

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

Original Application No.27/2025/EZ

Ram Kumar

Applicant(s)

Versus

State of Bihar & Ors.

Respondent(s)

Date of hearing: 24.03.2025

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

For Applicant(s) : None

**ORDER**

1. The present Original Application is being taken up on a letter petition filed by the Applicant, Ram Kumar, attaching a newspaper article published in the Newspaper Dainik Bhaskar dated 10.12.2024 alleging illegal construction and encroachment of Govt Pokhara situated in Ward No.32 which is alleged to be used as a waste disposal place creating ENVIRONMENTAL Hazards.
2. It is requested that the site be developed under the JAL JEEVAN HARIYALI Scheme.
3. We direct the following to be impleaded in the array of Respondents:-
  - i) Department of Environment & Forest, Government of Bihar, through its Principal Secretary;
  - ii) District Magistrate, District-Samastipur, Bihar;
  - iii) Bihar State Pollution Control Board (BSPCB); and
  - iv) Nagar Nigam, Samastipur, through its Municipal Commissioner.

4. Matter requires consideration.
5. Issue notice to the Applicant/complainant, Ram Kumar, returnable within four weeks.
6. Issue notice to the Respondents, returnable within four weeks.
7. Mr. Surendra Kumar, learned Counsel who is present in Court, accepts notice on behalf of the Respondent Nos.1 and 2, State Respondents, Government of Bihar.
8. Ms. Amrita Pandey, learned Counsel appearing (in Virtual Mode), accepts notice on behalf of the Respondent No.3, Bihar State Pollution Control Board (BSPCB).
9. Mr. Ghanshyam Pandey, learned Counsel appearing (in Virtual Mode), accepts notice on behalf of the Respondent No.4, Nagar Nigam, Samastipur, Bihar.
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. Senior Scientist, Bihar State Pollution Control Board;
  - ii. District Magistrate, District- Samastipur, Bihar or his representative not below the rank of Additional District Magistrate (ADM); and
  - iii. Nominee of the Municipal Commissioner, Nagar Nigam, Samastipur, Bihar.
12. The Committee shall visit the site in question and thereafter submit a Fact Finding Report on affidavit within three weeks with regard to the allegations made in the Original Application.

13. The District Magistrate, District- Samastipur, Bihar shall be the Nodal office for all logistic purposes and for filing the Fact finding Report on affidavit.
14. The Office of the Tribunal shall provide e-copy/soft copy of the Original Application along with letter petition and all its annexures to the learned Counsel for the Respondents, within 24 hours.
15. **List on 07.05.2025.**

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**B. Amit Sthalekar, JM**

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**Dr. Arun Kumar Verma, EM**

March 24, 2025,  
Original Application No.27/2025/EZ  
OM