

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

Original Application No.115/2023/EZ

Shankar Dayal Mishra

Applicant(s)

Versus

State of Bihar & Ors.

Respondent(s)

Date of hearing: 08.09.2023

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

For Applicant(s) : None

ORDER

1. This case has been received from the National Green Tribunal, New Delhi Bench on transfer.
2. No one is present on behalf of the Applicant. Let fresh notices be issued to the Applicant, returnable within two weeks.
3. We find that the Respondents have not been impleaded in this Original Application. We, therefore, direct that notices be issued to the following Respondents who may be impleaded in the array of Respondents:-
 - 1) Ministry of Environment, Forests and Climate Change, New Delhi, through its Secretary,
 - 2) Department of Environment, Govt. of Bihar, through its Principal Secretary,
 - 3) Central Pollution Control Board, New Delhi, through its Chairman,
 - 4) Bihar State Pollution Control Board, through its Member Secretary,
 - 5) District Magistrate, Bhagalpur District, Bihar, and

- 6) NTPC Limited, Kahalgaon, Bhagalpur, through its General Manager.
4. Ms. Amirta Pandey, learned Counsel who is present in (in Virtual Mode), accepts notice on behalf of the Respondent No.4, Bihar State Pollution Control Board.
5. Ms. Anamika Pandey, learned Counsel who is present in (in Virtual Mode), accepts notice on behalf of the Respondent No.1, Ministry of Environment, Forests and Climate Change.
6. Mr. Sibojyoti Chakraborty, learned Counsel who is present in (in Virtual Mode), accepts notice on behalf of the Respondent No.3, Central Pollution Control Board.
7. Mr. Surendra Kumar, learned Counsel who is present in (in Virtual Mode), accepts notice on behalf of the Respondent Nos.2 and 5, State Respondents, Government of Bihar.
8. Issue notice to the Respondent No.6, NTPC Limited, returnable within two weeks.
9. All the Respondents shall file their counter-affidavits within four weeks.
10. The office of the Tribunal is directed to provide e-copy/soft copy of the complaint petition along with all the documents on record to the Counsel for the Respondents.
11. **List on 10.10.2023.**

.....
B. Amit Sthalekar, JM

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

September 08, 2023,
Original Application No.115/2023/EZ
AK