

ORDER & Petition in Original Application No. 1315/2024

न्यायिक अनुभाग Judicial Section <judicial-ngt@gov.in>

Wed, 29 Jan 2025 10:27:38 AM +0530 •

To "Deepto Ghosh" <registrarngt-kolkata@gov.in>, "National Green Tribunal, Eastern Zone Bench, Kolkata" <ngtjudicial-kolkata@gov.in>

Respected Sir/Madam,

I am directed to forward a copy of the Order dated 24/01/2025 passed in Original Application No. 1315/2024 (IA No.3/2025) Ramesh Prasad Rawat Applicant Versus State of Bihar & Ors. Respondents. for your kind perusal & necessary action.

It is also intimated have that, henceforth no pleadings/ report/ documents etc in pending case will be accepted except through E-filing module of NGT.

Pleadings/ report/ documents, etc. filed through E-mail will not be taken on record, unless otherwise directed.

भवदीय / Regards 🌿

परामर्शदाता (न्यायिक) / Consultant (Judicial) 🌿

राष्ट्रीय हरित अधिकरण / National Green Tribunal 🌿

प्रधान न्यायपीठ / Principal Bench 🌿

नई दिल्ली / New Delhi - 110001 🌿

☺ **2 Attachment(s)** • Download as Zip • Add To >

Ramesh Prasad Rawat.pdf

84.2 KB • 🌐



OA NO 1315 of 2024 Ip.pdf

790.1 KB • 🌐

I.A. 03/2025/E2 NOT received.

From

Ramesh Prasad Singh
Village-Ram chak
Post Office- Katsa
District- Saran, Bihar
Pin-841311

1680/LP/2024
08/9/2024



To Hon'ble Chairperson
Hon'ble National Green Tribunal
New Delhi

Subject- Letter petition, Violation of the provisions of Solid Waste Management Rules 2016 by Chapra Nagar Nigam (Bihar State)

Lordship

1. Most respectfully the following humble submission is made for perusal and relief.
2. I am resident of village Ramchak, P.O-Katsa, P.S- Amnour, Dist-Saran, Bihar.
3. Around six month back, Chapra Nagar Nigam started dumping of Municipal Solid Waste in the vacant land of erstwhile Maraurha Sugar Mill Cane Farm. The said land is situated 15 meters away from Khadra river, 50 meters from my house. Khadra river is a perennial river and it is used for bathing, irrigation and religious purpose. Famous Chhat festival is celebrated by the nearby villages such as Manpur, Gochi chapra, Katsa, Chakman, Ramchak, Sandalpur, Molnapur and Pagamitrasen at the bank of Khadra river. There are numerous mini temple, which is created during Chhat festival is situated on the bank pf Khadrs river, 10 meters away from the site where Municipal Waste is being dumped by Chapra Nagar Nigam. Photograph of dumping site accessed from Google Earth is placed at Annexure A1 and Photograph of actual site is placed at Annexure A II.
4. Upon dumping of Municipal Solid waste by Chapra Nagar Nigam, acute menace of household flies has invaded the villages as mentioned above. Few photographs showing acute invasion of household in the residential areas of above mentioned villages is placed at Annexure A III.

890/HEP
05/09/24

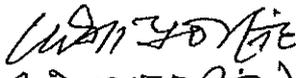
5. With the acute household flies and other rodents, villagers of abovementioned villages are being compelled to vacate their houses and shift elsewhere. Since my house is located next to dumping area, menace of household flies is more acute.

6. Initially I approached to officials of Chapra Nagar Nigam with the facts and circumstances. Upon getting no relief from Chapra Nagar Nigam, I approached to Bihar State Pollution Control Board. Copy of the letter submitted to Bihar State Pollution Control Board is placed at Annexure A IV.

7. So far no action has been initiated either by Bihar State Pollution Control Board or the officials of District administration of Saran district, this letter is being submitted before the Lordship as a last ray of hope of getting early relief.

With humble regards

Yours Sincerely


(MANOJ KUMAR)

Date-

Annexure AI



Annexure A II



Annexure A II



Annexure A II



Annexure A II



Annexure A III



Annexure A III



Annexue A III

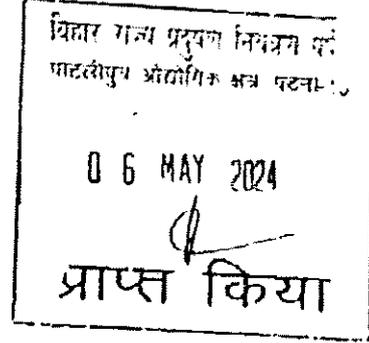


Annexure # VI

From

Ramesh Prasad Singh
vill- Ramchak
P.O-Katsa
Saran, Chapra- 841311

To
Member Secretary
Bihar State Pollution Control Board
Patliputra Industrial Area
Patna- 800010
E-mail- msbspb-bih@gov.in



Sir

1. Please refer to my letter dated 21.3.2024, copy of which is attached herewith
2. Vide my above quoted letter, I have submitted information regarding dumping of Municipal Solid Waste of Chapra town at village- Arna, P.S- Amnour by Chapra Nagar Nigam.
- 3 In the aforesaid letter I have submitted information that the said site does not meet the specification as described in Schedule A of Solid Waste Management Rules 2016.
4. It is further submitted that your office in reply to a RTI application has stated that Bihar State Pollution Control Board has not issued Consent-To-Operate and Consent to Establish for the Establishment and operation of solid waste landfill facility at Vill- Arna, P.S- Amnour. Photocopy of-said letter is attached herewith for ready reference.
5. Therefore, it is submitted that Chapra Nagar Nigam in complete disregard of Solid Waste Management Rules 2016 dumping municipal solid waste at vill- Arna, P.S- Amnour. It is understood that so far 27000 metric tons of solid waste has been dumped at the above said site.

6. In the view of the above it is requested that you may kindly consider the followings;
- Impose Environmental compensation upon Chapra Nagar Nigam on the method of calculation as devised by Hon'ble National Green Tribunal,
 - Restrain Chapra Nagar Nigam to further dump solid waste at Vill- Arna, P.S- Amnour,
 - Direct Chapra Nagar Nigam to remove dumped solid waste from landfill site situated at Vill- Arna, P.S- Amnour

Yours faithfully

Ramesh Prasad Singh

Ramesh Prasad Singh

9939246949

Date- 01-05-2024

Copy to -

- Department of Urban Development & Housing, Govt of Bihar Patna
- District Magistrate, Saran, Chapra
- Chapra Nagar Nigam, Chapra

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.1315/2024
(IA No.3/2025)

Ramesh Prasad Rawat

Applicant

Versus

State of Bihar & Ors.

Respondents

Date of hearing: 24.01.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None for the applicant.

Respondent: Mr. Indu Bhushan, Advocate for Applicant in IA No. 3
of 2025

ORDER

1. Mr. Ramesh Prasad Rawat resident of village Ramchak, P.O. Katsa, District Saran, Bihar had sent the present letter petition to this Tribunal, which has been treated and registered as O.A. No. 1315/2024, complaining about illegal dumping of municipal solid waste on vacant land of erstwhile Maraurha Sugar Mill Cane Farm by Chapra Nagar Nigam.
2. Vide order dated 27.11.2024 this Tribunal constituted a Joint Committee with direction to visit the site, collect relevant information interact with stakeholders and submit a factual report within one month.
3. Report of the Joint Committee has not been filed so far.

4. Intervention Application, which has been registered as I.A. No. 03/2025, has been filed by Chapra Nagar Nigam.

5. Notice of I.A. No. 03/2025 alongwith copies of the documents attached therewith be issued to the applicant.

6. Even though in the present case, cognizance has been taken by this Bench on the basis of letter petition received, which has been treated as original application and assigned to this Bench with approval and under order of Hon'ble Chairperson, but in view of the fact that the place of accrual of cause of action lies within jurisdiction of the Eastern Zone Bench of this Tribunal at Kolkata, we are of the considered view that it will be appropriate if the substantial environmental questions involved in the case are heard and decided by Eastern Zone Bench of this Tribunal at Kolkata.

7. Accordingly, the Registry is directed to list the matter before the Eastern Zone Bench of this Tribunal at Kolkata on 06.02.2025 after obtaining orders from Hon'ble the Chairperson for transfer of the case.

8. Reply by the applicant to I.A. No. 03/2025 and report of the Joint Committee may be filed before the Eastern Zone Bench of this Tribunal at Kolkata at least three days before the next date of hearing fixed.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 24, 2025
O.A. No.1315/2024
AG