

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)
Original Application No.521/2022

Sampurna Nand

...Applicant

Versus

State of U.P

...Respondent

Date of hearing: 01.09.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Application is registered based on a Letter Petition received by Post.

ORDER

1. Shri Sampurna Nand has sent the present letter petition, which is treated and registered as original application, complaining about illegal mining on hills in the area of villages Bhagoti Dei, Sonpur, Biyahur and Chakjata, Pargana Bhagwat, Police Station Ahraura, Tehsil Chunar in District Mirzapur, Uttar Pradesh by illegal blasting and taking out of boulder, patia, gitti etc. causing damage to environment and health hazards to local villagers. The applicant has further submitted that due to illegal mining, the entire area is covered by cloud of dust and illegal blasting is resulting in severe vibrations in the area like earthquake damaging the walls of the houses and endangering the lives of the villagers.

2. This Tribunal is empowered to *suo moto* take cognizance of the cases involving questions relating to environment arising out of the implementation of enactments specified in First Schedule of the National Green Tribunal Act, 2010 as held by Hon'ble Supreme Court in **Municipal Corporation of Greater Mumbai V/s. Ankita Sinha and others 2021 SSC Online SC 897.** This Tribunal can also take cognizance of such cases on the

basis of letter petitions in accordance with settled principles of law governing Public Interest Litigation.

3. *Prima facie*, the allegations made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the allegations made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of Regional Office, MoEF & CC, Lucknow, Director, Directorate of Geology and Mining, Uttar Pradesh, State PCB and District Magistrate, Mirzapur and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representatives of the concerned project proponents, if any, verify the factual position, take appropriate remedial action by following due process of law and submit its report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance.

4. List for further consideration on 25.11.2022.

5. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Regional Office, MoEF & CC, Lucknow, Director, Directorate of Geology and Mining, Uttar Pradesh, State PCB and District Magistrate, Mirzapur by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 01, 2022
AG