

Item No.02

Court No. 1

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

Original Application No. 690/2023

Raja Muzaffar Bhat

Applicant

Versus

Union Territory of Jammu & Kashmir & Ors.

Respondent(s)

Date of hearing: 28.11.2023

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

Applicant: Mr. Rahul Choudhary, Advocate

ORDER

1. Learned Counsel for the applicant has submitted that the mining activity is being undertaken by the private respondents in violation of Sustainable Sand Mining Guidelines, 2016 and Enforcement & Monitoring Guidelines for Sand Mining, 2020 and the condition of Environmental Clearance (EC) dated 04.03.2022 especially the condition relating to prohibition on mining outside prescribed area i.e. condition no. 22 and use of heavy machinery in mining (condition no. 53) and prohibition for mining within active water channels (condition nos. 56 and 65), including specific condition nos. 52 and 64.

2. The OA involves substantial issue relating to the environment. Hence, we deem it proper to issue notice to the respondents. Counsel for the applicant is directed to serve the respondents and file affidavit of service before the next date of hearing.

3. Respondent No. 2, J&K Environment Impact Assessment Authority and Respondent No. 5, District Magistrate, Pulwama are directed to file

their reports atleast one week before the next date of hearing by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

4. List on 05.02.2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

November 28, 2023
Original Application No. 690/2023
DV