

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.212/2024/EZ

Narendra Singh

Applicant(s)

Versus

State of Bihar

Respondent(s)

Date of hearing: 26.11.2024

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : None

ORDER

1. Case called out. No one is present on behalf of the Applicant.
2. The present Original Application is being registered on the basis of a letter petition filed by one Narendra Singh alleging that in his village and P.O. Rampur, Ramhar, P.S. Jandaha, District – Vaishali (Bihar), the Mukhiya Sanjeet Kumar Paswan (Lashmipur Brahmbatta panchayat) is constructing Panchayat Bhawan and is dumping the garbage on Plot Nos.619 and 620 which is situated on the banks of river Baya which comes into a flood every year. It is alleged that as a result of dumping of construction materials on the aforesaid plots on the banks of river Baya, the entire area is getting polluted and in case there is a flood, it will result in loss of life and material and in any case such construction is not permissible within 100-200 mtrs. of the river/waterbody.
3. Matter requires consideration.
4. Issue notice to the complainant Narendra Singh, returnable within four weeks.
5. We direct the following be impleaded in the array of Respondents as the Respondents:
 - i) The District Collector, Vaishali, Bihar

- ii) Department of Environment, through its Principal Secretary, Government of Bihar;
 - iii) The Bihar State Pollution Control Board through its Member Secretary; and
 - iv) Mukhiya Sanjeet Kumar Paswan
(Lashmipur Brahmbatta Panchayat),
Vill. & P.O. – Rampur, Ramhar,
P.S. – Jandaha, Dist. Vaishali (Bihar)
6. Issue notice to the Respondents, returnable within four weeks.
 7. Mr. Surendra Kumara, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent Nos.1 and 2, State Respondents, Government of Bihar.
 8. Ms. Amrita Pandey, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No.3, Bihar State Pollution Control Board.
 9. Issue notice to the Respondent No.4, Mukhiya Sanjeet Kumar Paswan, returnable within four weeks.
 10. All the Respondents shall file their counter affidavits within four weeks.
 11. Considering the allegations made, we deem it appropriate to constitute a Committee comprising of the following Members:-
 - (i) District Collector, Vaishali, Bihar or his representative not below the rank of Additional District Magistrate; and
 - (ii) Senior Scientist, Bihar State Pollution Control Board,
 12. The Committee shall visit the site in question and submit its Report within four weeks on affidavit with regard to the allegations made in the Original Application and in case violations are found, it shall take appropriate remedial action.

13. District Collector, Vaishali, Bihar shall be the Nodal Office for all logistic purposes and for filing the Report of the Committee on affidavit.
14. The Respondents may collect the copy of the Original Application along with all its annexures from the office of the Tribunal or may download the same from the portal of the National Green Tribunal, within 48 hours.
15. **List on 20.01.2025.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

November 26, 2024,
Original Application No.212/2024/EZ
SKB