

Item No. 21

Court No. 2

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

Original Application No. 388/2023

Hemlata Devi and Ors.

Applicant(s)

Versus

State of U.P.

Respondent

Date of hearing: 30.05.2023

**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. Taking cognizance of letter petition dated 29.03.2023 sent by several signatories led by Hemlata Devi r/o Village and Post Ekli (Chaksaria), Tehsil Chunar, District Mirjapur, this Original Application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') has been registered.

2. The allegations in the letter petition are that a number of stone crushers are being run in Village Ekli (Chaksaria), Post Ekli, PS Ahrora, Pargana Bhagwat, Tehsil Chunar, District Mirjapur. One of the crusher plant is owned by M/s EPCO Infotech Company Private Limited. There are some other crushers also namely Shiv Shakti Crusher Plant, Kusum w/o Chandrashekhar Crusher Plant and Maruti Nandan Crusher Plant. Details of the said crusher plants are given in the complaint as under:-

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- 1- मैसर्स एपिको इन्फ्राटेक कम्पनी प्रा०लि० अहरौरा -आराजी सं० 05 सरिया एकली व आराजी सं०- 59 रामपुरढबई
- 2- शिव शक्ति केशर प्लांट आराजी सं० 01 रामपुरढबई
- 3- कुशुम पत्ति चन्द्रशेखर केशर प्लांट - आराजी सं०- 59 रामपुरढबई
- 4- मारुती नन्दन केशर प्लांट -आराजी सं० -59 रामपुरढबई”

3. The said crusher units are indulged not only in the illegal mining of stone and boulders but also running crusher plants in an illegal manner causing damage to environment. They are undergoing mining activities by taking recourse to rampant heavy blasting on the hill area in utter violation of environmental norms and laws causing damage to environment.

4. Looking to the allegations contained in the letter petition, we find that a substantial question relating to environment due to implementation of Scheduled Enactment under NGT Act, 2010 has arisen. It may be necessary to have an assessment of extent to which stone crushers are in operation and the way in which mining is taking place. It further needs clarity on blasting operations and the extent of environmental damages caused and further its restoration. Hence, before taking any further action in the matter, we find it appropriate to obtain a factual report for the purpose whereof we constitute a Joint Committee comprising State PCB, District Magistrate, Mirjapur and Director, Mines and Geology Department, UP 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.

5. State PCB shall be the nodal agency for coordination and compliance of this order.

6. List this matter on 07.08.2023.

7. A copy of this order be forwarded to State PCB, District Magistrate, Mirjapur and Director, Mines and Geology Department, UP by e-mail for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 30, 2023
Original Application No. 388/2023
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