

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

Original Application No.228/2024/EZ
(Earlier O.A. No.1083/2024/PB)

Dr. Indu Kashyap

Applicant(s)

Versus

State of Bihar

Respondent(s)

Date of hearing: 09.01.2025

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

For Applicant(s) : None

ORDER

1. Case called out. No one is present on behalf of the Applicant.
2. The Original Application No.1083/2024/PB was registered by the New Delhi bench of the National Green Tribunal vide its order dated 08.11.2024 on the basis of a letter petition dated 19.01.2024 complaining of unscientific handling and disposal of solid waste by the local bodies in Nagar Parishad, Jehanabad.
3. In the complaint it is stated that in Ward No.1 near NH-110 and on the North side of the city there is a huge dump of solid waste which is on fire for the last three months and smoke is emitting therefrom causing air pollution rendering life of local people difficult and also causing a health hazard. It is also alleged that waste is being discharged and dumped illegally in river Dardha causing contamination thereof and public land is also being encroached.
4. The Tribunal accordingly constituted a Joint Committee comprising of the following members :-
 - i) District Magistrate, Jehanabad, State of Bihar; and
 - ii) Bihar State Pollution Control Board

5. The Committee was directed to collect relevant information with regard to the allegations made in the complaint and in case it finds violations of the environmental laws particularly with regard to observance and compliance of the Solid Waste Management Rules 2016, appropriate prohibitive, punitive, preventive and remedial action shall be taken against the violator(s) within two months and compliance Report be filed.
6. Thereafter, by the same order dated 08.11.2024, the Original Application has been transferred to the Eastern Zone Bench of the Tribunal and has been re-numbered as Original Application No.228/2024/EZ.
7. We find that parties have not been impleaded in the present Original Application. We, therefore direct the following may be impleaded in the array of Respondents :-
 - i) The District Magistrate, Jehanabad, State of Bihar as the Respondent No.1;
 - ii) The Bihar State Pollution Control Board as the Respondent No.2; and
 - iii) Nagar Parishad, Jehanabad as the Respondent No.3
8. Issue notice to the Respondents, returnable within four weeks.
9. Mr. Surendra Kumar, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the newly impleaded Respondent No.1, the District Magistrate, Jehanabad, State Respondents, Government of Bihar.
10. Ms. Amrita Pandey, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No.2, Bihar State Pollution Control Board.

11. Mr. Ghanshyam Pandey, learned Counsel who is present (in Virtual Mode), accepts notice on behalf the Respondent No.3, Nagar Parishad, Jehanabad, Bihar. Learned Counsel shall also file affidavit of compliance within three weeks.
12. All the Respondents shall file their counter-affidavits within three weeks.
13. The Committee has not filed its Joint Inspection Report on affidavit. The District Magistrate, Jehanabad is directed to file Joint Inspection Report on affidavit within three weeks.
14. The Registry shall provide e-copy/soft copy of the Original Application along with the records as well as the letter petition of the Applicant to the Counsel for the Respondents within 48 hours.
15. **List on 28.02.2025.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

January 09, 2025,
Original Application No.228/2024/EZ
(Earlier O.A. No.1083/2024/PB)
SKB