

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

Original Application No.11/2024/EZ

In Re : Pollution level is increasing
in the city due to dumping of garbage
in Dardha River of Jahanabad, Bihar,

Applicant(s)

Versus

State of Bihar & Ors.

Respondent(s)

Date of hearing: 11.01.2024

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

For Applicant(s) : *Suo Motu*,

ORDER

1. This Original Application is being taken up *suo motu* in view of a news published in vernacular Hindu newspaper 'Hindustan' on 26.11.2023, mentioning that pollution level is increasing in the city of Jahanabad, Bihar, due to dumping of garbage in Dardha River. The translated transcript of the article reads as under:-

"Rivers are the life giver of human civilization. But, if efforts are made to destroy the River itself, then it also becomes a cause of trouble for the people living on the banks of the River. It is often seen that the amount of pollution in cities situated on River banks is slightly higher than other cities.

Dardha River flows through within the city. Dirty water from all the drains of Jehanabad city falls directly into the River. Apart from this, chemicals and medical waste from small domestic industries are also put into it. Buddhist Kumar says that if garbage is dumped in any open place in the city, it will naturally affect the air quality. It states that no construction should take place up to a distance of 100 meters from the River banks. If we build in the wetland of the River, its natural charectore continues to deteriorate. If an attempt is made to stop the flow of the River, it will also increase pollution. Let us tell you that recently Kachha

dam was constructed near the Lajo village in Dardha River of Jehanabad. After the construction of the dam, water from the drain started collecting in the River. Due to this, problems started not only for humans but also for animals and birds. Due to storage of dirty water, the risk of ground water pollution has increased further. It is also very hard to pay ritual to Lord Bhaskar and Chhath festival on the banks of River Dardha. Later, the people got relief only after the district administration removed the raw dam installed near Lojo village.

There are three layers treatment provision for sewerage water to discharge into the River.

Environmental experts say that the River is an open part. This is boon for the people. But, if the River is converted into a drain, obviously the level of pollution will be increased. Environmental expert Budhist Kumar, who is working on the cleanliness of Dardha and Phalgu Rivers says that if garbage is dumped into the River, then not only water pollution but air pollution also will be increased. He says that there is a provision to treat sewer water in three layers and drop it into the River. Suitable water can also be used for purposes other than irrigation. But, unfortunately, the Dardha River is becoming tired of carrying the burden of the population about 1,40,000 people of Jehanabad city.

Bihar State Pollution Control Board is ineffective

No efforts are being made by the State Pollution Control Board constituted for environmental protection to protect the Rivers from pollution. Namami Gange project has also been implemented. But till now no concrete steps have been taken to keep clean the Dardha River. Due to administrative laxity and lack of public awareness, many land mafias are involved in construction work on the River banks. Even, some people have built concrete right up to the River bed.”

2. Matter requires consideration since environmental questions are involved.
3. We, therefore, direct the following parties to be impleaded as Respondents in the present Original Application:-

1. Principal Secretary, Department of Environment, Govt. of Bihar, Patna,
2. Bihar State Pollution Control Board, through its Member Secretary, Bihar,
3. District Magistrate, Jahanabad,
4. Chief Executive Officer, Nagar Parishad, Jahanabad.
4. Issue notice to the Respondents, returnable within four weeks.
5. Mr. Surendra Kumar, learned Counsel who is present Court, accepts notice on behalf of the Respondent Nos.1&3, State Respondents, Govt. of Bihar.
6. Ms. Amrita Pandey, learned Counsel appearing (in Virtual Mode), accepts notice on behalf of the Respondent No.2, Bihar State Pollution Control Board.
7. Issue notice to the Respondent No.4, returnable within four weeks.
8. All the Respondents shall file their counter-affidavits within four weeks.
9. 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, and
 - (ii) District Magistrate, Jahanabad, or his representative not below the rank of Additional District Magistrate,
10. The Committee shall visit the site in question and submit its report within four weeks.
11. The District Magistrate, Jahanabad, shall be the Nodal Office for all logistic purposes and for filing the Report of the Committee on affidavit.
12. The office of the Tribunal shall provide copy of the Original Application including the documents on record to Mr. Surendra

Kumar and Ms. Amrita Pandey, Counsel for Respondents within 48 hours.

13. **List on 06.02.2024.**

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B. Amit Sthalekar, JM

January 11, 2024,
Original Application No.11/2024/EZ
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Dr. Arun Kumar Verma, EM