, from the records available with them. The committee further observed that plotting of land has been made by the developer just adjacent

(3)

to the river bank and the same will also be verified from the revenue records as well as whether any approval and licenses have been taken from the local town planning authorities. Also, road about 2-3 km has been constructed which passes just adjacent to the plotting of lands made. A detailed report will be prepared after getting all data and records.

A copy of the joint committee report with photographs is annexed and marked as Annexure-1.

6. That I have read the contents of the report and have understood the same.

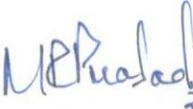

DEPONENT
(S. CHANDRA SEKHAR)

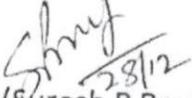
Preliminary Report on the site visit of River ORDHANI in Banka district of Bihar in accordance with the order dated 18/11/2022 of Honable NGT (PB), New Delhi

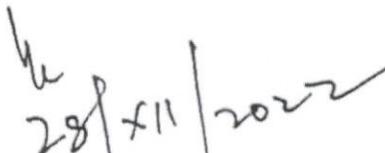
The following officers were present during the site visit:

- i. Shri Madhav Kumar Singh, Addl. District Magistrate, Banka
- ii. Shri M. Rajeshwar Prasad, Scientist C, MoEF&CC, Ranchi
- iii. Shri Suresh P Roy, Regional Officer, BSPCB, Bhagalpur
- iv. Shri Arun Kumar, Executive Engineer, Water Resources Department, Banka
- v. Sri Dina Nath Singh, Executive Officer, Municipal Council, Banka
- vi. Shri Kumar Ranjan, Mineral Development Officer, Banka
- vii. Smt. Namika Nayak, Assistant Engineer
- viii. Shri Pritam, Revenue Officer, Banka
- ix. Shri Rakesh Kumar Jha, Jr. Engineer, Flood Control Division, Banka

1. The Joint Committee observed that the River Bank has been encroached for construction of the road for the area under the reference (plotted area dotted with concrete pillars).
2. The extent of encroachment of the River Bank is being estimated and the stretch all along the embankment is being verified jointly by the Water Resources and Land and Revenue Department from the records available with them.
3. The committee viewed that plotting of land has been made by the developer immediately adjacent to the river bank and will be verified from the revenue records as well as whether any approval or licences have been taken from the local Town Planning Authorities.
4. Road has been constructed in about 2 – 3 kms stretch passing adjacent to the plotting of land made which is leading to nearby villages.
5. The detailed report will be prepared after getting all data/reports/information from all the concerned departments and compilation will be made thereafter.


28/12/2022
(M. Rajeshwar Prasad)
Scientist C, MoEF&CC,
Ranchi


28/12
(Suresh P Roy)
Regional Officer,
BSPCB, Bhagalpur


28/11/2022
(Madhav Kumar Singh)
Addl. District Magistrate
District- Banka


28/12/2022
(Arun Kumar)
Executive Engineer,
(Water Resources Department, Banka)
Flood Control Division, Boushi