

Item No. 01

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

Original Application No. 40/2019 (EZ)

Anil Kumar Rai

Applicant

Versus

Ministry of Environment & Forest & Ors.

Respondent(s)

Date of hearing: 29.07.2019

**CORAM : HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s): None

For Respondent (s): None

ORDER

1. Although none is present for the Applicant, we have taken up this matter considering the serious question of environment raised in the application.
2. It is alleged that the Respondent No. 11, M/s. Broadson Commodities Pvt. Ltd., has been illegally undertaking sand mining on the riverbeds of Sone River in the process of which many temporary bridges have been constructed over the river. Sand has been excavated at many places by digging upto the depth of 50 feet against the permissible depth of 3 meter, resulting in reduction of groundwater level in the nearby area. According to the Applicant, such illegal activity has been continuing since 14.02.2019. Complaints made regarding these infractions of the Respondent No. 11 have not borne any results as the State Authorities have failed to take action.
3. Issue notice, returnable in three weeks.

4. The Applicant shall ensure that requisites are filed within one week from hence.
5. In the meanwhile, we direct the Respondent No. 2, SEIAA Bihar, the Respondent No. 5, Department of Geology & Mining (Government of Bihar), Respondent No. 8, the Bihar State Pollution Control Board and Respondent No. 9, the District Magistrate, Bhojpur District to jointly inspect the area in question, verify on the factual aspects and submit a report. If the allegations are found to be correct, the Respondent Nos. 2 and 8 are at liberty to take appropriate action against the Respondent No. 11 and such other illegal minors found in the area in accordance with law.
6. Action taken report shall also be filed along with the inspection report and be transmitted to this Tribunal through email at judicial-ngt@gov.in, before the next date.
7. List on 30.08.2019.

S.P. Wangdi, JM

Dr. Satyawan Singh Garbyal, EM

29th July, 2019
O.A. No. 40/2019 (EZ)
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