

Item No. 02

Court No. 1

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

Original Application No. 556/2023

Arun Tiwari

Applicant

Versus

State of Uttar Pradesh

Respondent

Date of hearing: 04.10.2023

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

Applicant: Mr. Arun Tiwari, Applicant in Person (Through VC)

**ORDER**

1. This Original Application has been registered on the basis of the letter petition dated 12.06.2023 sent by one Arun Tiwari, resident of Village Narcha, Post Nunsai, District Jalon, Uttar Pradesh. The allegation is that in the course of construction of Bundelkhand Expressway Project, the illegal mining of soil upto 10-15 mtrs. depth from the farmer's land is being done by the Project Proponent-M/s Gower Construction Limited in collusion with the officers of UPIDA. It is alleged that on account of this illegal activity, the road has been damaged at several places. Further allegation is that for the said project, the mining is going on since February 2020 whereas the application seeking permission for mining has been made in 2021 and that on account of illegal deep mining, hundreds of cattles have died and the damage to the environment has been caused. As against the permission for mining upto 2 mtrs. depth, the mining has been carried out by the Project Proponent in the agricultural field from 20 to 55 feet deep and illegal mining from the agricultural field of many agriculturalist has been done without even seeking the permission.

2. The allegation made in the letter petition raises the substantial issue relating to the compliance of the provisions of the Scheduled Acts.

3. At this stage, in order to ascertain the truthiness of the allegation, we deem it proper to constitute a joint Committee comprising of Member Secretary, UPPCB, representative of Ministry of Road Transport and Highways, Government of India, the concerned Executive Engineer of Public Works Department of the State of Uttar Pradesh and the District Magistrate, District Jalon. District Magistrate will act as a coordinating officer between the Members of the joint Committee. The joint Committee will find out on the spot the extent of illegal mining, if any, done by the Project Proponent and also the damage to the environment caused in that process and will also suggest the preventive and remedial measures.

4. Let the report be submitted by the joint Committee on or before the next date of hearing by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

5. List this matte on 15.12.2023.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

October 04, 2023  
Original Application No. 556/2023  
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