

Item No. 03

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

Original Application No. 23/2019 (EZ)

Sanjay Kumar @ Sanjay Singh

Applicant(s)

Versus

Chief Secretary, State of Bihar & Ors.

Respondent(s)

Date of hearing: 23.04.2019

**CORAM :**

**HON'BLE. MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s):

Mr. Dyutimoy Paul, Advocate

For Respondent (s):

None

**ORDER**

1. The grievance of the petitioner in this application is that the party respondents are doing illegal mining on Phalgu river in Belagunj and Khizar sarai block. Though representations have been made to the authorities, they are not taking any action. According to the applicant due to deep excavation of sand beyond the permissible limit has resulted in causing death of many children. They have relied on certain photographs and the paper reports in this regard.
2. Heard the learned Counsel for the applicant.
3. Going through the allegations, we are of the opinion that there is substantial question of environment arises for consideration. Issue notice to respondent by *Dasti*.

4. In the meantime, we feel it appropriate to get a report by directing the District Magistrate, Gaya and the District Mining Officer, Gaya jointly to inspect the site in question and ascertain as to whether the mentioned allegations are true, if the allegations are true, the action if any required to be taken in accordance with law and the action taken and if any a mining have been done, they are directed to assess the damage caused to the environment and lost required for restoration of such environmental damage and take steps to realize the same from the violators and submit a factual and action taken report to this Tribunal within a period of one month by e-mail.

5. The applicant is directed to serve notices on the respondent by Dasti. The applicant is also directed to submit set of papers to the District Magistrate and District Mining Officer within one week. Registry is directed to communicate the orders with the concerned officer immediately by e-mail.

6. For consideration of the reports post on **27th May, 2019**.

K. Ramakrishnan, JM

Dr. S.S Garbyal, EM