

Item No. 05

Court No. 1

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

Original Application No. 250/2023

Ajit Yadav

Applicant

Versus

State of Uttarakhand & Ors.

Respondent(s)

Date of hearing: 13.04.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Ms. Sapna, Advocate

ORDER

1. Issue raised in this application concerns damage to the environment by various activities in Uttarakhand, particularly at Dehradun and Mussoorie.

2. The applicant has referred to environmental disaster of subsidence at several places with cracks in homes such as at Joshimath in 2023 and Mussoorie town and media reports. Further, reference has been made to projects of construction and mining at Dehradun-Mussoorie Ropeway project and Mussoorie Tunnel project.

3. We have already taken cognizance of the issue vide order dated 31.01.2023 in O.A No. 51/2023, In re : *News item published in The Tribune dated 16.01.2023 titled “Joshimath disaster a warning for Mussoorie”* as follows:-

“9. In above background, study of carrying capacity of eco-sensitive areas in Himalayan regions in holistic manner appears to be imperative for protection of environment. **Without undermining need for study in all eco sensitive areas as already directed, we direct specific study for Mussoorie in the light of apprehensions expressed in above media report. Such study may cover as to**

how much constructions can be allowed and with what safeguards, what safeguards be used for existing buildings and all other relevant and associated aspects including vehicular traffic, sanitation management, maintaining ecological integrity in terms of soil stability and flora/fauna. For this purpose, we constitute a nine member joint Committee to be headed by Chief Secretary, Uttarakhand. Other members will be Wadia Institute of Himalayan Geology Dehradun, Govind Ballabh Pant National Institute of Himalaya and Environment, National Institute of Hydrology (NIH), Roorkee, Prof. J.S Rawat, Kumaon University, Almora, Space Application Centre, Ahmadabad National Institute of Rock Mechanics, Bangalore, CPCB and ACS Environment, Uttarkhand who will act as nodal agency for coordination and compliance. ACS, Environment will provide for travel and logistics for members to the extent necessary. Meetings may be held online or offline as may be necessary except for visit to the site. The Committee may suggest remedial measures to prevent environmental damage in the light of carrying capacity, hydro-geology studies, geomorphological studies and also covering other allied and incidental issues. The Committee will be at liberty to take assistance from any other expert/institution. The Committee may meet within two weeks and complete its studies within two months. It may furnish its report 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 on or before April 30, 2023. The Committee will be free to interact with the stakeholders including the inhabitants/members of civil societies. The Committee may also consider the concerns in the media report. It will be open to the Chief Secretary, Uttarakhand to take preventive and remedial measures found necessary in the light of the media report otherwise.”

4. In view of above, instead of multiplying proceedings, we consider it appropriate to dispose of this application with liberty to applicant to intervene in the already pending matter, on the date fixed. Ordered accordingly.

The Application is disposed of.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

April 13, 2023
Original Application No. 250/2023
AB