

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

Original Application No. 200/2014
(IA No. 340/2022, MA No. 872/2018,
MA No. 875/2014, MA No. 480/2018)

M C Mehta		Applicant
	Versus	
Union of India & Ors.		Respondent(s)

Date of hearing: 19.02.2024

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant:	Ms. Katyayni, Adv.
Respondent:	Ms. Yukti Anand, Adv. for the State of Bihar (Through VC) Mr. Raj Kumar, Adv. for CPCB Mr. Gigi. C. George, Adv. for NMCG

ORDER

1. The Tribunal in this original application is considering the issue of prevention and control of pollution in River Ganga District-wise and State-wise covering the States and Districts from where river Ganga or its tributaries are flowing and today the matter is taken up to consider the issue relating to **State of Bihar**.
2. The Tribunal in the proceedings dated 05.12.2023 while considering the issue relating to State of Bihar and Jharkhand had found as under:

“xxxxxx.....xxx

3. In the present matter, so far as the State of Bihar is concerned, the reports have been filed by District Magistrate, Vaishali, Darbhanga, Buxar and Katihar but these reports do not disclose the information which has been sought for by the Tribunal by the order dated 24.11.2023. Counsel for the State of Bihar submits that 38 District Magistrates have submitted their reports to the Counsel for the State which is being examined at the end of the Counsel. He

submits that now all the 38 Districts will submit fresh reports disclosing head-wise and sub-head wise information as required by the order of the Tribunal dated 24.11.2023. He submits that the reports will be filed within six weeks. He is also directed to tabulate the information from all the reports and place it before the Tribunal on the next date of hearing.”

3. Report on behalf of State of Bihar dated 17.02.2024 has been filed stating that 20 districts out of total 38 districts had submitted the requisite data and the information from 18 districts is still awaited. Along with the report, tabulated information received from 20 districts has been disclosed, but a perusal of the said tabulated information reveals that incomplete information has been submitted by 20 districts and that some of the information submitted by these districts is not correct information. We also find that the districts were required to file the report disclosing head-wise and sub-head wise information in terms of the order of the Tribunal dated 24.11.2023 and Counsel was required to tabulate the information.

4. Thus, not only the tabulated information by the Counsel but the reports of District Magistrates along with the required information are also required to be filed before the Tribunal.

5. Learned Counsel appearing for the State of Bihar submits that the District Magistrates have been asked to submit complete information which is awaited. She has further submitted that the requisite complete reports from all the District Magistrates will be received within six weeks and those reports along with tabulated information will be placed before the Tribunal within six weeks.

6. We make it clear that if the complete requisite information is not furnished before the Tribunal, we may be required to direct personal appearance of the Chief Secretary, State of Bihar.

7. Learned Counsel for the Applicant, during the course of argument, has also produced certain photographs showing the pathetic condition of Burhi Gandak River, condition of waste on ghats of the river, garbage and pollutants in the black water of the river, open drain with raw sewage and MSW, dark water colour of Gangaji at Patna and construction in the river floodplain. She has submitted that the treatment plant is being constructed at the middle of river by the concerned authorities at Patna near Jai Prakash Narayan Setu. She is permitted to place on record these photographs by filing it with description within three days.

8. List the matter for consideration of report of State of Bihar on 01.05.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

February 19, 2024
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