

Item No. 3

Court No. 1

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

Original Application No. 532/2023
(I.A. No. 681/2023)

Balbir Sandhu

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 29.08.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Gaurav Kumar Bansal & Mr. Shalabh Singhal, Advocates

ORDER

1. In this Original Application, the petitioner has questioned the communications dated 27.02.2023, 25.01.2023 and 18.05.2023 issued by the Director, Mines and Geology, Haryana approving the mining plan of the Respondents No. 8 to 10.

2. The complaint of the applicant is that mining plan of Respondents No. 8 to 10 has been approved in violation of the District Survey Report (DSR) of Ambala District. Submission of Counsel for applicant is that in terms of said DSR, the total mineable mineral (boulder, gravel and sand) in Ambala is 38.29 lakhs MT whereas the official respondent has permitted the Respondents No. 8 to 10 to extract around 71 lakhs MT of mineable minerals in District Ambala which is clear violation of the District Survey Plan. He has further submitted that in terms of the plan, the mining of concerned minor mineral is permissible in the river or stream of Markanda, Tangri, Begna and Roon river, whereas the mining

plan has been approved for the river Trilokpur also which is not covered by the DSR Ambala.

3. In view of the above, we are of the opinion that an issue relating to violation of statutory provisions concerning environment, falling within the jurisdiction of the Tribunal, arises for consideration in the matter.

4. Issue notice to the Respondents. The petitioner is directed to serve the respondents and file the proof of service on the next date of hearing.

5. In the meanwhile, a joint Committee is constituted comprising of the Director, Central Pollution Control Board (CPCB) deputed by Member Secretary, CPCB, Member Secretary, Haryana State Pollution Control Board (HSPCB) and District Magistrate, Ambala. The Member Secretary, HSPCB will co-ordinate with other members of the Committee. The Committee will carry-out the inspection, examine the concerned record and submit the report before the Tribunal on the issue involved in the matter within four weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

6. List on 30.10.2023.

7. A copy of this order be forwarded to CPCB, HSPCB and District Magistrate, Ambala by e-mail for compliance.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

August 29, 2023
Original Application No. 532/2023
(I.A. No. 681/2023)
DV