

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

Original Application No. 502/2019  
(I.A. No. 350/2019)

Jagdish Prasad Nishad

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

(I. A. No. 350/2019 for stay)

Date of hearing: 31.05.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Ms. Kamini Jaiswal, Mr. Abhimanu Shrestha, Mr. Jatinder Pal Singh and Ms. Pratiksha Tripathi, Advocates

**ORDER**

1. Grievance in this application is that river sand mining is being carried out by respondent no.4- Katyani Natural Resources Ltd. in District Banda, U.P., in violation of Environmental Clearance (EC) conditions.
2. According to the applicant, respondent no. 4 is carrying out illegal mining by using heavy machines during night hours, causing damage to the flora and fauna of River Ken in District Banda, U.P. The mining is done unscientifically and is unsustainable and in violation of EC conditions.

3. Even though in the application grant of EC is also challenged, for which remedy is to prefer an appeal. In view of this position, learned counsel for the applicant has made a statement that the present application be limited to the issue of compliance of EC conditions.

4. To consider the above, let a joint Committee comprising representatives of the UPPCB, the SEIAA, UP and the District Magistrate Banda furnish a factual and action taken report in the matter within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in).

The UPPCB will be the nodal agency for coordination.

A copy of this order be sent to the UPPCB, SEIAA, UP and the District Magistrate Banda by e-mail.

The applicant may furnish a set of papers each to the UPPCB, SEIAA, UP and District Magistrate Banda and file an affidavit of service within one week.

List for further consideration on 02.09.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

May 31, 2019  
Original Application No. 502/2019  
(I.A. No. 350/2019)  
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