

Item No. 5

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

Original Application No. 136/2023(CZ)

Gaur Singh Nishad & Anr.

Applicant(s)

Vs

State of Chattisgarh & Ors.

Respondent(s)

Date of Hearing: **11.10.2023**

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

For Applicant(s): None.

For Respondent(s): None.

ORDER

1. This letter petition has been filed by Gaur Singh Nishad S/o Lt. Dhruvram Nishad and Bhokhan Lal Sahu S/o Tannuram Sahu, resident of village Sialdeep, Tehsil-Kurud, District, Dhamtari, Chhattisgarh with the facts that illegal sand mining is being done by the violators of law and respondents named in the application from the Mahanadi in the village Sialdeep by using JCB and dumping the sand on the roads and using it for commercial purposes.
2. The names of the persons violating this are as follows:-
 - i. Ms. Pushplata Sahu, W/o Maniram Sahu
 - ii. Mr. Rishi Sahu, S/o Mr. Khorbahra Ram Sahu
 - iii. Mr. Roshan Sahu S/o Mr. Purushutam Sahu
 - iv. Mr. Bharat Bhushan S/o Mr. Maniram Sahu
 - v. Mr. Tikesh Nishad S/o Bisahu Ram Nishad
 - vi. Mr. Rajendra Sahu, S/o Banshilal
 - vii. Mr. Pramod Sahu

viii. Mr. Tapan Chandrakar

all resident of village Sialdeep, Tehsil-Kurud, District,
Dhamtari, Chhattisgarh.

3. In addition to the persons named in para 2 above, following are also necessary and proper parties –

- i. State of Chhattisgarh through District Magistrate/Collector, Dhamtari, Chhattisgarh.
- ii. Chhattisgarh Environment Conservation Board, Chhattisgarh.
- iii. Director (Mines), State of Chhattisgarh.

They should also be impleaded as necessary and proper party.

4. It is further alleged that these persons are selling the land for illegal lease and mining against the provisions of law and also dumping the sand on Khasra No. 254/1 and 266 and 252 of the area causing damage to the environment and loss of the State Revenue.

5. A substantial issue of environment has been raised by the complainant.

6. The office is directed to issue notice to the respondents, returnable within four weeks. Respondents are directed to submit their reply within six weeks through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

7. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-

- i. Collector, District Dhamtari, Chhattisgarh or his representatives.
- ii. One representative from the State Pollution Control Board, Chhattisgarh.

8. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.

9. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on **11th December, 2023.**

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

11th October, 2023
O.A. No. 136/2023 (CZ)
PN