

Item No. 15

Court No. 2

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

Original Application No. 453/2023

Raghubir Singh Garia

Applicant

Versus

State of Uttarakhand

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 E-mail

ORDER

1. The grievance in this present application is against illegal mining of soapstone in District Bageshwar in Uttarakhand which is disturbing the ecological and environmental balance of Village Papon.

2. The applicant has submitted that illegal mining of soapstone is being carried on in Village Papon for several months by Mr. Anand Singh Kalakoti and others by use of heavy machinery causing damage to the surrounding mountains and leading to depletion of natural resources, turning fertile land into barren land and also causing scarcity of water in the area. The debris generated from the mining are polluting Pungar River and harming the aquatic life. Complaints were made to the concerned authorities but no action has been taken.

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 and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of State PCB and District Magistrate, Bageshwar 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 proponent, verify the factual position and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponent. The Committee may also refer order of this Tribunal dated 09.05.2023 in OA No. 827/2022 relating to mining at Village Sorag, Tehsil Kapkot, District Bageshwar. The State PCB will be the nodal agency for coordination and compliance.

4. 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.

5. List for further consideration on 01.11.2023.

6. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the State PCB and District Magistrate, Bageshwar by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 01, 2023
Original Application No. 453/2023
DV