

Item No. 23

Court No. 2

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

Original Application No. 357/2023

P.S. Saboo

Applicant

Versus

Union Territory of Andaman & Nicobar Islands

Respondent

Date of hearing: 29.05.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Application is registered based on a complaint received by post/e-mail

ORDER

1. This Original Application has been registered under Sections 14 and 15 of the National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') on a letter petition dated 12.02.2023 sent by P.S. Saboo, Branch President, All India Crime Reforms Organization, Andaman & Nicobar Islands, Port Blair.

2. Complainant has stated that there are two groups of islands namely Andaman and Nicobar having total geographical area as 8249 sq. km, comprising 572 islands, islets and rocks covering about 948.8 sq. km, etc. All the Islands of Andaman & Nicobar are exposed peaks of long ranges of submerged mountains which extent from Myanmar to Sumatra. Most of these islands are surrounded by fringing reefs on the eastern side and barrier reefs on their western side. Andaman sea is coral sea with an archipelago of 24 atolls and submerged banks of coral origin scattered in between Andaman Sea. 15 of the islands are of volcanic origin and mainly

includes Mahatma Gandhi National Park and North Bay, Smith and Ross Islands and Cinque Island.

3. Ecology and environmental equilibrium is being disturbed at South Andaman due to indiscriminate quarry operations, rebuilding and reconstruction work as well as new building coming up due to increase in population and demand of stone and stone products. Villages like Brookshabad, Prathapur and Brichgunj located on outskirts of capital Port Blair have become centres of island quarrying activities. Blasting, stone crushing, lorries ferrying stone products, skyline covered with dust, drying water reservoirs, withering trees and plants, depleting water table, choked streams and nallahs are not only causing environmental damage but also causing respiratory diseases due to air pollution. Further, Andaman & Nicobar Islands fall in high seismic hazard zone.

4. From the allegations made in the application, we find a substantial question relating to environment due to implementation of Scheduled Enactments under NGT Act, 2010 has arisen but before taking any further action in the matter, we find it appropriate to obtain a factual report for which purpose, we constitute a joint Committee comprising State PCB, Regional Officer, MoEF&CC, Kolkata and Andaman & Nicobar Coastal Zone Management Authority who shall visit the site, collect relevant information and submit a factual as well as action taken, if any, report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF with the Registrar, Eastern Zone Bench, NGT, who shall place the matter before Bench.

5. State PCB will be nodal agency for coordination and compliance.

6. Registry is directed to transfer record of this matter to Eastern Zone Bench, Kolkata for further proceedings/directions in the matter.

7. List the matter on 05.09.2023.

8. A copy of this order, along with copy of complaint, be forwarded to State PCB, Regional Officer, MoEF&CC, Kolkata and Andaman & Nicobar Coastal Zone Management Authority by e-mail for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 29, 2023
Original Application No. 357/2023
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