

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

Original Application No.624/2023

News Item published in The Tribune dated 28.09.2023 titled as "Hills 'vanish' as illegal mining rampant in Beet area"

Date of hearing: 14.05.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent: Ms. Sunieta Ojha, Adv. with Ms. Anuradha, Environmental Engineer,
Punjab PCB (Through VC)
Mr. I.K. Kapila, Advs. for R - 7 & 9 to 19
Ms. Nupur Kumar, Adv. for State of Punjab (Through VC)

ORDER

1. In this original application, registered *suo moto*, issue of illegal mining and vanishing of Shivalik Hills as high as 200 feet in the Beet area of Garhshankar Sub-Division is involved.

2. Tribunal by order dated 11.03.2024 had granted time to the Counsel for Punjab Pollution Control Board (PPCB) to file action taken report disclosing the action of imposition of Environmental Compensation (EC) against the persons responsible for illegal mining and consequential environmental damage.

3. Learned Counsel for PPCB referring to the action plan for assessment and recovery of compensation for illegal sand mining and utilization of recovered compensation for restoration of environment filed on page 339 of the paper-book has submitted that EC is now required to be calculated and recovered by the Mining Department. Responsibility of levy and recovery of EC for violation of the environmental norms, primarily, lies with the Pollution Control Board but to the contrary

reliance has been placed upon by the document referred above submitting that the said action plan has been issued by Central Pollution Control Board (CPCB).

4. Hence, we direct issuance of notice to the Member Secretary, CPCB for making the above position clear by filing the response confined to the above issue at least one week before the next date of hearing.

5. Office is directed to issue notice to the above newly impleaded respondent.

6. List on 29.08.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 14, 2024
Original Application No.624/2023
JG.