

Item No. 03

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 49/2019 (EZ)

Birsa Munda Seba Santha

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 28.01.2020

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

For Appellant(s): Ms. Paushali Banerjee, Advocate

For Respondent (s): Mr. Gora Chand Roy Choudhury, Adv for R-1
Mrs. Aishwarya Rajyashree, Adv for R-2-7
Mr. Surendra Kumar, Adv for JSPCB

ORDER

1. By filing this application, the Applicant expresses deep concerns regarding the illegal and unrestricted mining of sand from the riverbed of river Basloi, Jharkhand being undertaken in gross contravention of the Jharkhand State Sand Mining Policy, 2017. It is contended that as per the policy the State Government is required to categorize streams/rivers for strict regulation of sand mining. This, as per the Applicant, has not been done in the District Survey Report (DSR) on

sustainable sand mining prepared by the Pakur District Authorities, Jharkhand.

2. Considering the facts and circumstances of the case, we had deemed it necessary to constitute a Committee comprising of (i) the Deputy Commissioner, Pakur Collectorate, (ii) District Mining Officer, Pakur District and (iii) Jharkhand Pollution Control Board (JBCB) who were directed to jointly inspect the area in question, verify on the factual aspects set out in the application and to submit a report.

3. Pursuant to the above directions, report has been filed by the Jharkhand State Pollution Control Board on behalf of the Committee according to which it is *inter alia* stated as follows:

“The mining of sand is being done very systematically under strict surveillances of the District Level Task Force Committee. The Category 1 sand Ghats are presently being operated through concerned Panchayat as provision made therein in the Sand Mining Policy for which District Panchayat Raj Officer is the nodal officer to monitor the entire system which involves issue of challan, monitoring the return and other related aspects involved in sand Mining Policy.

The Action taken in this regards is annexed as Annexure-A, copy of the DSR is annexed as

Annexure B, the office order of Dy. Commissioner, Pakur is annexed as Annexure – C and photograph of site visit & display board is annexed as Annexure – D for the kind consideration of the Hon’ble Court. ”

4. In view of the above, nothing further remains for consideration in this matter and is accordingly disposed of.

S. P. Wangdi, JM

Dr. Satyawan Singh Garbyal, EM

Siddhanta Das, EM

28th January, 2020
Original Application No. 49/2019 ag

