

Item No. 02

(Court No.1)

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

(By Video Conferencing)

Original Application No. 203/2021

Devidas Khatri

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 19.08.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Anoop Agarwal, Advocate

**ORDER**

1. Grievance in this application is against illegal mining activities of Silica sand and washing plants of Silica sand in Shankargarh Block and nearby area like Pervaizabad, Lalapur, Bankipur, Janwa, Dhara etc., of Prayagraj District, U.P.

2. According to the applicant, indiscriminate and excessive extraction of ground water for washing silica sand as well as illegal and unscientific mining are adversely affecting the environment and public health. There are about 500 illegal mining activities by mining mafias and about 100 plus industries engaged in washing of silica sand, without requisite permissions. The applicant gave a legal notice to the concerned statutory authorities on 22.12.2020 but no action has been taken thereon.

3. We note that the Tribunal has earlier dealt with the issue of illegal sand mining in Prayagraj District inter alia in OA Nos. 670/2018 and

186/2019. The MoEF&CC has issued sustainable sand mining guidelines 2016 and 2020 which need to be duly complied and which is to be overseen by the State authorities.

4. In view of above, we are of the opinion that the statutory authorities need to verify the facts and, based on such verification, take remedial action, following due process of law. For this purpose, we constitute a Joint Committee of CPCB, State PCB, SEIAA, UP and District Magistrate, Prayagraj. CPCB and State PCB will be nodal agency for compliance. The said authorities may nominate responsible officers of appropriately higher rank so that a credible action is taken and report furnished to this Tribunal. The Committee may meet within 15 days from today, undertake visit to the sites, interact with the stakeholders and take remedial action in exercise of its statutory powers, following due process of law. The Committee may take assistance from any other authorities/individuals. The parties against whom allegations are found proved may be informed about proceedings before this Tribunal for their response, if any. An action taken report may be filed before the Tribunal within three months 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.

List for further consideration on 20.12.2021.

A copy of this order be forwarded to CPCB, State PCB, SEIAA, UP and District Magistrate, Prayagraj.

The applicant may serve a set of papers on CPCB, State PCB, SEIAA, UP and District Magistrate, Prayagraj and file affidavit of service within one week.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

August 19, 2021  
Original Application No. 203/2021  
SN