

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

Original Application No. 134/2024

News Item titled "**Nanglarai khandar dhekedar Bandhuyo ke kheelaf gramino ne khola morcha**" appearing in sach kahun dated 29.12.2023

Date of hearing: 13.02.2024

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

**ORDER**

1. This original application is registered *suo motu* on the basis of the news item titled "**Nanglarai khandar dhekedar Bandhuyo ke kheelaf gramino ne khola morcha**" appearing in sach kahun dated 29.12.2023.

2. The news item discloses that illegal sand mining by "Thekedar Bandhuyo" is going on in Yamuna Khadar area of Village Nanglarai and they have also affected the main flow of the river by erecting a sand bund. The news item further reveals that on account of sand mining, pits upto the depth of 30 feet have been created and on account of the overloaded vehicles transporting the sand, crops of the nearby agricultural fields are destroyed and the bund, created to prevent flooding in the nearby inhabited area, has been destroyed by the trucks transporting the sand which has created a danger of flooding of the area during rains.

3. The news item raises substantial issue relating to compliance of the provisions of the Scheduled enactments.

4. Power of the Tribunal to take up the matter in *suo-motu* exercise of power has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

5. Hence, we implead the following as respondents in the matter:
  - i. Uttar Pradesh Pollution Control Board (UPPCB) through its Member Secretary.
  - ii. Collector and District Magistrate, Muzaffarnagar.
  - iii. Regional Officer, MoEF&CC, Lucknow.
  - iv. Central Pollution Control Board (CPCB) through its Member Secretary.
6. Let notice be issued to the above Respondents for filing their response at least one week before the next date of hearing.
7. We also deem it proper to constitute a Joint Committee comprising of representative of the Member Secretary, CPCB and the District Magistrate, Muzaffarnagar. The District Magistrate, Muzaffarnagar will act as nodal agency for coordination and compliance.
8. The Joint Committee will visit the site, ascertain the true state of affairs existing there and extent of illegal mining and persons responsible for the same and submit the status report at least one week before the next date of hearing 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.
9. List on 24.04.2024.
10. A copy of this order be forwarded to Member Secretary, CPCB and the District Magistrate, Muzaffarnagar by e-mail for compliance.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

February 13, 2024  
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DV.