

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

Original Application No.56/2025/EZ

Devavrat Kumar Sahani

Applicant(s)

Versus

State of Bihar

Respondent(s)

Date of hearing: 07.04.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s) : Mr. Devavrat Kumar Sahani, in person (in Virtual Mode)

**ORDER**

1. Mr. Devavrat Kumar Sahani, the Applicant in person, is present (in Virtual Mode).
2. The present Original Application is being registered on the basis of a letter petition dated 27.12.2024 sent to the Office of the National Green Tribunal, Eastern Zone Bench, Kolkata by the Applicant, Devavrat Kumar Sahani, resident of Athar Ghat, PS- Mushari, Bochahan, Muzaffarpur, Bihar, Pin-843118 alleging that in the process of bridge construction in Athar Ghat, Mushhari Police Station area of Muzaffarpur District by Bihar State Bridge Construction Corporation Limited, Work Division, Muzaffarpur, lakhs of plastic bags were dumped in the Budhi Gandak River, due to which the flow of the river has been affected and the garbage has not been cleaned. It is stated that the work of bridge construction was allotted to M/s Ganesha Ram Dokaniya Aliganj Banka, Bihar Rajya Pul Nirman Nigam L.T.D.
3. It is alleged that after completion of the construction work, the work agency and the department have not removed the sand

bags/plastic bags thrown into the river from the construction site nor has the river been cleaned. The letter petition reads as under:-

*“Dear Sir,*

*Regarding the above mentioned subject, it is to inform that in the Mushahari police station area of Muzaffarpur district, at Athar Ghat, Budhi Gandak River, Bihar Rajya Pul Nigam L.T.D. – Work Division Muzaffarpur, during the construction of the bridge, lakhs of plastic bags were dumped in the Budhi Gandak River stream, which were not cleaned and hence, the flow and expression of the river is getting affected. Due to which, the aquatic life of the river has been affected due to water pollution. In this regard serial project engineer informed Bihar Rajya Pul Nirman Nigam L.T.D. several times over the telephone, but no one has felt the need to remove plastic bags for pollution control.*

*It is to be noted that the construction work of the high level bridge on the Budhi Gandak river was done from the year 2014 to the year 2022. This work was allotted to M/s Ganesha Ram Dokaniya Aliganj Banka, Bihar Rajya Pul Nirman Nigam L.T.D. After the completion of the construction work, the work agency and the department do not remove the sand bags/plastic bags thrown into the river from the construction site of any bridge and do the cleaning work. Due to which the water of the rivers of our state is getting polluted and the flow and continuity of the river is getting affected. The aquatic life found in the river is also facing its ill effects. The fishes and other aquatic animals found earlier are also not seen in the river now. The whole problem can be seen through Google Earth satellite and how extensively it is obstructing the flow of the river.*

*Therefore, you are requested to kindly take cognizance of the above mentioned matter and take appropriate legal action.”*

*Yours Faithfully*

*Devavrat Kumar Sahani*  
*Athar Ghar, P.S-Mushari, Bochahan*  
*Muzaffarpur, Bihar – 843118*  
*Email- [devshakti001@gmail.com](mailto:devshakti001@gmail.com)/M-9471879117*

4. Along with the letter petition, photographs have been filed colly by way of evidence.
5. Matter requires consideration.
6. We direct the following members to be impleaded in the array of Respondents:-
  - i. Department of Environment, Forest and Climate Change, Government of Bihar, through the Principal Secretary;
  - ii. District Magistrate & Collector, District- Muzaffarpur, Bihar;
  - iii. Bihar State Pollution Control Board, through its Member Secretary;
  - iv. Bihar State Bridge Construction Corporation Limited, Work Division, Muzaffarpur; and
  - v. M/s Ganesha Ram Dokaniya Aliganj Banka, Bihar, through its proprietor.
7. Issue notice to the Respondents, returnable within four weeks.
8. Mr. Surendra Kumar, learned Counsel who is present in Court, accepts notice on behalf of the Respondent Nos.1, 2 and 4, State Respondents, Government of Bihar.
9. Ms. Amrita Pandey, learned Counsel appearing (in Virtual Mode), accepts notice on behalf of the Respondent No.3, Bihar State Pollution Control Board.
10. Issue notice to the Respondent No.5, M/s Ganesha Ram Dokaniya Aliganj Banka, Bihar Rajya Pul Nirman Nigam L.T.D., private respondent, returnable within four weeks.

11. All the Respondents shall file their counter-affidavits within four weeks.
12. Considering the allegations made, we deem it appropriate to constitute a Fact Finding Committee comprising of the following Members:-
  - i. Senior Scientist, Bihar State Pollution Control Board; and
  - ii. District Magistrate, District- Muzaffarpur, Bihar or his representative not below the rank of Additional District Magistrate (ADM).
13. The Committee shall visit the site in question and thereafter submit a Fact Finding Report on affidavit within four weeks with regard to the allegations made in the Original Application.
14. The District Magistrate, District- Muzaffarpur, Bihar shall be the Nodal office for all logistic purposes and for filing the Committee Report on affidavit.
15. The Applicant shall serve e-copy/soft copy of the Original Application along with letter petition and all its annexures upon Mr. Surendra Kumar and Ms. Amrita Pandey, learned Counsel for the Respondents as well as the private respondent within 24 hours.
16. **List on 09.07.2025.**

.....  
**B. Amit Sthalekar, JM**

.....  
**Dr. Afroz Ahmad, EM**

April 07, 2025,  
Original Application No.56/2025/EZ  
OM