

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

Original Application No. 703/2023

In re: News item appearing in Hindustan dated 31.10.2023 titled “ग्रामीणों ने एसडीएम से कैलाश नदी में अवैध खनन रोकने की मांग की ”

Date of hearing: 28.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Mukesh Verma, Adv. for UKPCB

ORDER

1. This original application is registered in *suo motu* exercise of power on the basis of news item titled “ग्रामीणों ने एसडीएम से कैलाश नदी में अवैध खनन रोकने की मांग की ” appearing in ‘Hindustan’ dated 31.10.2023

2. As per the news item report, there is large-scale illegal mining going on in Sitarganj at Uttarakhand. The news item report states that the mining mafia is engaged in illegal mining by using JCB and Pokeland machines in the rivers as a result of which the future of the nearby residents is in danger. Report further states that the Pradhan of Nakulia Village had sent a representation to the SDM against the illegal mining using machines in River Kailash at santfarm of Nakulia Village. As a result of such illegal mining, there is a danger of diversion of flow of river to the populated area and towards the houses of the villagers and also submergence of agricultural land. The danger of flood has also increased and it has been disclosed that there are pits of 6 to 7 feet.

3. The news item raises a substantial issue relating to compliance of environmental laws.

4. Hence, at this stage, we deem it proper to implead the following as respondents in the matter:

- i. Uttarakhand Environment Protection and Pollution Control Board (UEPPCB), through its Member Secretary.
- ii. District Magistrate, Sitarganj, Udham Singh Nagar, Uttarakhand.
- iii. Secretary, Mining Department, State of Uttarakhand.

5. Learned Counsel appearing for UEPPCB on advance notice has submitted that since the Mining Department has not given the information to the UEPPCB about sanctioned mining and extent of illegal mining, therefore, UEPPCB is not in a position to take any action in the matter.

6. Let notice be issued to the unrepresented Respondents No. 2 and 3. Let the report be filed by the respondents atleast one week before the next date of hearing 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.

7. List on 05.02.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

November 28, 2023
Original Application No. 703/2023
DV