

Item No. 01

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 561/2022

Urvashi Shobhna Kachari

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 12.08.2022

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

Applicant: Mr. Raj Panjwani, Senior Advocate with Ms. Esha Dutta, Advocate

ORDER

1. This is an application under Sections 14, 15 and 18 of National Green Tribunal Act, 2010 read with Rule 24 of the National Green Tribunal (Practices and Procedures) Rules, 2011 seeking preservation of ecology in and around the holy pilgrim tracks in the sensitive and bio-diverse regions of Uttarakhand which shall be compromised due to exponential increase of equines and pilgrims in the State. It is stated that the number of pilgrims and tourists has drastically and exponentially increased after Covid-19 pandemic in the State of Uttarkhand particularly in respect of pilgrims to Kedarnath Dham, Hemkund Sahib, Gangotri Gomukh Dham and Yamonotri Dham.

2. Badrinath-Kedarnath Temple Committee had recently stated that till the evening of 11.06.2022, total number of pilgrims reaching

Uttarakhand chardham are a whopping 19,04,253 (Nineteen lakh, 10 four thousand, two hundred fifty three pilgrims). The corresponding pollution caused by such a large influx of humans is staggering. Moreover, such a high number of people on the tracks, aggravated by the sheer number of equines is downright unsustainable and dangerous, considering the existing infrastructure in the State. These concerns are magnified annually during the months of May-June-July when the frequency of pilgrim footfall escalates. These tracks are predominantly in the districts of Rudraprayag (Kedarnath track), Chamoli (Hemkund Sahib track), and Uttarkashi (Yamunotri & Gomukh tracks). To assist the increasing number of humans on the various pilgrim tracks, approximately 20,000 equines are used for ferrying people and carrying supplies.

3. Recently, State Government has issued Governments orders dated 30.04.2022 and 10.05.2022 recommending regulation of number of pilgrims in aforesaid holy tracks and the same is given in the form of chart as under:-

Name of Track	Length of Track	District	Agency in charge of management	No. of equines plying on track	No. of pilgrims permitted on track
Kedarnath track	18 Kms	Rudraprayag	Respondent No. 5 (District Magistrate of Rudraprayag)	12000-14000	13000
Hemkund Sahib track	19 Kms	Chamoli	Respondent No. 7 (Apar Mukhya Adhikari of the Zila Panchayat of Gopeshwar)	2000-3000	Not specified
Yamunotri track	14 Kms	Uttarkashi	Respondent No. 6 (Apar Mukhya Adhikari of	6000-8000	5000

			the Zila Panchayat of Uttarkashi)		
Gomukh-Gangotri track	18 Kms	Uttarkashi	Respondent No. 6 (Apar Mukhya Adhikari of the Zila Panchayat of Gopeshwar)	200	8000

4. In the additional affidavit applicant has given the track on which maximum pollution is being caused, as under:

“A. District Rudraprayag (Kedarnalh Dham)

Total length of the track - 18 Kilometers
Starting point - Gaurikund Ghoda Padav
End Point - Rudrapoint Ghoda Padav
Number of equines used 12,000 to 14,000

Nearest water body-River Mandakini (Tributary of River Alaknanda which in turn flows into the River Ganges).

B. District Chamoli (Hemkund Salhib)

Total length of the track - 19 Kilometers
Starting point - Pulna
End Point - Hemkund Sahib (via Ghaghariya)
Number of equines used 2,000 to 3,000

Nearest water body -River Alaknanda (Source Stream of River Ganges).

C. District Uttarkashi (Gangotri-Gomukh Dham)

Total length of the track - 18 Kilometers
Starting point Gangotri Dham (Ghoda Padav - 700m from temple)
End Point -Gomukh
Number of equines used 200

Nearest water body River Bhagirathi (Headstream of the River Ganges)

D. District Uttarkashi(Yamunotri Dham)

Total length of the track - 5 Kilometers (18 kilometers from Hanuman Chatti)
Starting point - Janki Chatti Ghoda Padav
End Point - Yamunotri Dham Ghoda Padav
Number of equines used - 6,000 to 8,000

Nearest water body - River Yamuna (Tributary of the River Ganges).”

5. In our view, the matter requires consideration as substantial question relating to environment has arisen which require adjudication by this Tribunal. However, before proceeding further, we find it appropriate that a factual report be obtained for which we constitute a joint Committee comprising Regional Director, CPCB, Uttarakhand a nominee of MoEF&CC, Uttarakhand, State PCB and a nominee of G.B. Pant Institute of Himalayas. The said Committee would submit its report within four months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List for further consideration on 16.12.2022.

A copy of this order be forwarded to the Regional Director, CPCB, Uttarakhand, MoEF&CC, Uttarakhand, State PCB and G.B. Pant Institute of Himalayas by e-mail for compliance.

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

August 12, 2022
Original Application No. 561/2022
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