

Item No. 01

Court No. 2

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

(BY VIDEO CONFERENCE)

Original Application No. 454/2023

Vijay Kumar Sharma

Applicant

Versus

State of Haryana

Respondent

Date of hearing: 02.08.2023

**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 Post

Applicant: Mr. Vijay Kumar Sharma, Applicant in Person

ORDER

1. The applicant has complained about illegal marble mining by Satish Kumar Garg by heavy blasting resulting in falling of stones in the fields, cracks in the houses and danger to life and property.

2. The applicant has submitted that Satish Kumar Garg is carrying on marble mining in Khasra No. 212, in Village Bayal Tehsil Nangal Chaudhary, District Mahendragarh for the last 3-4 years in the open without any boundaries, tin shed etc. and is resorting to heavy blasting everyday due to which stones fall into the fields and cracks are appearing in the houses of the villagers. The dust generated is spread over the crops affecting the yield. The noise caused frightens the livestock and disturbs the studies of children and social work. The project proponent carried out blasting on 21.11.2022 without intimation and without blowing siren but

he had narrow escape from danger thereby caused. Boundary wall around his fields was also damaged by the blasting. Complaints were made to the authorities but no action has been taken on the same.

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 Director, Mines & Geology, Haryana, Haryana State Pollution Control Board (HSPCB) and District Magistrate (DM), Mahendragarh 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 including damages caused to environment, property, agriculture and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponent. The Committee may further report operation of similar type of mining activities in the area. 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 03.11.2023.

6. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Director, Mines &

Geology, Haryana, HSPCB and District Magistrate, Mahendragarh by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 02, 2023
Original Application No. 454/2023
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