

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

Original Application No. 11/2018/EZ

**R. Sreedhar
Vs
Union of India & Ors.**

CORAM: Hon'ble Mr. Justice S.P.Wangdi, Judicial Member

PRESENT: Applicant : Mr. Rahul Choudhary, Advocate
Other Respondents : None

Date & Remarks	Orders of the Tribunal
<p>Item No. Sl.1 25th January, 2018.</p>	<p>The OA pertains to (i) illegal sand and boulders mining within the Dehing Patkai Wildlife Sanctuary/Makum Pani Reserved Forest, Digboi Division, (ii) illegal coal mining and operation of the coke oven plants around Margherita and (iii) impact of the North Eastern Coalfields due to overburden and Acid Mine Drainage.</p> <p>The mining in Dehing Patkai Wildlife Sanctuary is alleged to be taking place in the river bed of the Dirak river on the Assam-Arunachal Pradesh border</p>

by various mechanical means adversely affecting the dynamics of the river flow and change in the river course as well affecting the river Namtok resulting in the increase in erosion of the bank and adverse impact on the riverine ecosystem.

As regards the illegal coal mining and the coke oven plants around Margherita is concerned, it is alleged that there has been a proliferation of such mining in the area with extraction of about 600 tonnes per day both in the form of 'Rat Hole' and Surface Mining. That nexus exists between the illegal coal mining operators and the operators of the Coke Oven Plants and that the website of the State Pollution Control Board is bereft of information pertaining to them as regards consents under the Air (Prevention and Control of Pollution Control) Act, 1984, and under the Water

(Prevention and Control of Pollution) Act, 1974.

Considering the facts and circumstances stated in the OA and the submissions of the Ld. Counsel for the Applicant, we find that substantial questions relating to environment are involved in the application requiring our determination.

Issue notice returnable in three weeks.

Let requisites be filed within one week.

In the meanwhile, we direct the Respondent No.5, Assam State Pollution Control Board, and the District Mining Officers and District Magistrates Tinsukia and Tinsukia Districts of Assam, and Tirap district in Arunachal Pradesh to inspect the area in question and verify on the correctness of the allegations contained in the OA. If there are illegal mining and illegal operation of the coal mines and coke oven units in the area as alleged, appropriate

action be instituted in accordance with law and reports submitted before the next date.

List on 01.03.2018.

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Justice S. P. Wangdi, JM
25-01-2018

