

**LAY NOTE BEFORE THE HON'BLE MEMBER
NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

Original Application No. 399/2022/PB

Ram Ekbal Rai

Vs

State of Bihar

Received a letter dated 29.08.2023 from the Consultant (Judicial), NGT, PB, New Delhi annexing the case record of Original Application No. 399/2022/PB titled :
Ram Ekbal Rai Vs State of Bihar

It appears that the case has been taken suo motu cognizance based on a letter petition/e-mail received from Mr. Ram Ekbal Rai, in the year of 2022 and case has been listed before Principal Bench on 08.07.2022 and subsequently on various dates.

Vide order dated. 18.08.2023 the case record has been transferred and directed to be listed on 06.09.2023 before the Eastern Zone Bench, Kolkata for further proceedings according to Rules.

Submitted for kind perusal and appropriate direction to re-number this case at this Bench.

Submitted please.

Shoban
5/09/2023
Section Officer

[Signature]
05/09/23
Ld. Deputy Registrar

[Signature]
05/09/23
Ld. Registrar

[Signature]
05/09/23
Hon'ble Expert Member

DA be renumbered
[Signature]
Hon'ble Judicial Member 05.9.23

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 399 OF 2022

IN THE MATTER OF:

RAM EKBAL RAI & ORS.

.....PETITIONER

VERSUS

STATE OF BIHAR & ORS.

.....RESPONDENTS

AMENDED MEMO OF PARTIES

Mr. RAM EKBAL RAI,
Bhatolia Village, Bharampur P.O.,
Karman Thana, Motipur, Muzaffarpur,
Bihar-843111
Phone no.: 9835086923
Email: nitesh843111@gmail.com

..... PETITIONER

VERSUS

1. **State of Bihar,**
Through the Chief Secretary,
Government of Bihar, Main Secretariat,
Patna, Bihar – 800015
Email: cs-bihar@nic.in (RESPONDENT NO.1)
2. **Principal Secretary,**
Department of Environment,
Forest and Climate Change,
Government of Bihar,
Aranya Bhawan,
Shahid Pir Ali Khan Path, Patna - 800 014
Email: efd-bih@nic.in (RESPONDENT NO.2)
3. **Principal Chief Conservator of Forests (HOFF),**
Government of Bihar,
Bihar Forest Department,
Vishweshwariah Complex Chowti Manzil,
Technology Bhavan,
Beli Raod Patna, Bihar-800015
Email: pccf-br@nic.in (RESPONDENT NO.3)
4. **Bihar State Pollution Control Board,**
Through its Chairman,
Parivesh Bhawan, Plot No. NS -B/2,
Patliputra Industrial Area,
Patliputra, Patna, Bihar – 800010
Email: msbspcb-bih@gov.in/bspcb@yahoo.com (RESPONDENT NO.4)
5. **Director General of Police, Bihar,**
Bihar Police Headquarters,
Sardar Patel Bhawan, Nehru Marg, Patna - 800 023
Email: dgp-bih@nic.in (RESPONDENT NO.5)
6. **District Magistrate, Muzaffarpur,**
Beside Office Of Collectorate,
Sutapatti, Pokhraira, Muzaffarpur, Bihar 842001
Email: dm-muzaffarpur.bih@nic.in (RESPONDENT NO.6)
7. **Nagendra Kumar**
S/O Late Ram Chandra Sahni, R/O Vill-SenuariPurushottam,
PO+P S-Motipur, Muzaffarpur, Bihar (RESPONDENT NO.7)
8. **Sashi Kumar**
S/O Ram Vriksh Prasad, R/O Vill-KalyanpurHarauna,
P.O-Morsand, P.S-Motipur,, Muzaffarpur, Bihar (RESPONDENT NO.8)

9. **Sunil Kumar**
S/O Ram Vriksh Prasad, R/O Vill-KalyanpurHarauna,
PO-Morsand, P.S-Motipur Muzaffarpur, Bihar (RESPONDENT NO.9)
10. **Chiranjeevi**
S/O Late Ram Chandra Sahni R/O Vill-SenuariPurushottam,
PO+P S-Motipur, Muzaffarpur, Bihar (RESPONDENT NO.10)
11. **Anil Kumar**
S/O Ram ChandraSahni, R/O Vill-SenuariPurushottam,
P.O+P.S-Motipur, Muzaffarpur, Bihar (RESPONDENT NO.11)
12. **Prabhu Sahni**
S/O RajendraSahni R/O Vill-Senuari Purushottam.
PO+P S-Motipur Muzaffarpur, Bihar (RESPONDENT NO.12)
13. **Devendra Sahni**
S/O NathuniSahni R/O Vill-Senuari Purushottam,
P.O+P.S-Motipur Muzaffarpur, Bihar (RESPONDENT NO.13)
14. **Nageshwar Sahni**
S/O Nathuni Sahni R/O Vill-Senuari Purushottam,
P.O+P S-Motipur Muzaffarpur, Bihar (RESPONDENT NO.14)
15. **Brahmdeo Sahni**
S/O JaylalSahni R/O Vill-SenuariPurushottam,
PO+P.S-Motipur Muzaffarpur, Bihar (RESPONDENT NO.15)
16. **Jitendra Kumar**
S/O RamadharSahni, R/O Vill-Kalyanpur Harauna,
P.O-Morsand, P.S-Motipur, Muzaffarpur, Bihar (RESPONDENT NO.16)
17. **Vijay Bhagat**
S/O Raja Ram Bhagat C/O Arvind Kumar R/O Vill-Senuari Purushottam,
P.O+P.S-Motipur Muzaffarpur, Bihar (RESPONDENT NO.17)
18. **Police Sahni**
S/O Muni LalSahni R/O Vill-KalyanpurHarauna,
PO-Morsand, P.S-Motipur Muzaffarpur, Bihar (RESPONDENT NO.18)
19. **Jitendra Kumar**
S/O Late Akildeo Prasad, R/O Vill-Harma,
P.O-Kalwari P.S-Kaanti. Distt-Muzaffarpur, Bihar (RESPONDENT NO.19)
20. **Suresh Kumar**
S/O Shankar Prasad R/O Vill-Bhawarua,
PO+P.S-GolukaraMadhuban Distt-East Champaran, Bihar (RESPONDENT NO.20)
21. **Shiv Kumar**
Mahto S/O LaxmanMahto, R/O Vill-Kalyanpur Harauna,
PO-Morsand, P.S-Motipur, Muzaffarpur, Bihar (RESPONDENT NO.21)
22. **Rani Kumari**
W/O Om Prakash Kumar, Vill-Pagambarpur,
Kolhua PO-Kolhua, Distt-Muzaffarpur, Bihar (RESPONDENT NO.22)
23. **Bhikhari Rai**
S/O Sarai, Muhammadpur, Muzaffarpur, Bihar (RESPONDENT NO.23)
24. **Rajesh Kumar Rai**
S/O GirijaRai, RIO Vill-Rampur, Distt-Muzaffarpur, Bihar(RESPONDENT NO.24)
25. **Md. Sahid**
S/O Abdul Majid, Vill-Rampuragan
P.O-Brahampurkarma, Muzaffarpur, Bihar (RESPONDENT NO.25)
26. **Surender Mahto @ Sahni**
Vill-Morsandi Mathia P.S-Motipur, Muzaffarpur, Bihar (RESPONDENT NO.26)
27. **Devanand Kumar**
S/O Dharamnath Prasad Chourasia Morsand,
Motipur, Muzaffarpur, Bihar (RESPONDENT NO.27)
28. **Vijay Sah**
S/O Sh. Lal Sah R/o Vill- Senduariganj Singh
P.O.- Barbari, P.S-Motipur, Distt.-Muzaffarpur, Bihar (RESPONDENT NO.28)

- 29. M/S Sushila Ply & Veneer,**
Sendwari-Gajsingh, P.S- Motipur, District-Muzaffarpur
a proprietorship firm through its Proprietor Sheoji Roy,
son of Chaltar Roy, Resident of village- Sendwari-Gajsingh,
P.S.-Motipur, District- Muzaffarpur. (RESPONDENT NO.29)
- 30. M/S Ayush Ply & Veneer,**
Nariyar Sethi, Nawada, P.S. Motipur, District-Muzaffarpur
a proprietorship firm through its Proprietor Sikandar Kumar,
son of Fuldeo Roy, Resident of village-Nariyar Sethi, Nawada,
P.S.- Motipur, District-Muzaffarpur (RESPONDENT NO.30)
- 31. M/S Avikrit Ply & Veneer,**
Nariyar Sethi, Nawada, P.S. Motipur, District-Muzaffarpur
a proprietorship firm through its Proprietor Manoj Kumar Yadav,
son of Ram Chandra Yadav, Resident of village- Nariyar Sethi, Nawada,
P.S.- Motipur, District-Muzaffarpur. (RESPONDENT NO.31)
- 32. M/s Aryan Ply & Veneer,**
Senduari Gajsingh, P.S.. Motipur, District- Muzaffarpur
a proprietorship firm through its Proprietor Randhir Kumar Yadav,
son of Ram Naresh Rai, Resident of village- Senduari Gajsingh,
P.S.- Motipur, District- Muzaffarpur (RESPONDENT NO.32)
- 33. M/s Vishwakarma Ply & Veneer,**
Senduari Gajsingh, P.S.-Motipur, District-Muzaffarpur
a proprietorship firm through its Proprietor Upendra Sah,
son of Late Mahadeo Sah, Resident of village- Senduari Muzaffarpur. Gajsingh,
P.S.-Motipur, District- Muzaffarpur (RESPONDENT NO.33)
- 34. M/s Mangalam Enterprises,**
Senduari Gajsingh, P.S-Motipur, District-Muzaffarpur
a proprietorship firm through its Proprietor Chanda Kumar Yadav,
son of Baijnath Rai, Resident of village- Senduari Gajsingh,
P.S.-Motipur, District- Muzaffarpur (RESPONDENT NO.34)
- 35. M/S Jay Laxmi Ply & Veneer,**
Senduari Purushottam, P.S. Motipur, District- Muzaffarpur
a proprietorship firm through its Proprietor Shashi Kumar Yadav,
son of Sukhdeo Roy, Resident of village-Senduari District- Muzaffarpur.
Purushottam, P.S.-Motipur, (RESPONDENT NO.35)
- 36. M/s Akash Veneer,**
Nariyar Sethi Nawada, P.S.- Motipur, District- Muzaffarpur
a proprietorship firm through its Proprietor Ram Kumar Rai,
son of Phuleshwar Rai, Resident of village- Nariyar Sethi Nawada,
P.S.-Motipur, District- Muzaffarpur. (RESPONDENT NO.36)
- 37. M/s Munna Veneer,**
Nariyar Nawada, P.S.-Motipur District- Muzaffarpur
a proprietorship firm through its Proprietor Munna Kumar,
son of Lalbabu Rai, Resident of village- Nariyar Nawada,
P.S.-Motipur, District- Muzaffarpur. (RESPONDENT NO.37)
- 38. M/s Hari Om Enterprises,**
Senduari Gajsingh, P.S.-Motipur, District-Muzaffarpur
a proprietorship firm through its Proprietor Hari Nandan Kumar Yadav,
son of Late Mewa Lal Rai, Resident of village- Senduari Muzaffarpur.
Gajsingh, P.S.-Motipur, District- Muzaffarpur (RESPONDENT NO.38)
- 39. M/S Manish Plywood Industries,**
Morsandi, P.S. - Motipur, District- Muzaffarpur
a proprietorship firm through its Proprietor Amod Kumar,
son of Bindeshwar Ray, Resident of village- Morsandi,
P.S.- Motipur, District- Muzaffarpur. (RESPONDENT NO.39)

40. M/S Brij Veneer & Saw Mill,

Senduari Gajsingh, P.S.-Motipur, District- Muzaffarpur
a proprietorship firm through its Proprietor Brijkishore Roy,
aged about 44 years (male), son of Khublal Roy,
Resident of village- Senduari Gajsingh,
P.S. Motipur, District- Muzaffarpur.

(RESPONDENT NO.40)

41. M/S V.S.K. Veneer & Ply,

Kalyanpur- Harauna- Motipur, P.S.-Motipur, District- Muzaffarpur
a proprietorship firm through its Proprietor Vinod Bhagat,
son of Kamal Bhagat, Resident of village- Harauna-Moreshandi,
Muzaffarpur. P.S.- Motipur, District- Muzaffarpur

(RESPONDENT NO.41)

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 399 OF 2022

IN THE MATTER OF:

RAM EKBAL RAI

.....PETITIONER

VERSUS

STATE OF BIHAR & ORS.

.....RESPONDENTS

MEMO OF PARTIES

Mr. RAM EKBAL RAI,
Bhatolia Village, Bharampur P.O.,
Karman Thana, Motipur, Muzaffarpur,
Bihar-843111
Phone no.: 9835086923

.....PETITIONER

VERSUS

1. **State of Bihar,**
Through the Chief Secretary,
Government of Bihar, Main Secretariat,
Patna, Bihar – 800015
Email: cs-bihar@nic.in (RESPONDENT NO.1)
2. **Principal Secretary,**
Department of Environment,
Forest and Climate Change,
Government of Bihar,
Aranya Bhawan,
Shahid Pir Ali Khan Path, Patna - 800 014
Email: efd-bih@nic.in (RESPONDENT NO.2)
3. **Principal Chief Conservator of Forests (HOFF),**
Government of Bihar,
Bihar Forest Department,
Vishweshwariah Complex Chowti Manzil,
Technology Bhavan,
Beli Raod Patna, Bihar-800015
Email: pccf-br@nic.in (RESPONDENT NO.3)
4. **Bihar State Pollution Control Board,**
Through its Chairman,
Parivesh Bhawan, Plot No. NS -B/2,
Patliputra Industrial Area,
Patliputra, Patna, Bihar – 800010
Email: bspcb@yahoo.com (RESPONDENT NO.4)
5. **Director General of Police, Bihar,**
Bihar Police Headquarters,
Sardar Patel Bhawan, Nehru Marg, Patna - 800 023
Email: dgp-bih@nic.in (RESPONDENT NO.5)
6. **District Magistrate, Muzaffarpur,**
Beside Office Of Collectariate,
Sutapatti, Pokhraise, Muzaffarpur, Bihar 842001
Email: dm-muzaffarpur.bih@nic.in (RESPONDENT NO.6)

National Green Tribunal
Principal Bench
Faridkot House, Copernicus Marg, New Delhi-110001

NGT/PB/04/2021-22
Dated: 04.05.2022

Sub: Submission of Public Grievance/Complaints/Letter Petitions received vide diary no. 530-540/LP/2022.

It is submitted that Public Grievances/Complaints/Letter Petitions have been received through E-mails/Speed post from different corners seeking redressal. Vide order dated 28.03.2019 (C-52 /pg) Letter petitions/Public Grievances/Complaints are to be placed before the Hon'ble Member after scrutiny, by Research Coordinator and thereafter the same are to be placed before Hon'ble Chairperson for final approval.

Further, In terms of order dated 17.11.2021, (C-55/Pg) it is mentioned here that Hon'ble Mr. Justice Brijesh Sethi and Hon'ble Mr. Justice Sudhir Agarwal (HJM) were nominated/recommended for considering the PGs. However, Hon'ble Mr. Justice Brijesh Sethi has demitted from the post of Member Judicial, NGT on 21.03.2022, henceforth, It is proposed that PGs file may be placed before Hon'ble Mr. Justice Sudhir Agarwal (HJM) for considerations.

Accordingly, the details of ten Public Grievances/Complaints/Letter Petitions dated 30th to 31st March, 2022, so received which may be related to environment and matters connected thereof are placed opposite vide diary nos. 530-540/LP/2022 as per (Annexure - A).

Submitted for kind perusal and necessary order/directions please.

(Lata Pujari)
04/05/22
MTS

(Ashok Kumar)
Consultant, PG

A Kumar
05-05-2022

(Ms. Pratima Akalkar)
Research Coordinator

Placed at Flag 'A' (Annexure - 'A') is a statement on Public Grievances (PG) received on 30th to 31st March, 2022 (10 nos). These PG have been studied and accordingly PG nos. 531, 532, 537, 540 (Sr. 2, 3, 7 & 10 at Annexure - A) are proposed for kind approval of Hon'ble Mr. Justice Sudhir Agarwal for placing before the Hon'ble Court. Rest of the PG may be rejected.

Submitted for kind approval please.

Pratima
05-05-2022

~~Ld. A.R.~~

7/5/2022 (ROSY DANIYA)

~~Ld. D.R.~~

20/6/22 (RM DANIL)

~~Ld. R.G.~~

Teekash
06/5/2022

Hon'ble Mr. Justice Sudhir Agarwal (HJM)

(X) approved

Sudhir
9.5.2022

Hon'ble chairperson

12/5

112/PG-LP/22
05/05/22

75/AR
05/05/2022

787/DR
06/05/22

799/RG
6/5/22

19/PG-LP/22
05/05/22

271/HCP
12/5/22

Ref. Prepage

The following LP's have been registered as OA's. Details of the LP's given below:-

- ① LP No. 531/2022 - OA No. 397/2022
- ② LP No. 532/2022 - OA No. 398/2022
- ③ LP No. 537/2022 - OA No. 399/2022
- ④ LP No. 540/2022 - OA No. 400/2022

Chandan Kumar Singh
25/05/2022
 Filing Section

Conit (Filing)

May please list the said OA's before the Hon. court.

Primal
25.05.2022
 Con. (F)

Con. (L) 2
25/5/2022

202-290/CF
 OA/22
25/5/2022

OA No 399/2022

**Observations of Research Coordinator as per Rule 9, Form 4 of NGT
Act, 2010**

Letter Petition (Regn No.537/LP/2022) dated 31.03.2022

**Diary No.530 - 540 /LP/2022
dated 30.03.2022 to 31.03.2022**

S. no	Issue raised	Significance	Suggested solutions
1	Illegal operation of hundreds of Viniyar mill, Arrah Machines and ply wood factories with boiler causing serious health hazard to local residents, damage to crops and livelihood of several villagers in Nariyar, Morsandi, Kalyanpur, Harona, Boariya, rasulpur, Rampur, Ugan, Mahima Gopinathpur, Anchana Kot & Bajri etc. of Prakhanda/anchal motipur distt Mujaffarpur Bihar.	Following matter has been considered by tribunal on the issue of non-compliance of environmental norms of Saw Mill Rules, 1978 by wood processing industries. 1. (By Video Conferencing) Original Application No. 118/2022 (I.A. No. 59/2022) dated 23.03.2022, Uttar Pradesh. 1. Grievance in this application is against illegal operation of chipper/cutter machines by respondent Nos. 5 to 37 and other unknown persons in District Muzaffarnagar, UP. 2. According to the applicant, the said respondents as well as others are using such machines for converting round timber into small chips and pieces to make the raw material for MDF/HDF and particle Board Units, without following regulatory regime under U.P. Saw Mill Rules, 1978, as amended upto 2017. The statutory authorities have failed to take remedial action as per MoEF&CC Guidelines dated 11.11.2016. 40 HP power engines are used in the process which requires obtaining of license from the Forest Department. 3. Having regard to the above averments, we find it necessary to require the Commissioner, Saharanpur, DIG, Saharanpur, State PCB, and PCCF (HoFF), U.P. to jointly look into the matter in coordination with the other concerned authorities and ensure further remedial action following due process of law. The State PCB will be	Application may be considered in view of direction of Tribunal on the matter as referred.

Ratna
05.05.2022

		<p>the nodal agency for coordination and compliance. An action taken report may be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. If violations are found, apart from taking action in exercise of statutory powers of the authorities, the violators may be informed about these proceedings so that if they so wish, they may file their respective responses before this Tribunal. List for further consideration on 08.07.2022. A copy of this order be forwarded to the Commissioner, Saharanpur, State PCB, DIG, Saharanpur and PCCF (HoFF), U.P. by email for compliance.</p>	
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Pratima
Pratima

Pratima Akolkar
Research Co-ordinator (NGT)
29.04.2022

0. A No 399/2022

537/24/2022
31/03/22

~~21~~

सेवा में,

अध्यक्ष महोदय,

राष्ट्रीय हरित अधिकरण।

फरीद कोर्ट हाउस कापरनिक्स मार्ग,

नई दिल्ली-11001

विषय:- प्रखण्ड/पंचायत मोतीपुर जिला-मुजफ्फरपुर बिहार
अन्तर्गत सैकड़ों विनियर मिल, आरा मील एवं प्लाईवुड
फैक्ट्रीयों के संबंध में।

महाशय,

निवेदन पूर्वक कहना है कि प्रखण्ड/अंचल मोतीपुर के
नरियार, मोरसण्डी, कल्याणपुर, हरौना, बोअरीया, रसुलपुर रामपुर
उगन, महिमा गोपीनाथपुर, अंचनाकोट, बरजी सहित अन्य गाँवों में
सैकड़ों विनियर मील, आरा मशीन एवं ब्यालर युक्त प्लाईवुड फैक्ट्रीयों
का अवैध संचालन हो रहा है। जिससे मानव जीवन, पशुधन एवं कृषि
उत्पादन पर विपरित प्रभाव पड़ रहा है। दुषित पर्यावरण में लोगों को
रहना मजबूरी हो गया है।

अतः आपसे अनुरोध है कि अपने स्तर से उच्च स्तरीय
जाँच टीम का गठन कर जाँच करवाने का कष्ट करे एवं उचित
कारवाई करने का कृपा प्रदान करें ताकि हम ग्रामवासी स्वच्छ
पर्यावरण में जीवन व्यतीत कर सकें।

विश्वासी

राम एकबाल राय

(राम एकबाल राय) 21/3/2022

सामाजिक कार्यकर्ता

ग्राम-भटौलिया, पो0-ब्रहमपुर

कर्मण थाना-मोतीपुर,

जिला-मुजफ्फरपुर

पिन-843111

मो0नं0-9835086923

Ld. R. G.

30-03-2022

L.P.

30 MAR 2022

1135