

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

O.A. No. 176/2016/EZ

UMESH PRASAD SINGH

VS

**UNION OF INDIA & ORS**

CORAM: Hon'ble Mr. Justice S.P.Wangdi, Judicial Member  
Hon'ble Prof. (Dr.) P. C. Mishra, Expert Member

PRESENT: Applicant : Mr.Somnath Roy Chowdhury , Advocate  
Respondent No. 6 : Mr. Kumar Ravish, Advocate  
Other Respondents : None

Date & Remarks	Orders of the Tribunal
<p>Item No. 4 21<sup>st</sup> December, 2016.</p>	<p style="text-align: center;">Heard.</p> <p style="text-align: center;">Issue notice returnable in three weeks.</p> <p style="text-align: center;">Let requisites be filed by 22.12.2016.</p> <p style="text-align: center;">Notice in respect of the respondent No. 6, State Level Environment Impact Assessment Authority, Bihar, stands dispensed with as Mr. Kumar Ravish, Ld. Advocate, puts in appearance on its behalf today and files vakalatnama.</p> <p style="text-align: center;">It is stated by Mr. Somnath Roy Chowdhury, Ld. advocate for the applicant that he has duly served notices upon the respondents No. 3 and 4, the Mines Commissioner-cum-Principal Secretary, Mines &amp; Geology Deptt. Govt. of Bihar and the District Magistrate, Patna, respectively. He is directed to file affidavit of service to that effect on or before the next</p>

date.

Let notice in respect of other non-appearing respondents be issued as already directed.

Mr. Roy Chowdhury prays for an interim stay in terms of the payer made in the application.

The principal allegation in this OA is that the respondent No. 7 has been carrying on illegal sand mining /soil mining operations in the district of Patna, Bihar, at Sand Ghats on the river bed of Ganga in between Digha Railway Bridge to Kurji More, particularly, at Gate Nos. LCT Ghat, Gate No. 55 Bana's Kothi, Gate No. 93 and various other gates of Patna Protection Wall from the Sand Ghats, without obtaining prior environmental clearance as per Environment Impact Assessment Notification, 2006.

We have issued notice having been prima facie satisfied that substantial question of environment exists for our consideration in this case.

Keeping this in view and the fact that the allegations are of serious nature, we direct the respondent No. 6, SEIAA, Bihar, to make necessary inquiry on the allegations. If the allegations are found to be true in respect of any of the aspects, they are at liberty to take steps in accordance with law against the erring sand mining. The SEIAA while making enquiry, shall take the assistance of the District Magistrate, Patna and the SSP, Patna for effective implementation

of this order.

Let action taken report be filed on or before the next date with advance copies on the other side.

**List on 25.1.2017.**

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Justice S.P.Wangdi, JM

21-12-2016

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Prof. (Dr.) P. C. Mishra, EM

21-12-2016



