

Item No.07

Court No. 1

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

Original Application No. 272/2019

Satyanarayan Sahni

Applicant(s)

Versus

State of Bihar

Respondent(s)

Date of hearing: 25.11.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

ORDER

A report was sought from District Magistrate, Muzaffarpur and Bihar State Pollution Control Board with reference to the allegation of pollution being caused by fly ash dump set up by thermal power plant at Village Kanti Nagar, District Muzaffarpur, Bihar causing damage to the public health, animal health and ecology in the area.

The report was required to be furnished within two months vide order dated 16.04.2019. The matter was to be listed on 07.08.2019. Since no report was received, the matter was deferred to 30.09.2019 and thereafter to today. Still, there is no response from State PCB.

In view of the above, case is made out for taking coercive measures as provided under Section 25 of the National Green Tribunal Act, 2010 read with 51 of Code of Civil Procedure, 1908, including directing imprisonment of the Member Secretary of the

State PCB or to issue arrest warrants for appearance. However, before taking such measures, we give last opportunity to the State PCB to furnish a factual and action taken report within one month by email at judicial-ngt@gov.in.

A copy of this order be forwarded to State PCB directly as well as through Resident Commissioner, Bihar at New Delhi and the Chief Secretary, Bihar by email.

List again on 03.02.2020.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

November 25, 2019
Original Application No. 272/2019
SN

