

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN

ZONE BENCH, KOLKATA

(THROUGH PHYSICAL HEARING WITH HYBRID MODE)

M.A No.-37 of 2023/EZ

In

Original Application No. 88/2021/EZ

Talab Bachao Abhiyan (TBA)..... Applicants

Versus

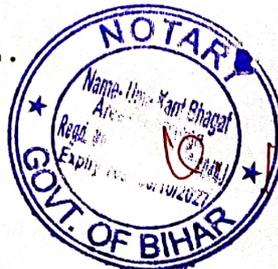
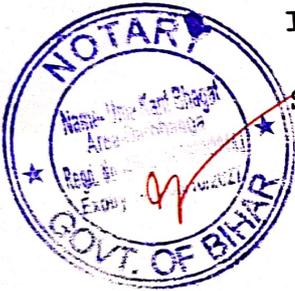
Govt. of Bihar & Others..... Respondents.

I, *Rajiv... Ranshan* aged about *44* years (Male)  
S/o *Shri... Shreedee N... Chaudhary*. Resident  
of Village... *Gaura*.....

P.O.- *Gaura*....., P.s... *Teghera*...

Dist- *Deghri*... *85.1.1.3* do hereby  
solemnly affirm and state as follows:-

1. That I am presently posted as Collector  
-cum- District Magistrate, Darbhanga and  
I have been implicated as respondent No-  
03 in the original application no.  
88/2021/EZ.



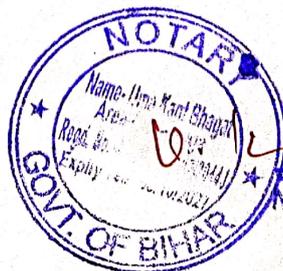
ATTESTED

*JMA KANT BHAGAT*  
Notary Public, Darbhanga

2. That at the very outset, it is respectfully submitted that the respondent No.-03 has the highest regard of the majesty of the Hon'ble Tribunal for the order passed by it and is duty bound to comply the order of the Hon'ble Tribunal and cannot think of disobeying the order of the Hon'ble Tribunal even in the wildest dream and in the same, in obedience to and in compliance of the order of the Hon'ble Tribunal vide order dated 01-05-2024 passed in M.A No. 37/2023/EZ, the present counter affidavit is being taken before your Lordship.



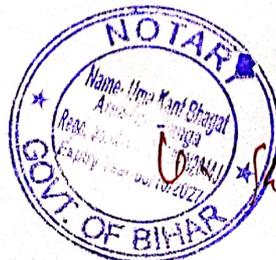
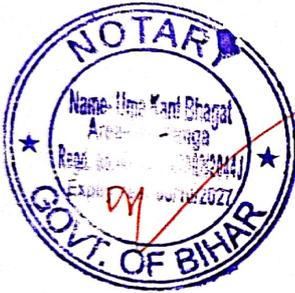
3. That it is further respectfully submitted that having known to the operation of the order of the Hon'ble Tribunal, vide order Dated-01-05-2024 read with order dated 15-04-2024 passed



ATTESTED

UMA KANT BHAGAT  
Notary Public, Barhhanu

in M.A No. 37/2023/EZ, the respondent the District Magistrate, Darbhanga has bestowed his serious consideration into the matter and vide Memo no. 222/GS dated 03-05-2024, has aptly, approached to the Vice Chancellor, Lalit Narayan Mithila University, Darbhanga with a request to make proper representation into the matter before your lordship, the copy of said letter has also been forwarded to the Registrar of the said university for doing needful into the matter of which service report is being attached herewith for ready reference. Additionally, the copy of the order of the Hon'ble court has also been forwarded by the District Magistrate Darbhanga (Mob No-9473191317) to the Vice Chancellor, LNMU (Mob No-9430687206) through whatsapp on 4<sup>th</sup> May 2024.

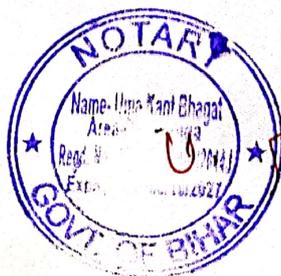
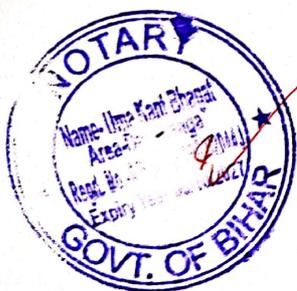


**ATTESTED**

**JMA KANT BHAGAT**  
Notary Public, Darbhanga

Copy of Memo No.222/GS dated 03-05-2024 issued by the District Magistrate, Darbhanga and its service report are annexed and marked as Annexure-R-A, A/1 and A/2.

4. That it is further respectfully submitted that the delay caused for complying the order of the Hon'ble Tribunal vide order dated 15-04-2024 passed in M.A No. 37/2023/EZ, if any found, is neither deliberate nor intentional and for the same, the respondent, the District Magistrate, Darbhanga tenders unqualified and unconditional apology before this Hon'ble Tribunal with a humble submission that the District



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JMA KANT BHAGAT  
Notary Public, Darbhanga

submission that the District Administration, Darbhanga is intensively involve in the Lok Sabha Election -2024 in which the phase of nomination was fixed from 18-04-2024 to 25-04-2024 and on subsequent events the scrutiny and withdrawal of nomination form was continued to 29-04-2024. It is further respectfully submitted that in the meantime, the program of Prime Minister of India is also going to be held on 04-05-2024 and in the same, with all respect, the respondent, the District Magistrate, Darbhanga once again, tenders unconditional and unqualified apology before this Hon'ble Tribunal.

5. That the respondent humbly submits that the statements made in the counter affidavit are true to my knowledge and information as derived from the records



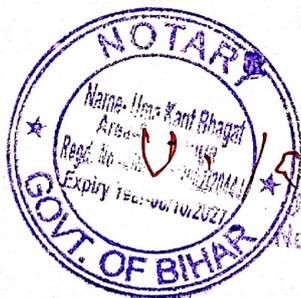
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JITENDRA KANT BHAGAT  
Notary Public, Darbhanga

as well as made by the way of submission before this Hon'ble Tribunal.

6. That the annexure are true photo copies of their respective originals.

*Rajiv Ranjan*  
Deponent.



ATTESTED

*Uma Kant Bhagat*  
UMA KANT BHAGAT  
Notary Public, Darbhanga

Anhcy - A.

**समाहरणलय, दरभंगा।**  
(जिला सामान्य शाखा)

अतिआवश्यक

प्रेषक,

पत्रांक /

जिला पदाधिकारी,  
दरभंगा।

सेवा में,

कुलपति,  
एल0एन0एम0यू0,  
दरभंगा।

दिनांक

विषय:-

Original Application N0. 88/2021/EZ राष्ट्रीय तालाब बचाओं अभियान (टी0बी0ए0) बनाम बिहार राज्य एवं अन्य में पारित ओदश दिनांक 01.05.2024 का अनुपालन करने के संबंध में।

महाशय,

उपर्युक्त विषयक संबंध में सूचित करना है कि Original Application N0. 88/2021/EZ राष्ट्रीय तालाब बचाओ अभियान (टी0बी0ए0) बनाम बिहार राज्य एवं अन्य में दिनांक 01.05.2024 को आदेश पारित किया गया है।

अतः अनुरोध है कि कि Original Application N0. 88/2021/EZ राष्ट्रीय तालाब बचाओं अभियान (टी0बी0ए0) बनाम बिहार राज्य एवं अन्य में दिनांक 01.05.2024 को पारित आदेश को आलोक में यथाशीघ्र अनुपालन करते हुए दिनांक 07.05.2024 को NGT के समक्ष Virtual Mode में उपस्थित होना सुनिश्चित करेंगे। उक्त अनुपालन से अधोहस्ताक्षरी को भी अनुपालन कराना सुनिश्चित किया जाय।  
अनुलग्नक:- याथोक्त।



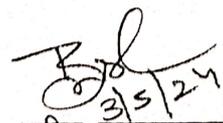
विश्वासभाजन

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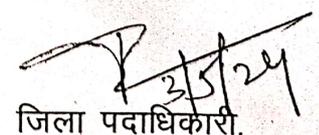
जिला पदाधिकारी,  
दरभंगा।

ज्ञापांक 229 दिनांक 03/05/2024

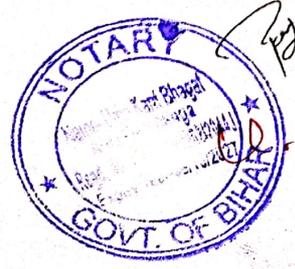
प्रतिलिपि- निबंधक, एल0एन0एम0यू0, दरभंगा को सूचनार्थ एवं आवश्यक कर्त्यार्थ प्रेषित।

  
वरीय उपसमाहत्ता।

जिला सामान्य शाखा  
दरभंगा।



जिला पदाधिकारी,  
दरभंगा।

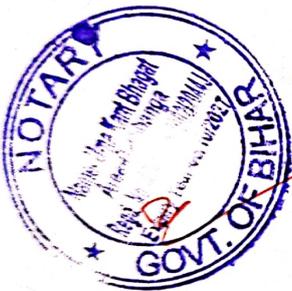


**ATTESTED**

**JMA KANT BHAGAT**  
Notary Public, Darbhanga

6.5.24

Ahlex - A/1



कृपया पति	222	रि-410
रम ०० नं ०२५ ०५०	03/05/2024	4.5.2024
हरभंगा		Surendra Paswan
		L.D.C.
		V. C. Secretariat
		L.N.M.U., Darbhanga
		ATTESTED
		JMA KANT BHAGAT
		Notary Public, Darbhanga





# समाहरणलय, दरभंगा।

(जिला सामान्य शाखा)

अतिआवश्यक

पत्रांक /

प्रेषक,

जिला पदाधिकारी,  
दरभंगा।

सेवा में,

कुलपति,  
एल0एन0एम0यू0,  
दरभंगा।

दिनांक

विषय:-

Original Application N0. 88/2021/EZ राष्ट्रीय तालाब बचाओं अभियान (टी0बी0ए0) बनाम बिहार राज्य एवं अन्य में पारित ओदश दिनांक 01.05.2024 का अनुपालन करने के संबंध में।

महाशय,

उपर्युक्त विषयक संबंध में सूचित करना है कि Original Application N0. 88/2021/EZ राष्ट्रीय तालाब बचाओ अभियान (टी0बी0ए0) बनाम बिहार राज्य एवं अन्य में दिनांक 01.05.2024 को आदेश पारित किया गया है।

अतः अनुरोध है कि Original Application N0. 88/2021/EZ राष्ट्रीय तालाब बचाओं अभियान (टी0बी0ए0) बनाम बिहार राज्य एवं अन्य में दिनांक 01.05.2024 को पारित आदेश के तालोक में यथाशीघ्र अनुपालन करते हुए दिनांक 07.05.2024 को NGT के समक्ष Virtual Mode में उपस्थित होना सुनिश्चित करेंगे। उक्त अनुपालन से अधोहस्ताक्षरी को भी अवगत कराना सुनिश्चित किया जाय।

अनुलग्नक:- याथोक्त।

विश्वासभाजन

ह0 /

जिला पदाधिकारी,  
दरभंगा।

ज्ञापांक 222/दिनांक 03/05/2024

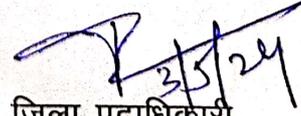
प्रतिलिपि- निबंधक, एल0एन0एम0यू0, दरभंगा को सूचनार्थ एवं आवश्यक कार्यार्थ प्रेषित।



वरीय उपसमाहत्ता।

जिला सामान्य शाखा

दरभंगा।



जिला पदाधिकारी,

दरभंगा।



ATTESTED

UMA KANT BHAGAT  
Notary Public, Darbhanga

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

M.A. No.37/2023/EZ  
In  
Original Application No.88/2021/EZ

Talab Bachao Abhiyan (TBA)

Applicant(s)

Versus

Govt. of Bihar &amp; Ors.

Respondent(s)

Date of hearing: 15.04.2024

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

For Applicant(s) : Ms. Renu, Advocate (in Virtual Mode)

For Respondent(s) : Ms. Amrita Pandey, Adv. for Bihar SPCB (in Virtual Mode)

**ORDER**



1. Ms. Renu, learned Counsel is present (in Virtual Mode) for the Applicant.
2. In spite of the orders of the Tribunal dated 05.01.2024 and 29.02.2024 no one has put in appearance on behalf of the Respondent No.2, Lalit Narayan Mithila University, nor any response affidavit has been filed till date.
3. We also find that along with the affidavit of the Bihar State Pollution Control Board dated 02.02.2024, an order dated 07.12.2023 (Annexure-B) has been filed which is a notice to the Vice Chancellor and the Registrar, Lalit Narayan Mithila University, issued under Section 33A of the Water (Prevention and Control of Pollution) Act, 1974, containing certain directions.
4. Ms. Amrita Pandey, learned Counsel appearing (in Virtual Mode) for Bihar State Pollution Control Board, states that the State Board



**ATTESTED**

JMA KANT BHAGAT  
Public, Darbhanga

6.5.24

has not received any response from the Lalit Narayan Mithila University to the said notice issued on 07.12.2023 till date.

5. In this view of the matter, we direct the Vice Chancellor and the Registrar, Lalit Narayan Mithila University, to be present before this Court through Virtual Mode on the next date of listing.

6. We also find that the Lalit Narayan Mithila University has been served through e-mail sent by the Applicant and affidavit of service upon Respondent No.2, Vice Chancellor, Lalit Narayan Mithila University, has also been served through registered post, copy of which has been filed along with the documents on record.

In this view of the matter, affidavit of service upon the Vice Chancellor, Lalit Narayan Mithila University, shall be deemed to be sufficient in view of the provisions of Section 27 of the General Clauses Act, 1897.

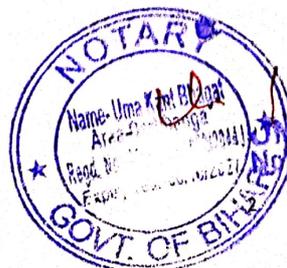
8. We also direct that a copy of this order shall be served upon the Respondent No.2, Vice Chancellor, and the Registrar, Lalit Narayan Mithila University, through the office of the District Magistrate, Darbhanga, who shall file affidavit of service before the next date of listing.

9. **List on 01.05.2024.**

.....  
**B. Amit Sthalekar, JM**

.....  
**Dr. Arun Kumar Verma, EM**

April 15, 2024,  
M.A. No.37/2023/EZ  
In  
Original Application No.88/2021/EZ  
AK



**ATTESTED**

**USHA KANT BHAGAT**  
Notary Public, Darbhanga

TALAB BACHAO ABHIYAN VERSUS STATE OF BIHAR & ORS.

From : surendra kr15 <surendra\_kr15@rediffmail.com>  
Sender : surendra kr15 <surendra\_kr15@rediffmail.com>  
Subject : : TALAB BACHAO ABHIYAN VERSUS STATE OF BIHAR & ORS.

Thu, May 02, 2024 11:21 PM  
2 attachments

To : Mr Rajiv Raushan <dm-darbhanga.bih@nic.in>



To  
The District Magistrate  
Darbhanga (Bihar)

M.A 37/2023

O.A

88/2021 Talab Bachao Abhiyan v/s State of Bihar & Ors

Respected Sir

Please find through attachment the copy of petition (M.A)and order dated 01/05/2024 passed by NGT Kolkata bench which is self explanatory nature .Please the file Affidavit before the next date i.e on 07/05/2024,

Please appear before the Honble Tribunal on 7/05/20224 by virtual mode

Regards

Surendra Kumar  
Advocate( Govt of Bihar)  
Calcutta High Court &NGT  
Mob 9433361866

From: "Corpus Juris India (Service)" <service@corpusjurisindia.com>  
Sent: Wed, 01 May 2024 11:47:04  
To: surendra kumar <surendra\_kr15@rediffmail.com>, dm-darbhanga.bih@nic.in  
Cc: kamlesh Legal aid <kamlesh.legalaid@gmail.com>, Advocate Renu <adv.renu.98@gmail.com>  
Subject: TALAB BACHAO ABHIYAN VERSUS STATE OF BIHAR & ORS.

PLEASE FIND THE COPY OF M.A NO. 37 OF 2023/EZ

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Thanks and regards  
RENU

ASSOCIATE



Advocate & Legal Consultant  
Supreme Court of India  
Chamber Address:

346A; Block 1, Lawyers Chambers  
Delhi High Court; New Delhi-110 003  
Mobile# +91 9650763963



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  -  **order\_dated\_01.05.2024.pdf**  
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**ATTESTED**

**UMA KANT BHAGAT**  
Notary Public, Darbhanga

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

**(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

M.A. No.37/2023/EZ

In

Original Application No.88/2021/EZ

Talab Bachao Abhiyan (TBA)

Applicant(s)

Versus

Govt. of Bihar & Ors.

Respondent(s)

Date of hearing: 01.05.2024

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

For Applicant(s) : Ms. Renu, Advocate (in Virtual Mode)

For Respondent(s) : Ms. Amrita Pandey, Advocate for Bihar SPCB (in Virtual Mode)

**ORDER**

- Neither the Vice Chancellor, Lalit Narayan Mithihla University nor the Registrar of the said University are present in Virtual Mode as directed by this Tribunal vide its order dated 15.04.2024. Notices upon them were required to be served through the District Magistrate, Darbhanga with a further direction to file affidavit of service before the next date of listing. Affidavit of service has also not been filed.
- We, therefore, direct the District Magistrate, Darbhanga, to appear in Virtual Mode on the next date of listing and file affidavit of service.
- Mr. Surendra Kumar, learned Counsel who is present in Court, is directed to accept notice on behalf of the Respondent No.3, District Magistrate, Darbhanga.



**ATTESTED**

JMA KANT BHAGAT  
Notary Public, Darbhanga

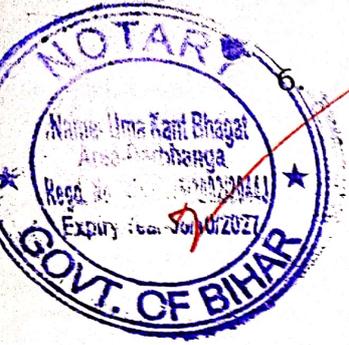
4. Learned Counsel for the Applicant shall serve e-copy/soft copy of the M.A. along with all its annexures upon Mr. Surendra Kumar, learned Counsel for the Respondents today itself.
5. The Vice Chancellor, Lalit Narayan Mithihla University and Registrar of the University shall be present in Virtual Mode on the next date of listing.

6. **List on 07.05.2024.**

.....  
**B. Amit Sthalekar, JM**

.....  
**Dr. Arun Kumar Verma, EM**

May 01, 2024,  
M.A. No.37/2023/EZ  
In Original Application No.88/2021/EZ  
MN



ATTESTED

UMA KANT BHAGAT  
Notary Public, Darbhanga

6.5.24