

Item No. 1

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 151/2023

Hassina Wajid (Sarpanch)

...Applicant

Versus

State of Jammu & Kashmir (UT) & Ors.

...Respondents

Date of hearing: 20.03.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Applicant in person (through VC).

**Original Application under Sections 14, 15 read with Section 18 of the
National Green Tribunal Act, 2010.**

ORDER

1. The applicant has filed the present application under sections 14, 15 read with Section 18 of the National Green Tribunal Act, 2010 complaining that respondents no. 6,7 and 8 have established stone crushers just 100 to 200 kms away from residential area and adjoining to agricultural land without requisite permissions and in violation environmental norms.

2. *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.

3. Let notice of the application be issued to the respondents requiring them to file their reply/response to the same within two months 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.

4. In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and suggest appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of Central Pollution Control Board (CPCB), Jammu and Kashmir Pollution Control Board and District Magistrate, Poonch and direct the same 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 proponent, verify the factual position and suggest appropriate remedial action. The State PCB will be the nodal agency for coordination and compliance.

5. Factual and Action taken Report may be submitted within two months 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 19.07.2023.

7. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to Member Secretaries of Central Pollution Control Board (CPCB) and Jammu and Kashmir Pollution Control Board and the District Magistrate, Poonch by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 20, 2023
AG