

Item No. 05

Court No. 2

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

Original Application No. 133/2023

Kuldeep Singh Rathore

Applicant

Versus

State of Rajasthan

Respondent

Date of hearing: 24.05.2023

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

Application is registered based on a complaint received by post/e-mail

ORDER

1. This original application has been registered under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') on a letter petition dated 24.09.2022 sent by Shri Kuldeep Singh Rathore Resident of village Iyara, Tehsil Sujangadh, Distt. Churu, Rajasthan.

2. The grievance raised in the letter petition is that there is illegal mining being carried out by M/s Maa Durga Stone Crusher Chadwas, Bidasar, Churu who was granted mining lease over an area of one hectare but it has spread over its mining activities on seven hectare of land. Despite several complaints to the authorities, no action has been taken and illegal mining causing damage to the environment is still continuing.

3. The applicant has also given the location details of the illegal mining in Khasra No. 1684/636 by giving latitudes and longitudes and claim that more than two lakh metric tons of mineral has been illegally mined from the sites in question.

4. In our view, a substantial question relating to environment due to implementation of Scheduled Enactment under NGT Act, 2010 has arisen. However, before taking any further action in the matter we find it appropriate to obtain a factual report for the purpose whereof we constitute a Joint Committee comprising District Magistrate Churu, State Pollution Control Board and District Forest Officer who shall visit the site, collect relevant informations including assessing extent of environmental damage caused and submit a factual as well as action taken, if any, report within two months.

5. State PCB shall be the nodal agency for coordination and compliance of this order.

6. The report shall be submitted before Registrar, Central Bench, Bhopal, by e-mail, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF, who shall place the matter before the Bench for further action.

7. The Registry shall transfer record of this matter to Central Bench, Bhopal for further proceedings.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 24, 2023
Original Application No. 133/2023
HB