

Item No. 03

Court No. 1

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

(BY HYBRID MODE)

Original Application No. 827/2022

Kailash Singh & Ors.

Applicant(s)

Versus

State of Uttarakhand

Respondent

Date of hearing: 09.05.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent(s): Mr. Rahul Verma, AAG for the State of Uttarakhand
Mr. Mukesh Verma, Advocate for UKPCB

ORDER

1. Grievance in this application is against illegal mining at Village Sorag, Tehsil Kapkot, District Bageshwar. It is stated that in the course of such illegal mining, blasting is also done which affects the safety of the houses in the area, about 4000 standing trees, water course and grazing land.

2. Vide order dated 06.01.2023, the Tribunal constituted a Committee comprising State PCB, District Magistrate, Bageshwar and Divisional Forest Officer, Bageshwar to furnish a factual and action taken report in the matter.

3. Report dated 17.03.2023 has been filed by the Committee admitting that the site of mining is just above Ugiyan Village where there is slope of

45°. It is also acknowledged that 4000 trees may be affected by illegal mining and grazing land and storm water drains in the area may also be affected. Mining is being opposed by the villagers having regard to the geographical location and potential for damage. This may call for High Level Enquiry.

4. We have considered the matter and find no reason to brush aside the report about potential damage of mining in the area. Accordingly, we direct that no mining may be allowed in the area which may be ensured by the concerned District Magistrate.

The application is disposed of.

A copy of this order be forwarded to District Magistrate, Bageshwar by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 9, 2023
Original Application No. 827/2022
SN