

Item No. 07

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(VACATION BENCH)**

Original Application No. 299/2025

In Re: News Item titled "Are missing palm trees causing more lightning deaths in Bihar appearing in 'The Times of India' dated 29.05.2025"

Date of hearing: 05.06.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Suo motu.

Respondents: None for the respondents

ORDER

1. This original application is registered *suo-motu* based on the news item titled "Are missing palm trees causing more lightning deaths in Bihar" appearing in 'The Times of India' dated 29.05.2025.

2. The news item relates to the large-scale felling of toddy-yielding palm trees, which is stated to have contributed to a rise in lightning-related deaths, with over 2,000 lives lost since 2016 in Bihar. According to the article, the widespread cutting of palm trees is directly linked to a sharp increase in lightning-related fatalities. It highlights that dozens of towering palm trees are being felled, leading to more frequent lightning strikes that result in deaths. The article notes that after the ban on toddy tapping due to Bihar's prohibition policy, palm trees lost their economic value and have since been widely cut down. This ecological loss appears to have made rural areas more vulnerable to lightning strikes, with the State recording over 2,000 lightning-related deaths since 2019. Districts with the highest number of fatalities- such as Gaya, Aurangabad, and Rohtas-are also those

where palm trees have been most depleted. The news item mentions that according to the Bihar Economic Survey and the Disaster Management Department, lightning strikes claimed 2,446 lives between 2016 and April 2025, with rural population being the worst affected. The article states that the number of lightning deaths began to rise following the rampant felling of palm trees. Furthermore, the Annual Lightning Report 2023-2024 states that lightning strikes claimed as many as 2,937 lives in Bihar between 2014 and 2024. The worst-affected districts include Aurangabad, Patna, Nalanda, Kaimur, Rohtas, Bhojpur, and Buxar. Most lightning-related deaths occur between 12:30 p.m. and 4:30 p.m., when many people are outside for work. The article also points out that South-Central Bihar is more prone to lightning strikes compared to other regions of the state. In addition, the Bihar Rashtriya Pasi Sena—a platform representing the Pasi community, which has traditionally been involved in toddy tapping—has found that the area under palm tree cultivation in Bihar has decreased by 40%. The article further notes that the planting of palm trees has almost stopped.

3. The above matter seems to attract the provisions of the Environment (Protection) Act, 1986.

4. The power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha &Ors.*" reported in 2021 SCC Online SC 897.

5. Hence, we implead the following as respondents in the matter:

- i. Bihar State Pollution Control Board,
Through its Member Secretary,
Parivesh Bhawan, Plot No. NS-B/2 Patliputra Industrial Area,
Patliputra, Patna (Bihar) - 800 010,
Phone: 0612 2261709,
Email: msbspcb-bih@gov.in.

- ii. Ministry of Environment, Forest and climate Change,
Regional Office (ECZ),
Bungalow No. A-2, Shyamali Colony,
Ranchi- 834002,
Phone: 0651-2410007,2410002,
Email: ro.ranchi-mef@gov.in.
- iii. Additional Chief Secretary,
Bihar Disaster Management Department,
Government of Bihar,
Main Secretariat, Patna,
Bihar 800015,
Phone: 0612-2294201,
Email: secy-disastermgmt-bih@nic.in.
- iv. Central Pollution Control Board (CPCB)
Parivesh Bhawan, East Arjun Nagar
Delhi – 110032
Phone: +91-11-43102030,
Email: mccb.cpcb@nic.in

6. Let notices be issued to the respondents for filing their response/reply by way of affidavit.

7. Even though in the present case cognizance has been taken by this Bench on the basis of above said news item with the approval and assignment under order of Hon'ble Chairperson, but in view of the facts and circumstances of the case including 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 case is further heard by the Eastern Zone Bench of this Tribunal at Kolkata.

8. Accordingly, the Registry is directed to list the matter before the Eastern Zone Bench of this Tribunal at Kolkata on 07.08.2025 after

obtaining orders from Hon'ble the Chairperson for transfer of the case, if so required.

9. Replies/ responses may be filed by the respondents before the Eastern Zone Bench of this Tribunal at Kolkata at least one week before the date of hearing fixed.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

June 05th, 2025
Original Application No. 299/2025
AB