

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

**M.A. No. 897 of 2013**

**In**

**Original Application No. 302 of 2013**

**And**

**M.A. No. 810 of 2013 & M.A. No. 72 of 2014**

**In**

**Original Application No. 290 of 2013**

**IN THE MATTER OF:**

**Ashok Kumar Vs. Union of India & Ors.**

**And**

**Noida Lok Manch Vs. Union of India & Ors.**

**CORAM :** HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE MR. B.S. SAJWAN, EXPERT MEMBER  
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

**Present:** In Original Application No. 302 of 2013

**Applicant:** Mr. Rahul Choudhary and Ms. Preeti Dhar, Advocates.  
**Respondent No. 1&2:** Mr. Vikas Malhotra and Mr. M.P. Sahay, Advocates  
**Respondent No. 3:** Mr. R.S. Dalal, Advocate.  
**Respondent Nos. 4,5,6 & 7:** Mr. Narender Hooda, Sr. Advocate, Mr. D.P. Singh and Mr. Vineet Malik, Advocates

**Original Application No. 290 of 2013**

**Applicant:** Mr. Rahul Choudhary and Ms. Preeti Dhar, Advocates.  
**Respondent No.1&10:** Mr. Vikas Malhotra and Mr. M.P. Sahay, Advocates.  
**Respondent No. 3:** Ms. Savitri Pandey, Advocate  
**Respondent No. 4:** Mr. Pradeep Mishra, Advocate and Mr. Daleep Dhyan, Adv.  
**Respondent No.5&6:** Mr. Raman Yadav, Advocate  
**Respondent No.7,8&9:** Mr. Narender Hooda, Sr. Advocate along with Mr. D.P. Singh, Adv. and Mr. Vineet Malik, Advocates

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item Nos. 8&amp;9 May 6, 2014</b>	<p>The Report has been filed in pursuance of the earlier Order of the Tribunal dated 26<sup>th</sup> March, 2014. From the report it is evident that there was unauthorized and illegal removal/theft of 60032 metric tons of sand causing financial loss of Rs. 1.4 crore and more to the State exchequer. Further it is stated that there was an environmental degradation as result of removal/theft of this sand.</p> <p>According to the Indian Air Force it is stated that large number of complaints were made to the Police for</p>

illicit removal/theft of the sand. However, according to the State of Haryana no such complaints were made except one complaint made currently.

Learned counsel appearing for the Uttar Pradesh submits that they are also not aware of any such complaint being made but recently they have seized 34 vehicles which were carrying sand illegally and unauthorizedly.

As a result of the above the following issues call for determination of the Tribunal.

1. What action is required to be taken in view of the above;
2. How the restoration/replenishment of the environmental degradation should be directed to be done;
3. Who are the persons responsible for removal/theft of sand illegally and unauthorizedly resulting in environmental degradation causing loss of Rs. 1.4 crore and how it should be recovered;
4. What action should be directed to be taken against the erring Officers of the respective States, Departments and the Indian Air Force.

We direct Learned counsel appearing for respective parties to place their respective suggestions on record within four weeks from today.

We also hereby direct Learned counsel appearing for State Pollution Control Board to suggest what action should be taken against the Officer who had incorrectly stated before the Tribunal that no environmental degradation been taken place and there was no ecological imbalance caused because of removal/theft of sand illegally.

Liberty is granted to the parties to file their objections/Replies to the Report of the Committee.

Parties would also jointly suggest what steps they are going to take for disposal of the sand lying at the site in question.

For the suggestions regarding disposal of the sand lying at the site list this matter on 20<sup>th</sup> May, 2014 and with regard to other matters it be listed on 08<sup>th</sup> July, 2014.

.....,CP  
(Swatanter Kumar)

.....,JM  
(U.D. Salvi)

.....,EM  
(Dr. D.K. Agrawal)

.....,EM  
(B.S. Sajwan)

.....,EM  
(Dr. R.C. Trivedi)

