

Item No. 12

Court No. 1

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

Original Application No. 521/2018

Joyanto Banerjee

Applicant(s)

Versus

State of Jharkhand

Respondent(s)

Date of hearing: 07.05.2019

**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):

For Respondent(s):

Mr. Raja Chatterjee and Mr. Piyush Sachdev,
Advocates for State of West Bengal

ORDER

1. Issue for consideration is the remedial action against alleged illegal sand mining on the river bed of Putulia (Runakura Ghat) Barabani, Paschim Burdwan, West Bengal.
2. In pursuance of order of this Tribunal dated 30.08.2018, a report was sought from a joint Committee comprising the District Magistrate, Burdwan, State Pollution Control Board (SPCB) and the District Environment Impact Assessment Authority (DEIAA). Since no report was received, notice was issued vide order dated 12.12.2018 why coercive measures be not taken.

3. Thereafter, the matter was again considered on 31.01.2019 and a report was received from the District Magistrate, Burdwan but the Tribunal required a fresh report based on surprise visit. Accordingly, further report has been filed vide e-mail dated 02.05.2019 stating that there is no violation of sand mining guidelines. We find it difficult to accept the said report in absence of adequate particulars like photographs and other material.

4. In the circumstances, we consider it necessary to request the Chief Secretary, State of West Bengal to look into the matter and have the facts verified at his level and a report be given to this Tribunal within two months by e-mail at ngt.filing@gmail.com.

A copy of this order be sent to the Chief Secretary, West Bengal by e-mail for compliance.

List for further consideration on 20.08.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

May 07, 2019
Original Application No. 521/2018
DV