

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH,  
NEW DELHI**

IA 862/2023  
IN  
Execution Application No. 35/2023  
IN  
Original Application No.673/2018

**News item published in "The Hindu" authored by Shri Jacob  
Koshy  
titled  
"More river stretches are now critically polluted: CPCB"**

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**Place: New Delhi  
Date: 29.02.2024**

**Drawn & Drafted by**

*Md Imran Ahmad*  
Md Imran Ahmad

Applicant No. 1

In EA 35/2023

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**REPLY IN IA 862/2023**

**Most Respectively Showeth:**

1. That the present IA, filed by the State of Bihar, pertains to proceedings under OA No. 200 of 2014, distinct from the subject matter of the present proceeding which is EA 35 of 2023 in OA No. 673 of 2018. Hence, the prayers sought in the IA are incongruous with the subject matter of the present proceeding.
2. That the Civil Application No. 534 of 2021 titled "THE STATE OF BIHAR vs. UNION OF INDIA" pending before the Hon'ble Supreme Court of India was filed to challenge the order dated 16.09.2020 passed in IA 290/2020 in OA No. 200 of 2014. It is crucial to emphasize that this Civil appeal is unrelated to EA 35 of 2023 in OA No. 673 of 2018 or even OA No. 673 of 2018, and therefore, its pendency should not influence the proceedings of EA 35 of 2023 in OA No. 673 of 2018.
3. That the prayer to direct the Central Pollution Control Board (CPCB) to refrain from taking coercive steps against the Applicant poses a fundamental challenge to the authority vested in the CPCB, a statutory body entrusted with the vital task of

environmental protection. Granting such relief would impede the statutory functions of the CPCB and set a dangerous precedent undermining environmental governance. It will also stop CPCB from taking any action against the state authorities of Bihar if they violate environmental norms related to even air, soil and forest apart from water.

4. Granting immunity from coercive action to the State of Bihar would effectively shield it from accountability for any environmental violations, contravening the principles of justice and environmental stewardship.
5. That notably, CPCB was not a party to the proceedings in OA No. 673 of 2018 and thus, the invocation of its involvement at this juncture, in the context of EA 35 of 2023 in OA No. 673 of 2018, lacks merit and legal basis.
6. That the appropriate recourse for the State of Bihar to seek relief concerning the issues raised in the present IA lies within the confines of OA No. 200 of 2014 before this Honorable Tribunal or before the Honorable Supreme Court of India in their Civil Appeal No. 534 of 2021. Consequently, the IA filed in the present EA 35 of 2023 in OA No. 673 of 2018 is misplaced and should not be entertained.
7. That moreover, the Hon'ble Supreme Court has not granted any stay.

#### PRAYER

Therefore, in the light of the submissions made hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to grant the following reliefs /prayers herein:

- i. Disallow prayer "b" of the I.A. filed by the State of Bihar.
- ii. Dismiss the present I.A. filed the State of Bihar.
- iii. To pass such other orders and further orders as may be deemed necessary on the facts and in the circumstances of the case.

**FOR WHICH ACT OF KINDNESS, THE PETITIONER SHALL AS IN  
DUTY BOUND, EVER PRAY.**

**Place: New Delhi  
Date: 29.02.2024**

**Drawn & Drafted by:** *Md Imran Ahmad*  
Md Imran Ahmad  
Applicant No. 1  
In EA 35/2023

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**AFFIDAVIT**

I, Md Imran Ahmad aged 23 years s/o Safaur Rahman Permanent resident of Mahawat Toli, Bettiah West Champaran, Bihar, presently at Delhi do hereby solemnly affirm and declare as under:

1. That I am conversant with the facts and circumstances of the case and am competent to swear this Affidavit.
2. That I am filing reply in response to the IA filed by the government of Bihar.
3. That I have read the contents of the Synopsis and list of dates from pages 1 to 2 of the present reply.

*Md Imran Ahmad*

**DEPONENT**

**IDENTIFIED**

**VERIFICATION**

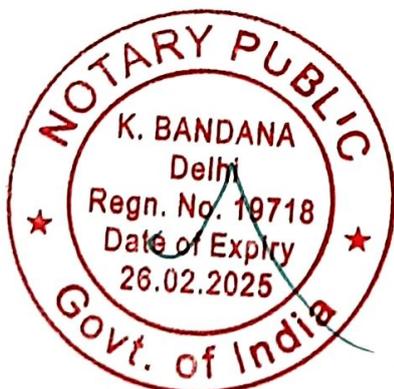
I, Md Imran Ahmad, Applicant No. 1 herein, do hereby verify the contents of the above paragraphs are true to the best of my knowledge, belief and information. That I have not suppressed any material fact.

Verified at New Delhi on this 29<sup>th</sup> Day of February 2024

*Md Imran Ahmad*

**DEPONENT**

29 FEB 2024



**ATTESTED**  
NOTARY PUBLIC DELHI  
Govt. of India  
Mob.: 9654768498

1 of 1,511

Reply in IA 862/2023 in 35/2023 in OA 673/2018 (News item published in "The Hindu" authored by Shri Jacob Koshy titled "More river stretches are now critically polluted: CPCB") Inbox x

 **Md Imran Ahmad** <magikimranahmad@gmail.com>  
to Chief, Nabi, ishikawasthi

13:10 (0 minutes ago) ☆ 😊 ↶ ⋮

Sir,  
Please find the advance service of my reply in the above-captioned matter.

Regards,  
Applicant in Person

One attachment • Scanned by Gmail

 Affidavit Bihar.pdf

↶ Reply   ↶ Reply to all   ↷ Forward   😊