

Before The National Green Tribunal

Eastern Zone Bench Kolkatta

Original Application No. 212/2024/EZ of
MA-37/2025/EZ

Narendra SinghPetitioner

Versus

The State of Bihar & Ors. Respondents

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4.	Annexure- B Xerox copy of letter no-1713 dated 09-05-2025 issued by the D.D.C, Vaishali to the B.D.O Jandaha.	09-05-2025	23
5.	Annexure- C Xerox copy of letter no-941 dated 14-05-2025 with photographs issued by the B.D.O Jandaha.	14-05-2025	24 to 25

Date :-

Filed by

Surendra Kumar
Advocate



✕

Before

**The National Green Tribunal
Eastern Zone Bench Kolkata**

**Original Application No- 212/2024/EZ****Narendra Singh Applicant****Versus****The District Collector, Vaishali and others-Respondents**

Affidavit of compliance of the order passed on April 24, 2025 by the National Green Tribunal in this case.

I, Yashpal Meena aged about 42 years S/o Late K.L. Meena R/o 18, Airport Apartments, Vikashpuri, Tilak Nagar, Delhi – 110010 do hereby solemnly affirm and state as follows:-

1. That at present I hold post of the District Magistrate in the District Vaishali (Bihar).

2. That by the order dated 24.04.2025 passed by your Lordships in this case I was directed to ensure that the Waste Processing Unit in question set up in



X

Gram Panchayat Raj Lakshmipur Brahmbatta, Block Jandaha, District - Vaishali is removed within ten days and the site is cleared of all debris and land is restored to its original form.

3. That in compliance of the order aforesaid I directed the Deputy Development Commissioner-cum- Chief Executive Officer, District Rural Development Agency, Vaishali vide the letter issued under memo no - 1864 dated 08.05.2025 to remove the Waste Processing Unit within a period of five days set up in Gram Panchayat Raj Lakshmipur Barhmbatta under Block Jandaha and remove all the debris

there from so as to restore the land in its original form.



Xerox copy of letter no- 1864 dated 08.05.2025 issued by the D.M Vaishali to the DDC-cum- Chief Executive Officer, District

X

Rural Development Agency,
Vaishali with direction aforesaid is
being annexed and marked as
Annexure -A

4. That in pursuance of the order and direction issued to the DDC-cum-Chief Executive officer District Rural Development Agency, Vaishali he issued a letter to the Block Development Officer, Jandaha bearing letter no- 1713 dated 09.05.2025 with a direction to submit compliance report of the order dated 24.04.2025 passed by the Hon'ble National Green Tribunal, Eastern Zone Bench Kolkata in O.A.No.- 212/2024/Ez within three days .



Xerox copy of letter no-
1713 dated 09.05.2025
issued by the DDC,
Vaishali to the BDO,
Jandaha is being

X

annexed and marked as
Annexure-B .

5. That the BDO Jandaha vide his letter bearing letter no-941 dated 14.05.2025 submitted compliance report of the order dated 24.04.2025 passed by the Hon'ble National Green Tribunal Eastern zone Bench Kolkata passed in O.A.No- 212/2024/EZ .

6. That in compliance of the said order of the Hon'ble tribunal, the WPU set up in Gram Panchayat Raj Lakshmipur Brahmbtta under Block Jandaha, has been demolished and removed from the site by the BDO Jandaha, in presence of all other employees and the site is cleared of all debris and the land has been restored to its original form .



Xerox copy of the compliance report submitted to the DDC Vaishali by the BDO jandaha vide latter no- 941 dated 14.05.2025 with photographs snapped

X

during the removal of WPU from the site situated in Gram Panchayat Raj Lakshmipur Brahmbatta are being annexed and marked as Annexure-C

7. That the order passed by the Hon'ble Green Tribunal has been complied in true spirit .
8. That all the statements made hereinabove by me in this affidavit are true and correct to the best of my knowledge and belief
9. That the annexures are the exact copies of their respective originals.

as name
D.M.

y
12/10/24
 D.M, Vaishali
 Deponent



J.C.J.
12/10/24
 Notary Public
 Vaishali Haipur

Yashpal Meena
District Magistrate,
Vaishali.

Verification

I Yashpal Meena the District Magistrate Vaishali do hereby solemnly affirm and verify that the statements. I have made in this counter affidavit from Page- 01 to 41 are true and correct to the best of my knowledge and belief.



Yashpal Meena
District Magistrate,
Vaishali.

Yashpal Meena
Notary Public
Vaishali Haipur

ANN - A

समाहरणालय, वैशाली (हाजीपुर)

Email : vaishaliloga@section@gmail.com (जिला विधि शाखा)

संख्यांक.....1864.....

दिनांक.....08.5.25.....

प्रेषक,

जिला पदाधिकारी,
वैशाली।

सेवा में,

उप विकास आयुक्त -सह-
मुख्य कार्यापालक पदाधिकारी,
जिला ग्रामीण विकास अभिकरण, वैशाली।

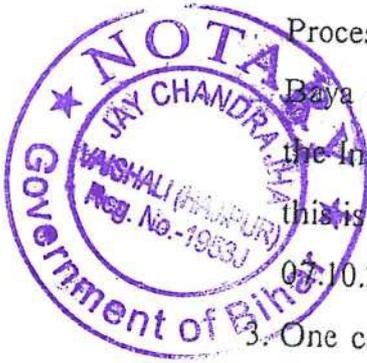
विषय :-

नागेन्द्र सिंह बनाम बिहार राज्य में माननीय राष्ट्रीय हरित प्राधिकरण, पूर्वोत्तर जोन बेन्च, कोलकाता द्वारा याचिका/आवेदन सं० 212/2024/EZ में पारित आदेश दिनांक 24.04.25 का अनुपालन प्रतिवेदन उपलब्ध कराने के संबंध में।

महाशय,

उपर्युक्त विषय के संबंध में कहना है नागेन्द्र सिंह बनाम बिहार राज्य में माननीय राष्ट्रीय हरित प्राधिकरण, पूर्वोत्तर जोन बेन्च, कोलकाता द्वारा याचिका/आवेदन सं० 212/2024/EZ में पारित आदेश दिनांक 24.04.25 की छायाप्रति संलग्न कर भेजा जा रहा है, जिसमें वर्णित है कि :-

1. A conjoint reading of para (A) and (B) of the Siting Criteria, with regard to land fill site, clearly show that the landfill site shall be not less than 100 mtrs. away from the river or 200 mtrs from a pond and that 'processing' of waste received will be read as a part and parcel of the landfill site and therefore the Siting Criteria fixed for landfill site would also be applicable to a Waste Processing Unit.
2. In the present case, the admitted position is that the Waste Processing Unit is situated at a distance of 15 feet from the River Baya which is also obvious from the photographs filed along with the Inspection Report and the Inspection Report also mentions that this is a violation of the MoEF&CC Notification SO 3187(E) dated 07.10.2016.
3. One cannot ignore the fact that during the operation of the Waste Processing Unit for processing of solid wastes of the village/villages concerned, there is every possibility of the waste being washed away in the river if the water level reaches the Waste Processing Unit and therefore the construction of the said Waste Processing Unit at the



Collectorate, Vaishali (Hajipur)

Email: vaishalilegaisession@gmail.com (District Legal Section)

Letter No. 1864

Date :- 08-05-2025

From,

District Magistrate,

Vaishali

To,

Deputy Development Commissioner

-cum-Chief Executive Officer,

District Rural Development Agency, Vaishali.

Subject:- Regarding providing compliance report of the order dated 24.04.25 passed by the Hon'ble National Green Tribunal, North Eastern Zone Bench, Kolkata in Petition/Application No. 212/2024/EZ in Nagendra Singh vs State of Bihar.

Sir,

In relation to the above mentioned subject, a copy of the order dated 24.04.25 passed by the Hon'ble National Green Tribunal, North Eastern Zone Bench, Kolkata in the petition/application no. 212/2024/EZ in Nagendra Singh vs. State of Bihar is being enclosed, in which it is mentioned that :-

1. A conjoint reading of para (A) and (B) of the Siting Criteria, with regard to land fill site, clearly show that the landfill site shall be not less than 100 mtrs. away from the river or 200 mtrs from a pond and that 'processing' of waste received will be read as a part and parcel of the landfill site and therefore the Siting Criteria fixed for landfill site would also be applicable to a Waste Processing Unit.
2. In the present case, the admitted position is that the Waste Processing Unit is situated at a distance of 15 feet from the River Baya which is also obvious from the photographs filed along with the Inspection Report and the Inspection Report also mentions that this is a violation of the MoEF&CC Notification SO 3187(E) dated 07.10.2016.
3. One cannot ignore the fact that during the operation of the Waste Processing Unit for processing of solid wastes of the village/villages concerned, there is every possibility of the waste being washed away in the river if the water level reaches the Waste Processing Unit and therefore the construction of the said Waste Processing Unit at the

④
15/05/25
B.D.O.
Jandaha

Translated from Hindi to English.
Prakash Ranjan Kumar
Asst. Civil Court Clerk

site in question is absolutely illegal and in violation of the Siting Criteria as prescribed in Schedule I of the Solid Waste Management Rules 2016.

4. The Original Application is therefore allowed and a direction is issued to the District Collector, Vaishali, Bihar to ensure that the Waste Processing Unit in question set up in Gram Panchayat, Raj Lakshmipur, Brahambatta, Block Jandaha, District-Vaishali, is removed within ten days and the site is cleared of all debris and the land is restored to its original form. If the Gram Panchayat is of the view that a Waste Processing Unit should be set up, it should be set up strictly in compliance with the Siting Criteria as laid down in Schedule I of the Solid Waste Management Rules 2016.

अतः उपरोक्त आदेश के अनुपालन में निदेशित है कि ग्राम पंचायत राज लक्ष्मीपुर वरवट्टा प्रखंड जन्दाहा में स्थापित अवशिष्ट प्रसंस्करण इकाई (Waste Processing Unit) को पाँच दिनों के अन्दर हटते हुए स्थल के सभी मलवे को साफ करते हुए भूमि को उसके मूल स्वरूप में लाना सुनिश्चित करते हुए अनुपालन प्रतिवेदन उपलब्ध कराना सुनिश्चित करें। साथ ही पारित आदेश के आलोक में प्रतिशपथ पत्र (Affidavit) तैयार कर अविलंब उपलब्ध कराना सुनिश्चित करें।

उपरोक्त पारित आदेश एवं संयुक्त जाँच द्वारा समर्पित जाँच प्रतिवेदन से स्पष्ट होता है कि स्थल चयन/क्रियान्वयन में MoEF&CC Notification SO 3187(E) dated 07.10.2016 का उलंघन किया गया है। ऐसी स्थिति में इस योजना के स्थल चयन/क्रियान्वयन में हुई राजस्व हानि की वसूली दोषी पदाधिकारियों/कर्मियों/जनप्रतिनिधियों से करना सुनिश्चित करेंगे।

अनु:- यथोक्त।

विश्वासभाजन

[Signature]
जिला पदाधिकारी,
वैशाली।



site in question is absolutely illegal and in violation of the Siting Criteria as prescribed in Schedule I of the Solid Waste Management Rules 2016.

4. The Original Application is therefore allowed and a issued to the District Collector, Vaishali, Bihar to ensure that the Waste Processing Unit in question set up in Gram Panchayat, Raj Lakshmipur, Brahambatta, Block Jandaha, District – Vaishali, is removed within ten days and the site is cleared of all debris and the land is restored to its original form. If the Gram Panchayat is of the view that a Waste Processing Unit should be set up, it should be set up strictly in compliance with the Siting Criteria as laid down in Schedule 1 of the Solid Waste Management Rules 2016.

Therefore, in compliance of the above order, it is directed that the Waste Processing Unit established in Gram Panchayat Raj Laxmipur Barbatta Block Jandaha should be removed within five days, all the debris of the site should be cleaned and the land should be restored to its original form and a compliance report should be made available. Also, in the light of the passed order, an affidavit should be prepared and made available without delay.

It is clear from the above order passed and submitted joint investigation report that the MoEF&CC Notification SO 3187(E) dated 07.10.2016 has been violated in the site selection/ implementation. In such a situation, it is to be ensure that the revenue loss incurred in the site selection/implementation of this scheme is recovered from the guilty officers/employees/public representatives

Enclosure – As above noted

Yours faithfully

Sd/

District Magistrate,

Vaishali

(42)
15/05/25
B.D.O.
Jandaha

I have translated the letter from Hindi to English

- Pankaj Rajan Kumar
A.S.B.

Civil Court Hatapur
Vaishali.

Item No.02

Court No.1

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

Original Application No.212/2024/EZ

Narendra Singh

Versus

Applicant(s)

State of Bihar

Respondent(s)

Date of hearing: 24.04.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

For Applicant(s) : Mr. Dipankar Thakur, Adv.

For Respondent(s): Mr. Surendra Kumar, Adv. for R-1 & 2 (in Virtual Mode),
Ms. Amrita Pandey, Adv. for R-3 (in Virtual Mode)

ORDER

1. Mr. Dipankar Thakur, learned Counsel is present on behalf of the Applicant but he has not been able to assist the Court.

2. Affidavit dated 24.04.2025 has been filed on behalf of the Respondent No.4, Mukhiya Sanjeet Kumar Paswan, Gram Panchayat, Raj Lakshmipur, Brahambatta ; the same is taken on record.

(Final order of the said case will be uploaded in NGT website by separate sheets of paper)

.....
B. Amit Sthalekar, JM

.....
Dr. Vijay Kulkarni, EM



Item No.02

Court No.1

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

Original Application No.212/2024/EZ

In the matter of:

Narendra Singh
Village & P.O. Rampur,
Ramhar,
P.S. Jandaha,
District - Vaishali
(Bihar)

.... Applicant(s)

Versus

1. **The District Collector, Vaishali**
Bihar
2. **Department of Environment**
Through its Principal Secretary,
Government of Bihar
3. **The Bihar State Pollution Control Board**
Through its Member Secretary
4. **Mukhiya Sanjeet Kumar Paswan**
(Lakshmipur Brahmbatta Panchayat),
Vill. & P.O. - Rampur, Ramhar,
P.S. - Jandaha,
Dist. : Vaishali
(Bihar)

.... Respondent(s)

Date of hearing: 24.04.2025

CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER

For Applicant(s) : Mr. Dipankar Thakur, Adv.

For Respondent(s): Mr. Surendra Kumar, Adv. for R-1 & 2 (in Virtual Mode),
Ms. Amrita Pandey, Adv. for R-3 (in Virtual Mode)

ORDER

1. The present Original Application was registered on the basis of a letter petition filed by one Narendra Singh alleging that in his village and P.O. Rampur, Ramhar, P.S. Jandaha, District - Vaishali (Bihar), the Mukhiya Sanjeet Kumar Paswan (Lakshmipur



Brahmbatta panchayat) is constructing Panchayat Bhawan and is dumping garbage on Plot Nos.619 and 620 which is situated on the banks of river Baya which comes into a flood every year. It is alleged that as a result of dumping of construction materials on the aforesaid plots on the banks of river Baya, the entire area is getting polluted and in case there is a flood, it will result in loss of life and material and in any case such construction is not permissible within 100-200 mtrs. of the river/waterbody.

2. At the time of admission this Tribunal constituted a Fact Finding Committee comprising of :-
 - i) The District Collector, Vaishali, Bihar; and
 - ii) Senior Scientist, Bihar State Pollution Control Board
 to carry out an inspection of the site in question and submit its Report with regard to the allegations made in the Letter Petition.
3. The Joint Committee Report of an inspection carried out on 23.01.2025 has been filed which reads as under :-

**Inspection Report of the Joint Committee Constituted
in Compliance with Hon'ble NGT Matter in OA
No.212/2024/EZ**
XX

1. Background:

The present OA No.212/2024/EZ was registered by the Hon'ble NGT based on a letter petition filed by Shri Narendra Singh, alleging that Lakshmipur Barhbatta Panchayat was constructing a Panchayat Bhawan and dumping garbage on Plot No.619 and 620, situated on the banks of the Baya River. Concerns were raised that the dumping of construction materials on this plot could lead to environmental pollution and increase flood risks, potentially resulting in loss of life and property.

2. Committee Composition and Inspection Details :



A joint committee was constituted, comprising representatives from the District Magistrate, Vaishali, and Bihar State Pollution Control Board, which conducted an inspection of the alleged site on January 23, 2025. The officials present during the inspection were :

1. Md. Ahsan Ahmad, AC Departmental Enquiry, Vaishali.
2. Sh. Kishlay Kushwaha, SDO, Mahua.
3. Sh. Nalini Mohan Singh, Scientist, Bihar Pollution Control Board, Patna.

3. Findings and Observations :

During the site inspection, the committee observed the following :

1. Waste Processing Unit (WPU) Construction :

- a. A Waste Processing Unit (WPU) of Size 33x30 Feet has been constructed at a distance of approximately 15 feet from the Baya River.
- b. The WPU consists of five compost pits MRFs and three NADEP tanks, designed for organic waste decomposition.
- c. The structure has a GS sheet roof (not RCC) and was constructed for waste management purposes.

2. The Construction was completed in February 2024.

3. Status of Panchayat Bhawan and Waste Disposal :

- a. No Panchayat Bhawan was found on the site. The land in front of the WPU.
- b. At the time of inspection, no garbage was found either on the vacant land or within the WPU.

4. Ownership and Legality :

- a. The WPU is built on government land, The complainant's residence (Shri Narendra Singh) is located approximately 100 meters away from the site.

5. Regulatory Compliance Status :

- a. As per Rule 15(Y) of the Solid Waste Management Rules, 2016, any waste processing



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facility handling over five metric tons per day requires authorization from the State Pollution Control Board (SPCB).

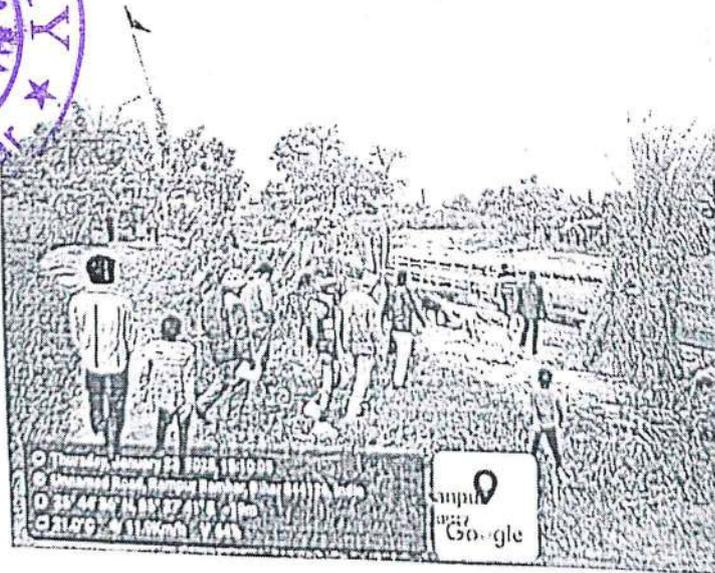
b. Population Data and Waste Generation :

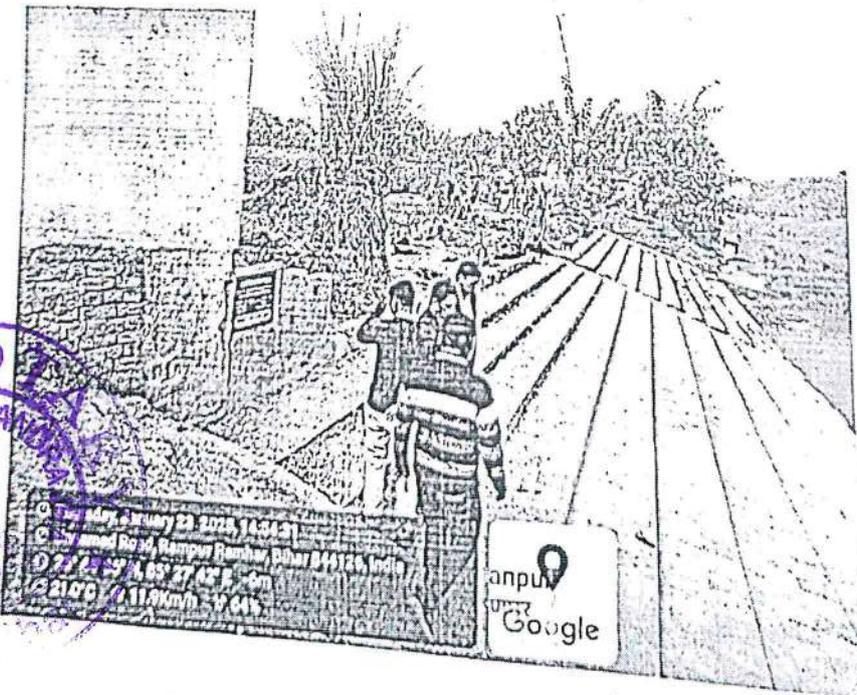
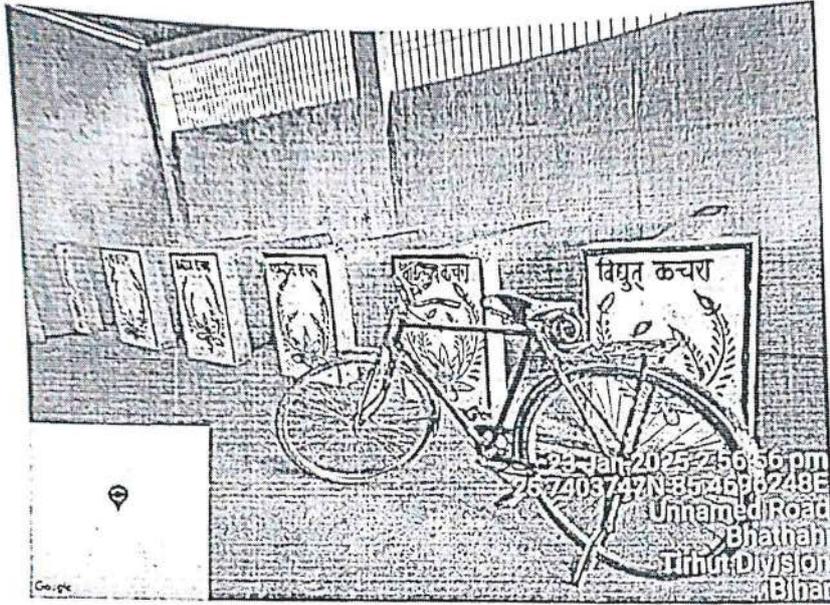
- i. The total population of Lakshmi pur Barhmbatta Gram Panchayat as per 2011 Census was 12,084.
- ii. The current estimated population, as per the Action Plan is 15,166.
- iii. The waste generated does not exceed five metric tons per day, and thus, the WPU does not fall under the mandatory authorization requirement under SWM Rules, 2016.

4. Conclusion :

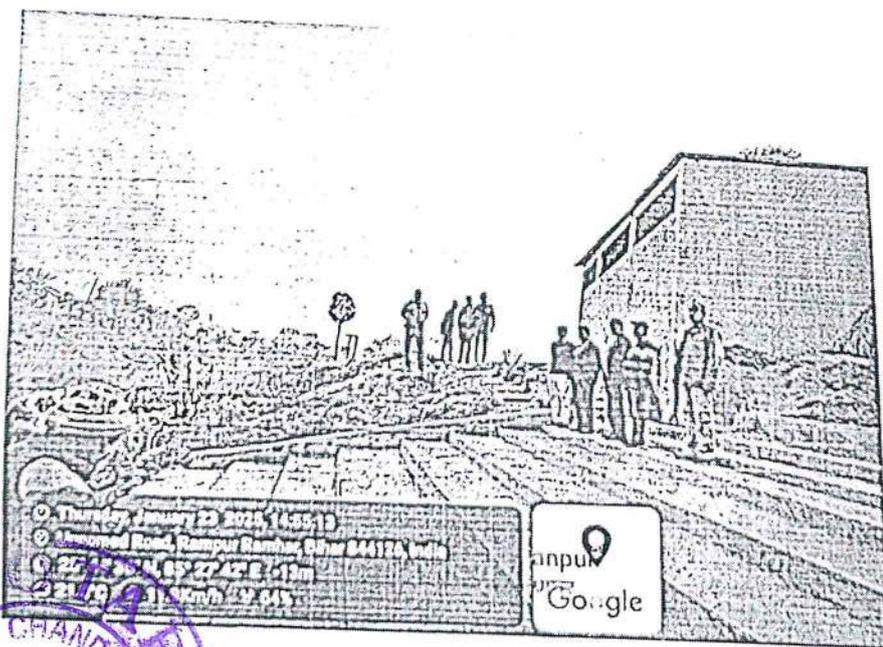
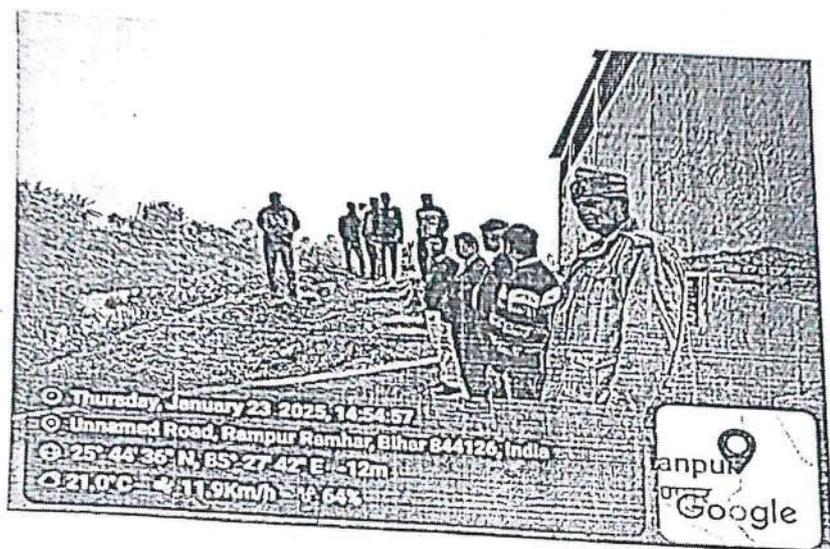
A WPU has been constructed on the bank of Baya river at a distance of about 15 ft which is not in accordance with the Ministry of Water Resources, river development and Ganga Rejuvenation, Government of India, Gazette Notification dated 07.10.2016 contained in S.O. 3187(E) in Rule 6(3).

The WPU is with a GS sheet roof and remains non-functional at present. The sole purpose of this facility is to ensure proper waste management in the Panchayat, thereby reducing unregulated dumping into the Baya River and mitigating environmental risks.





NO
 JAY CHANDRA
 VAISHALI
 Reg. No. - 1000
 Government

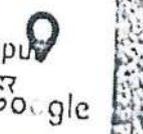




Thursday, January 23, 2025, 11:47 AM
 Dismantled Road, Champu Bazar, Bihar 844124, India
 25°47'36"N 85°27'22"E
 021.06 • 11.90km • 2.64

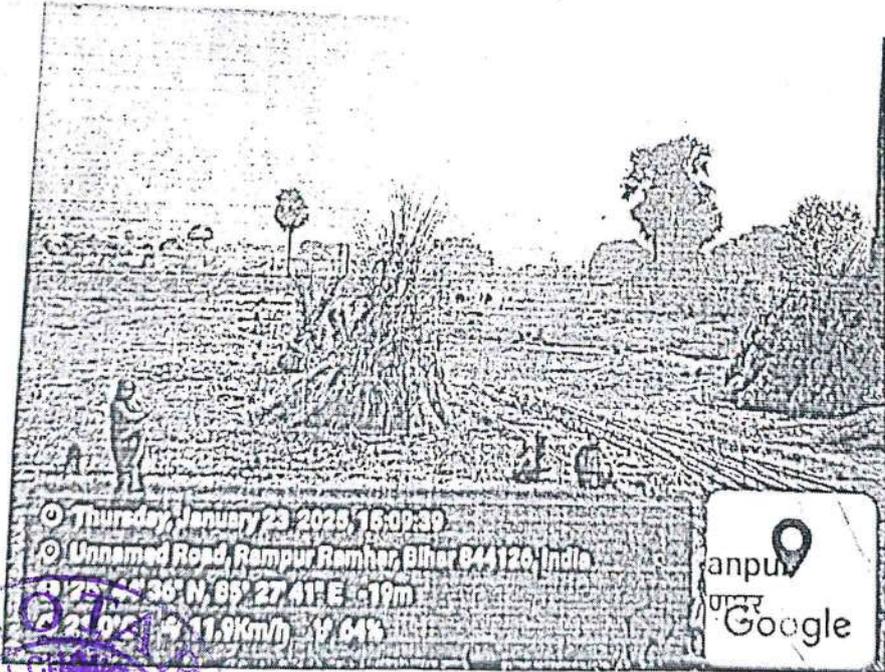


Thursday, January 23, 2025, 11:47 AM
 Dismantled Road, Champu Bazar, Bihar 844124, India
 25°47'36"N 85°27'22"E
 021.06 • 11.90km • 2.64





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4. The findings of the Inspection Committee are that a Waste Processing Unit (WPU) having a size 33 x 30 feet has been constructed at a distance of approximately 15 feet from the Baya River. The Waste Processing Unit consisting of five compost pits, Multi Recovery Facilities (MRFs) and three NADEP tanks have been designed for organic waste decomposition ; the structure has a GS Sheet Roof and was constructed for waste management purposes. It is stated that there is no Panchayat Bhawan found on the site or land in front of the Waste Processing Unit and even at the time of inspection, no garbage was found lying on the vacant land or within the Waste Processing Unit.
5. The Joint Committee Inspection Report categorically states that the Waste Processing Unit has been constructed on the bank of Baya River at a distance of about 15 feet which is not in accordance with the Ministry of Water Resources, River Development and Ganga Rejuvenation, Government of India Gazette Notification dated 07.10.2016 S.O. 3187(E) in Rule 6(3).
6. Photographs have been filed with the Inspection Report which shows the Waste Processing Unit with absolutely no garbage inside nor any machinery for processing and appears to be a new construction. The photographs clearly show it to be situated at the head of the stairs leading to the Baya River.
7. Counter affidavit dated 24.04.2025 has been filed by the Respondent No.4, Gram Panchayat, Raj Lakshmipur, Brahambatta, Block Jandaha, District-Vaishali stating that the Waste Processing Unit has been constructed at a cost of Rs.7,48,704/- (Rupees seven lakh forty eight thousand seven hundred four only) and is situated in Ward No.13 and 14 of the Gram Panchayat, Raj Lakshmipur,



Brahambatta situated close to River Baya as there has been apprehension of waste materials of the village being swept away polluting the river water. It is stated that the construction site has been decided and approved by the Gram Sabha.

8. The MoEF&CC Notification dated 07.10.2016 S.O. 3187(E) in sub-para (3) of para 6 "Prevention, control and abatement of environmental pollution in River Ganga and its tributaries" thereof states that :-

(3) No person shall construct any structure, whether permanent or temporary for residential or commercial or industrial or any other purposes in the River Ganga, Bank of River Ganga or its tributaries or active flood plain area of River Ganga or its tributaries.
Provided that in exceptional circumstances like natural calamities or religious events at traditional locations, temporary structures can be raised after prior permission of the National Mission for Clean Ganga acting through the State Ganga Committee and the district Ganga Committee;
Provided further that in case any such construction has been completed, before the commencement of this Order, in the River Bank of River Ganga or its tributaries or active flood plain area of River Ganga or its tributaries, the National Mission for Clean Ganga shall review such constructions so as to examine as to whether such constructions are causing interruption in the continuous flow of water or pollution in River Ganga or its tributaries, and if that be so, it shall cause for removing them.

9. There is no dispute, rather it is admitted, that the construction in question is a Waste Processing Unit. The Solid Waste Management Rules 2016 in Schedule I under the heading "Specifications for Sanitary Landfills", para (A)(vii) "Criteria for site selection" states that the landfill site shall be 10 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks





and water supply wells and 20 km away from Airports or Airbase.

Para A(vii) and A(viii) is as under :-

"SCHEDULE I

Specifications for Sanitary Landfills

(A) Criteria for Site Selection :-

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

(vii) The landfill site shall be 10 meter away from river, 200 meter from a pond, 200 meter from Highways, Habitations, Public Parks and water supply wells and 20 km away from Airports or Airbase. However, in a special case, landfill site may be set up within a distance of 10 and 20 km away from the Airport/Airbase after obtaining no objection certificate from the civil aviation authority / Air force as the case may be. The Landfill site shall not be permitted within the flood plains as recorded for the last 100 years, zone of coastal regulation, wetland, Critical habitat areas, sensitive eco-fragile areas.

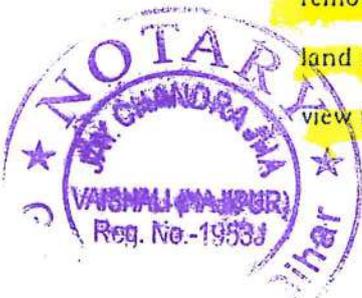
(viii) The sites for landfill and processing and disposal of solid waste shall be incorporated in the Town Planning Department's land-use plans."

10. In Schedule I under the heading "Criteria for development of facilities at the sanitary landfills" para (B)(iii) states that :-

the landfill site shall have waste inspection facility to monitor waste brought in for landfilling, office facility for record keeping and shelter for keeping equipment and machinery including pollution monitoring equipment. The operator of the facility shall maintain record of waste received, processed and disposed.



11. A conjoint reading of para (A) and (B) of the Siting Criteria, with regard to land fill site, clearly show that the landfill site shall be not less than 100 mtrs. away from the river or 200 mtrs from a pond and that 'processing' of waste received will be read as a part and parcel of the landfill site and therefore the Siting Criteria fixed for landfill site would also be applicable to a Waste Processing Unit.
12. In the present case, the admitted position is that the Waste Processing Unit is situated at a distance of 15 feet from the River Baya which is also obvious from the photographs filed along with the Inspection Report and the Inspection Report also mentions that this is a violation of the MoEF&CC Notification SO 3187(E) dated 07.10.2016.
13. One cannot ignore the fact that during the operation of the Waste Processing Unit for processing of solid wastes of the village/villages concerned, there is every possibility of the waste being washed away in the river if the water level reaches the Waste Processing Unit and therefore the construction of the said Waste Processing Unit at the site in question is absolutely illegal and in violation of the Siting Criteria as prescribed in Schedule I of the Solid Waste Management Rules 2016.
14. The Original Application is therefore allowed and a direction is issued to the District Collector, Vaishali, Bihar to ensure that the Waste Processing Unit in question set up in Gram Panchayat, Raj Lakshmipur, Brahambatta, Block Jandaha, District-Vaishali, is removed within ten days and the site is cleared of all debris and the land is restored to its original form. If the Gram Panchayat is of the view that a Waste Processing Unit should be set up, it should be set



up strictly in compliance with the Siting Criteria as laid down in
Schedule I of the Solid Waste Management Rules 2016.

15. The District Collector, Vaishali shall file affidavit of compliance with the Registrar, National Green Tribunal, Eastern Zone by 20.05.2025.
16. I.As, if any, stand disposed of accordingly.
17. There shall be no order as to costs.

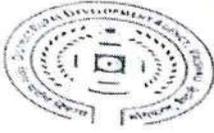
.....
B. Amit Sthalekar, JM

.....
Dr. Vijay Kulkarni, EM

April 24, 2025,
Original Application No.212/2024/EZ
SKB



ANN - B



DISTRICT RURAL DEVELOPMENT AGENCY, VAISHALI

जिला ग्रामीण विकास अभिकरण, वैशाली
विकास भवन, समाहरणालय परिसर, हाजीपुर - 844101

00224-272897(0) ddc-vaishali-bih@nic.in http://www.drdevaishali.bih.nic



प्रेषक,

पत्रांक

1713

/अभि0 हाजीपुर

दिनांक :- 09/05/25

सेवा में,

उप विकास आयुक्त,
वैशाली।

विषय

प्रखंड विकास पदाधिकारी,
जन्दाहा।

प्रसंग

महाशय,

नागेन्द्र सिंह बनाम बिहार राज्य में माननीय राष्ट्रीय हरित प्राधिकरण, पूर्वोत्तर जोन बेन्च, कोलकाता द्वारा याचिका/ओवदन सं0-212/2024/EZ में दिनांक-24.04.2025 को पारित आदेश का अनुपालन प्रतिवेदन उपलब्ध कराने के संबंध में।

जिला पदाधिकारी, वैशाली का ज्ञापांक-1864/जि0विधि0, दिनांक-08.05.2025

उपर्युक्त विषयक एवं प्रासंगिक पत्र (छायाप्रति संलग्न) के संबंध में कहना है कि जिला पदाधिकारी, वैशाली का ज्ञापांक-1864/जि0विधि0, दिनांक-08.05.2025 द्वारा नागेन्द्र सिंह बनाम बिहार राज्य में माननीय राष्ट्रीय हरित प्राधिकरण, पूर्वोत्तर जोन बेन्च, कोलकाता द्वारा याचिका/ओवदन सं0-212/2024/EZ में दिनांक-24.04.2025 को पारित आदेश (छायाप्रति संलग्न) के अनुपालन के क्रम में निम्न बिन्दुओं पर प्रतिवेदन की मांग की गई है:-

1. लोहिया स्वच्छ अभियान द्वितीय चरण अंतर्गत जन्दाहा प्रखंड के लक्ष्मीपुर ब्राह्मबट्टा में स्थापित/निर्मित अपशिष्ट प्रसंस्करण इकाई (WPU) को 05 दिनों के अंदर हटाते हुए स्थल के सभी मलवे को साफ कराते हुए भूमि को उसके मूल स्वरूप में लाया जाए।
2. योजना के स्थल चयन/क्रियान्वयन में हुई राजस्व हानि की वसूली दोषी पदाधिकारियों/ कर्मियों/ जनप्रतिनिधियों से किया जाए।

माननीय राष्ट्रीय हरित प्राधिकरण, पूर्वोत्तर जोन बेन्च, कोलकाता द्वारा याचिका/ओवदन सं0-212/2024/EZ में दिनांक-24.04.2025 को पारित आदेश एवं संयुक्त जाँच दल द्वारा समर्पित जाँच प्रतिवेदन से स्पष्ट होता है कि स्थल चयन/ क्रियान्वयन में MoEF&CC Notification SO 3187(E) dated 07-10-2016 का उलंघन किया गया है।

अतः निदेशित है कि उक्त अपशिष्ट प्रसंस्करण इकाई (WPU) को हटाते हुए स्थल के सभी मलवे को साफ कराते हुए भूमि को उसके मूल स्वरूप में लाना सुनिश्चित करेंगे। साथ ही इसके निर्माण कार्य में हुई राजस्व हानि की वसूली हेतु दोषी पदाधिकारियों/ कर्मियों/ जनप्रतिनिधियों को चिन्हित करते हुए कृत कार्रवाई का प्रतिवेदन अपने स्पष्टीकरण के साथ 03 दिनों के अंदर उपलब्ध कराना सुनिश्चित करेंगे।

अनुलग्नक: यथोक्त।

विश्वासभाजन

उप विकास आयुक्त,
वैशाली।



DISTRICT RURAL DEVELOPMENT AGENCY, VAISHALI

District Rural Development Agency, Vaishali Hajipur - 844101

Letter number – 1713/Agency Hajipur

Date :- 09/05/25

Form

Deputy Development Commissioner,
Vaishali.

To,

Block Development Officer,
Jandaha.

Subject :- Regarding providing compliance report of the order passed on 24.04.2025 in Petition/Application No.- 212/2024/EZ by Hon'ble National Green Tribunal, North Eastern Zone Bench, Kolkata in Nagendra Singh vs State of Bihar.

Context :- District Magistrate, Vaishali's Memorandum no.- 1864/District Legal, dated- 08.05.2025

Sir,

Regarding the above mentioned subject and relevant letter (photocopy enclosed), it is to be said that in compliance of the order passed on 24.04.2025 (Photocopy enclosed) in the petition/application no. 212/2024/EZ by the Hon'ble National Green Tribunal, North Eastern Zone Bench, Kolkata in Nagendra Singh vs. State of Bihar by the District Magistrate, Vaishali vide letter no.-1864/District Legal, dated-08.05.2025 (photocopy enclosed), a report has been sought on the following points:-

1. Under the second phase of Lohia Swaksh Abhiyan, the constructed waste processing unit (WPU) established at Lakshmipur Brahmabha of Jandaha Block should be demolished within 05 days and all the debris of the site should be cleared and the land should be brought to its original form.
2. The revenue loss incurred in the site selection/implementation of the scheme should be recovered from the guilty officers/employees/public representatives.

The order passed on 24.04.2025 by the Hon'ble National Green Tribunal, North Eastern Zone Bench, Kolkata in petition No. 212/2024/EZ and the joint report submitted by the Joint Investigation Team clearly shows that MoEF&CC Notification SO 3187(E) dated 07-10-2016 has been violated in site selection/ implementation.

Therefore, it is directed that by removing the said waste processing unit (WPU) all the debris of the site should be cleared and the land should be restored to its original form. Also, for the recovery of the revenue loss caused in its construction work, the guilty officers/employees and public representatives should be identified and action taken report should be made available within 03 days along with your show cause reply.

Annexure, as above noted.

Yours faithfully

Sd/

Deputy Development Commissioner,
Vaishali.

I have translated the letter from Hindi to English.

Prem Ranjan Kumar

AGS (with Govt. Seal)

15/05/25
B.D.O.
Jandaha

Ann-C⁴⁵

प्रखण्ड कार्यालय, जन्दाहा

पत्रांक १५१/.....

दिनांक १५/०५/२०२५

प्रेषक,

प्रखंड विकास पदाधिकारी,
जन्दाहा

सेवा में,

उप विकास आयुक्त,
वैशाली।

विषय :- नरेन्द्र सिंह बनाम बिहार राज्य में माननीय राष्ट्रीय हरित प्राधिकरण कोलकाता द्वारा याचिका/आवेदन सं०- 212/2024/EZ में दिनांक 24.04.2025 को पारित ओदश का अनुपालन से संबंधित तथ्य विवरणी तैयार करने के संबंध में।

प्रसंग:- भवदीय पत्रांक 1713/अभि० हाजीपुर दिनांक 09.05.2025

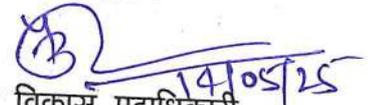
महाशय,

उपर्युक्त विषयक प्रासंगिक पत्र के आलोक में सादर सूचित करना है कि नरेन्द्र सिंह बनाम बिहार राज्य में माननीय राष्ट्रीय हरित प्राधिकरण कोलकाता द्वारा याचिका/आवेदन सं०- 212/2024/EZ में दिनांक 24.04.2025 को पारित ओदश का अनुपालन कर दिया गया है। लोहिया स्वच्छ अभियान द्वितीय चरण अंतर्गत जन्दाहा प्रखंड के लक्ष्मीपुर बरबट्टा में स्थापित/निर्मित अपशिष्ट प्रसंस्करण इकाई (WPU) को अधोहस्ताक्षरी एवं अन्य कर्मों की उपस्थिति में हटा दिया गया है एवं स्थल के सभी मलवे को साफ कराते हुए उक्त भूमि को उसके मूल स्वरूप में कर दिया गया है (उक्त स्थल का फोटोग्राफ की छाया प्रति संलग्न)।

अतः प्रतिवेदन सादर सूचनार्थ एवं आवश्यक कार्रवाई हेतु समर्पित।

अनुलग्नक:- यथोक्त।

विश्वासभाजन


प्रखंड विकास पदाधिकारी,
जन्दाहा।



Block Office, Jandaha

Letter No. – 941/

Dated – 14/05/2025

From,

Block Development Officer,
Jandaha.

To,

Deputy Development Commissioner,
Vaishali.

Subject :- Regarding preparation of fact statement regarding compliance of the order dated 24.04.2025 passed by the Hon'ble National Green Tribunal, Kolkata in Narendra Singh vs State of Bihar in Petition Application No.- 212/2024/EZ.

Case :- Yours sincerely Letter No. – 1713/Agency, Hajipur dated – 09.05.2025

Sir,

In the light of the relevant letter on the above subject, it is respectfully informed that the order passed by the Hon'ble National Green Tribunal Kolkata in Narendra Singh vs State of Bihar in petition/application no.- 212/2024/EZ dated 24.04.2025 has been complied with. Under the Lohia Swaksh Abhiyan Phase II, the constructed waste processing unit (WPU) installed at Laxtipur Barbatta of Jandaha block has been removed in the presence of the undersigned and other personnel and the said land has been restored to its original form by clearing all the debris of the site (photocopy of photograph of the said site is attached).

Hence the report is respectfully submitted for information and needful.

Enclosure:- As above noted.

15/05/25
B.D.O.
Jandaha

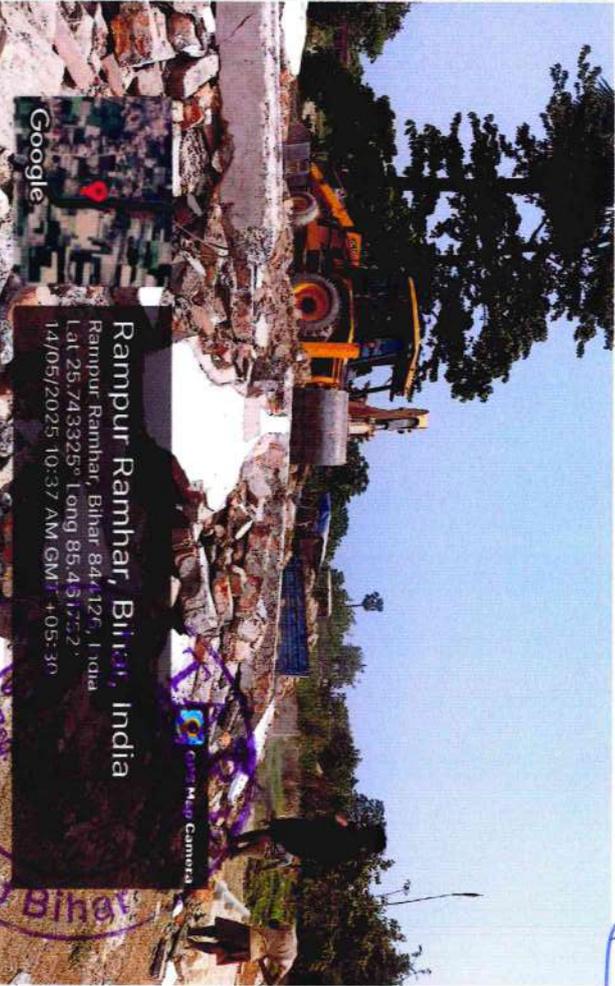
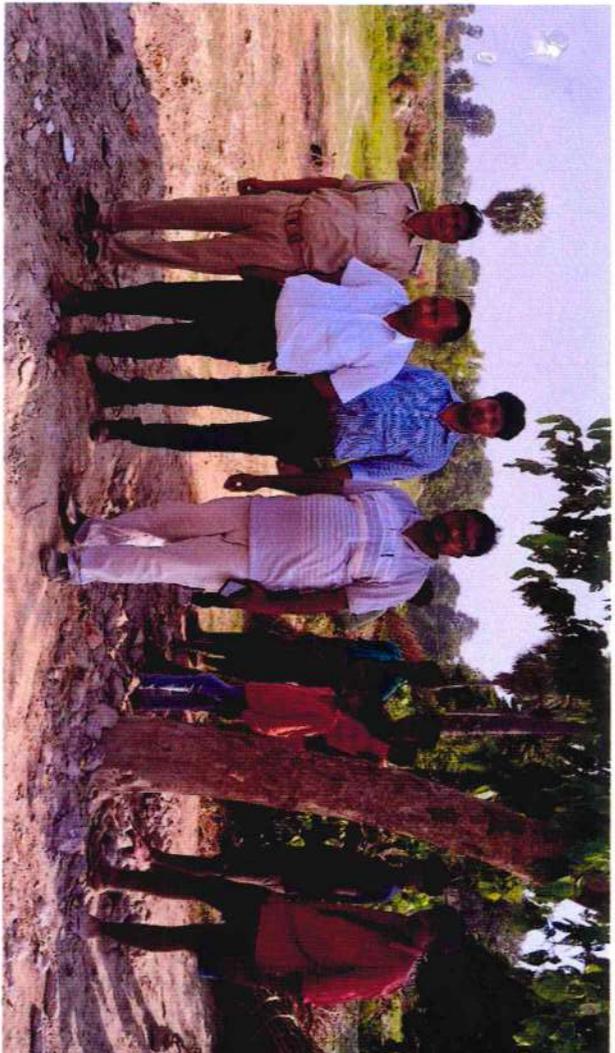
Yours faithfully

Sd/-

Block Development officer
Jandaha.

I have translated the letter from Hindi to English.

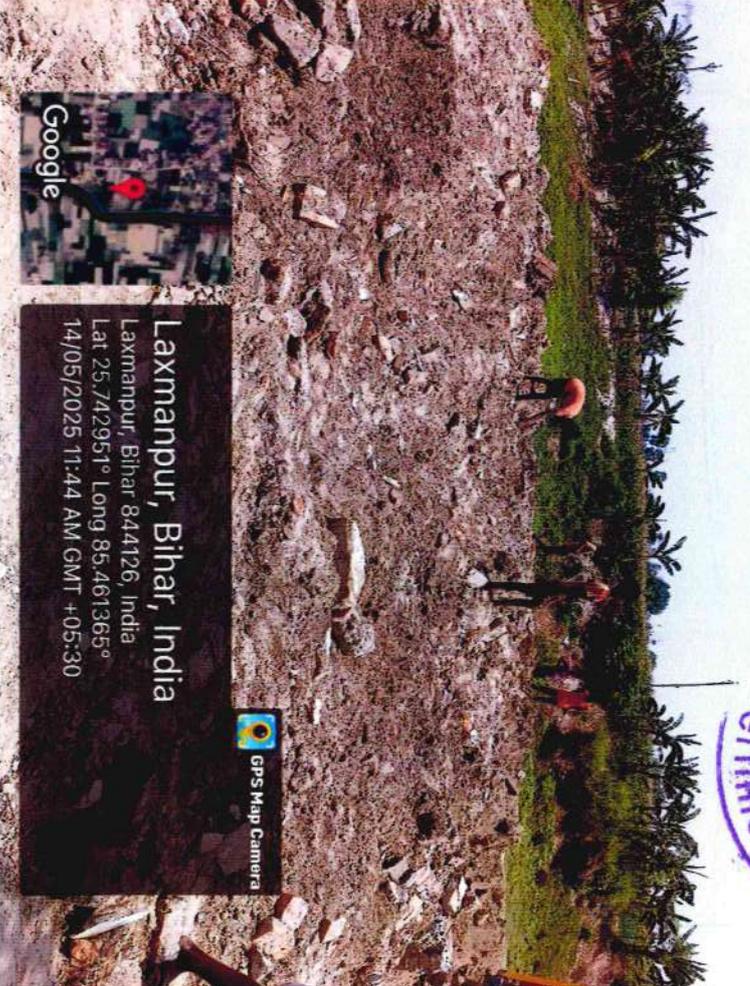
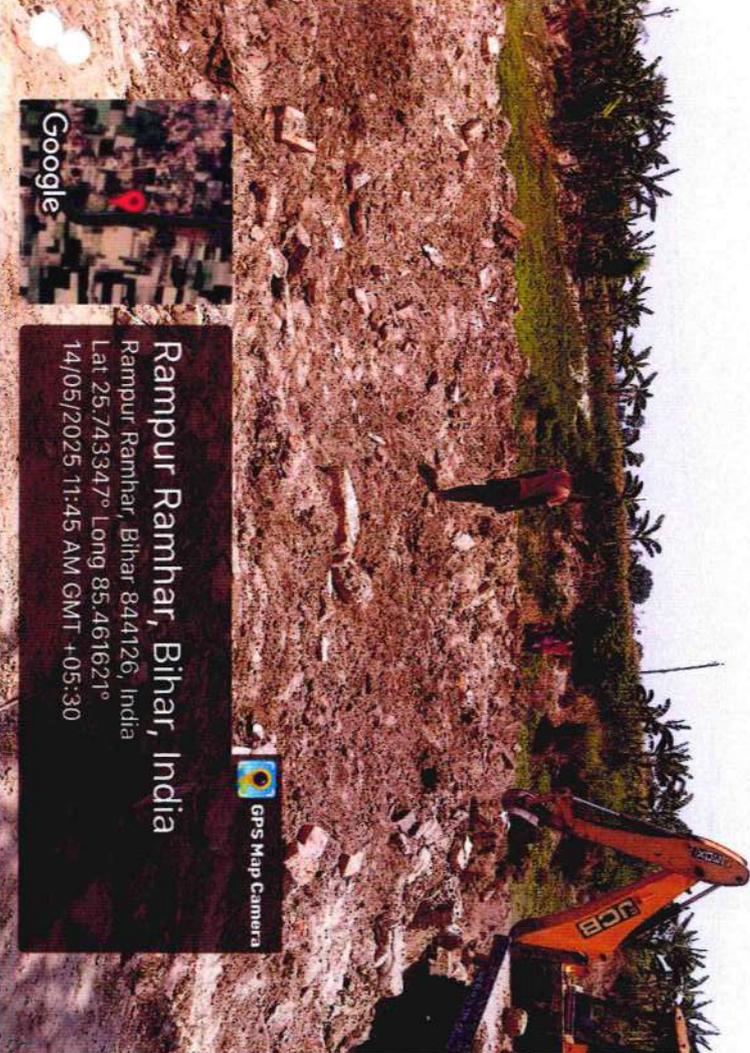
Prem Ranjan Kumar
AEP
Civil Court Hajipur
Vaishali



Rampur Ramhar, Bihar, India
 Lat 25.743325° Long 85.451272°
 14/05/2025 10:37 AM GMT +05:30

Government of Bihar

127



Rampur Ramhar, Bihar, India
 Lat 25.743347° Long 85.461621°
 14/05/2025 11:45 AM GMT +05:30

Laxmanpur, Bihar, India
 Lat 25.742951° Long 85.461365°
 14/05/2025 11:44 AM GMT +05:30



बिहार BIHAR

NOTARY
 JAY CHANDRA JHA
 Reg. No.-1953J

प्रमाणित पदाधिकारी किला बिहार
 हाजीपुर जिला 01/2025
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रीतेश कुमार सिंह
 स्टाया मेण्डर रजि० ऑ०
 हाजीपुर (वेशाली)
 जसो नं०-1 / 1989 / 2000

हाजीपुर न्यायिक
 नैकाबी
 20 FEB 2025

