

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

Original Application No. 307/2024

News item titled "Baghpat News Katha mei mitti khaman ko lekar hungama" appearing in Amar Ujala dated 15.02.2024

Date of hearing: 02.04.2024

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

Respondent: Mr. Mukesh Verma, Adv. for Mining Department & DM, Baghpat
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)
Mr. Vikrant Pachnanda, Adv. for CPCB (Through VC)

ORDER

1. This OA is registered *suo motu* on the basis of the news item titled "Baghpat News: Katha mei mitti khaman ko lekar hungama" appearing in 'Amar Ujala' dated 15.02.2024.

2. The news item relates to alleged illegal soil mining in Katha Village in Baghpat District of Uttar Pradesh. As per the news item, soil mining by using JCB and trucks at Village Katha and Mavikala is in progress and the villagers are agitating against the same. It also discloses that in the Badaut area, officers had conducted raid on receipt of information about illegal soil mining and it was revealed that illegal mining was done by Shamshad, Rahul and Bahadur and action is being taken against them.

3. The news item raises substantial issue relating to compliance of the environmental norms.

4. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal*

Corporation of Greater Mumbai vs. Ankita Sinha & Ors.” reported in 2021 SCC Online SC 897.

5. On advance notice, report by District Magistrate, Baghpat has been filed stating that the conditional lease has been sanctioned for mining/transportation of soil for the period from 20.02.2024 to 19.05.2024 in favour of Rajshyama Construction Private Limited for Gata Nos. 2274, 2272, 2276A, 2276, 2273, 2273B, area 2.9710 hectare for 17990 cubic meters of the soil. Hence, the mining is being done as per the mining permission condition.

6. Having regard to nature of the allegations which are made in the news item and the facts which are disclosed therein, we are of the opinion that it is necessary to ascertain the correct position from an independent agency.

7. Hence, we dispose of the OA directing the Regional Officer, Ministry of Environment, Forest and Climate Change, Lucknow to ascertain the truthfulness of the facts which are disclosed in the news item (as noted above) and also find out, if any, illegal mining of soil is in progress or has been done at Village Katha and Mavikala and submit the report before the Registrar General of the Tribunal within two months 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. If found necessary, the matter will be listed for consideration before the Bench.

8. A copy of this order be forwarded to Regional Officer, Ministry of Environment, Forest and Climate Change, Lucknow by e-mail for compliance.

Prakash Shrivastava, CP

April 02, 2024
Original Application No. 307/2024
DV

Dr. A. Senthil Vel, EM