

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPALBENCH**

(By Video Conferencing)
Original Application No. 583/2022

Naveen Rana

...Applicant

Versus

State of Uttarakhand

...Respondent

Date of hearing: 14.09.2022

**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 Email.

ORDER

1. The grievance in the present letter petition sent by email, which is treated and registered as original application is about large scale illegal encroachments in the form of mobile and stationary vendors stalls spread all over the bank of River Ganga from Ram Jhula to Janki Jhula at Swargashram, Pauri Garhwal (Uttarakhand) which are causing pollution of River Ganga. The vendors have encroached the bathing ghats and even Toilets constructed during Kumbh Mela outside Vanprasth Ashram. The area has become prone to untoward accidents because of use of highly inflammable fuel by the vendors.

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 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. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of the representative of State PCB, Executive Officer, Municipal Council, Pauri and the District Magistrate, Pauri to meet within two weeks, 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, take appropriate remedial action by following due process of law particularly to ensure that there should not be any encroachment and illegal activity in the prohibitory zone and submit its report 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. The State PCB will be the nodal agency for coordination and compliance.

4. List for further consideration on 20.12.2022.

5. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the State PCB, Executive Officer, Municipal Council, Pauri and District Magistrate, Pauri by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 14, 2022
AG