

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

(BY VIDEO CONFERENCE)

Original Application No. 422/2023

Abhishek Shukla

Applicant

Versus

State of U.P.

Respondent

Date of hearing: 01.08.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Application is registered based on a letter petition received by Post

Applicant: Mr. Abhishek Shukla, Applicant in person

ORDER

1. Abhishek Shukla s/o Keshav Prasad Shukla resident of Village Jarar, Police Station Girwas, Tehsil Nareni, District Banda, Uttar Pradesh has sent the present letter petition which has been treated and registered as Original Application complaining about illegal mining, blasting and crushing in violation of environmental norms in villages Jarar, Chhaneha Purwa, Raghwapurwa, Girwan, Patraha, Tehsil Nareni, District Banda, Uttar Pradesh.

2. The applicant has submitted that six mining leases have been allotted in two hills situated in the area of village Jarar. Five crushers have been established in Village Jarar and Chhaneha Purwa. Mining is being

done by resorting to illegal blasting which has resulted in damage to the houses of villagers. The crushers are being operated day and night. The crushers do not have any boundary wall. There is no sprinkling of water during operation thereof. The crushers are causing dust and noise pollution due to which the residents are suffering from Asthma and other diseases. Illegal blasting has also affected old temples located on the hills. Illegal mining and blasting are also adversely affecting the wildlife in the area. The roads to the above said villages have been damaged by the overloaded vehicles used for transportation of excavated miner minerals.

3. *Prima facie*, the averments 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.

4. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representative of Director, Geology and Mining, Uttar Pradesh, State PCB and District Magistrate, Banda and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponents, verify the factual position and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponents. The Committee shall also give factual status on compliance by the Project Proponents with EC and CTE/CTO conditions and shall also report about damage caused to the houses of villagers and environment due to illegal blasting and suggest remedial measures. The State PCB will be the nodal agency for coordination and compliance.

5. Factual and Action taken Report may be submitted within one month 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.

6. List for further consideration on 03.10.2023.

7. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Director, Geology and Mining, Uttar Pradesh, Member Secretary, State PCB and District Magistrate, Banda by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 01, 2023
Original Application No. 422/2023
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