

Item No.4

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

Original Application No. 174/2023(CZ)

Suo Moto Action on the News Paper
Article Published in Dainik Bhaskar
Daily, Dated 27.11.2023 regarding
illegal sand mining and killing of
official on duty in Sahdol District of
Madhya Pradesh

Applicant

Vs.

State of Madhya Pradesh & Ors.

Respondents

Date of Hearing: 08.04.2024

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

For Applicant(s): None.

For Respondent(s): Ms. Parul Bhadoria, Adv.
Mr. Prashant M. Harne, Adv.
(Mr. Mehul Bhardwaj, Adv.)

ORDER

1. This is an example of the high handedness of the sand mafias working and controlling not only the mining operation but also the District Administration where one Patwari named Mr. Prasanna Singh who was a retired army personnel and later on was appointed as Patwari was crushed and killed while on duty to control the illegal mining. Most surprising thing is that mining department has calculated the penalty as Rs. 5,625/- in spite of all previous directions and the penalty amount which was in accordance with the O.A. No. 360/2015 no action has been taken or initiated by the authorities concerned.

2. The District Magistrate under whom he was working has not taken due care about the penalty of Rs. 5,625/- against the sand mafia and further causing death of official on public duty.
3. It is mockery of the death and mockery of the system. District Magistrate, Sahdol is directed to examine the matter personally and to take necessary action against the sand mafias involved in sand mining without any authority.
4. The gratuity, pension, emoluments which are required to be paid by the Government to the deceased employee was according to prevalent rule but that does not mean that the person who joined the service is meant to be killed while on duty. A punitive action must be initiated against the violators and substantial amount of compensation not less than the amount calculated according to the parameter laid down in the Sarla Verma case (known for the parameter of payment of compensation) and it should be paid initially from the mining department for whose cause deceased laid his life.
5. Mining department may recover the amount from the concerned person. District magistrate is directed to personally monitor this case, examine the matter and submit the report.

List it on **23rd July, 2024.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

08th April, 2024
O.A No. 174/2023(CZ)
PN