

Item No.7

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No. 680/2022

Satyadevi & Ors.

Applicants

Versus

State of H.P & Ors.

Respondents

Date of hearing: 19.10.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None.

**Application is registered based on a complaint received by Post.**

**ORDER**

1. The grievance in the present letter petition sent by Post, which has been treated and registered as Original Application, is that a stone crusher is being operated illegally for last 4-5 months in village Averi Tehsil Nirmond, Kullu Himachal Pradesh in violation of environmental norms, causing serious damage to environment and health hazard to local residents.

2. This Tribunal is empowered to *suo moto* take cognizance of the cases involving questions relating to environment arising out of the implementation of enactments specified in Schedule I of the National Green Tribunal Act, 2010 as held by Hon'ble Supreme Court in **Municipal Corporation of Greater Mumbai V/s. Ankita Sinha and others 2021 SSC Online SC 897**. This Tribunal can also take cognizance of such cases on the basis of letter petitions in accordance with settled principles of law governing Public Interest Litigation.

3. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of State PCB and Deputy Commissioner, Kullu and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law and giving opportunity of being heard to the project proponent. The State PCB will be the nodal agency for coordination and compliance.

4. Factual and Action taken Report may be submitted within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. List for further consideration on 16.02.2023.

6. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the State PCB and Deputy Commissioner, Kullu by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

October 19, 2022  
AG