

Item No. 03

Court No. 2

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

Original Application No. 941/2024

Ashish Pal & Ors.

Applicant

Versus

State of Jharkhand

Respondent

Date of hearing: 06.09.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Applicant in Person (through VC)

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**') in exercise of *suo-moto* jurisdiction in view of law laid down by Supreme Court in "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897 on a letter petition dated 15.11.2023 sent by Ashish Pal and others which says that a complaint on 18.12.2018 sent to Prime Minister of India but they have not received any response.

2. Complainant has said that Central Coalfield Limited is carrying out river mining in the area of river Damodar near the village of applicant i.e. Gram Panchayat Pichri Dakshin, Block Peterwar, Bokaro, State of Jharkhand and lacs of tonnes of coal has been excavated illegally on a Gair Majrue land, Khata No. 237, Plot No. 2099, adjacent to river which is recorded as Jangle Jhadi in Survey Khatiyen. Thousands of trees of Sakhua, Mango, Babul, Piper, Kadam, Arjun, Kend and Mahua have been cut. The waste such as stone, muck, overburdened as a result of illegal mining are being dumped in river water changing the flow and damaging

environment. River Damodar is lifeline of villages in the area and water is source for agriculture and drinking but due to damage caused to the same by the Management of Central Coalfield Limited, the entire ecology is being affected adversely besides causing health hazards to local inhabitants.

3. Prima facie, we are satisfied that a substantial question relating to environment has arisen out of implementation of Enactments mentioned in the Schedule I of NGT Act, 2010. However, before taking any further action in the matter, we find it appropriate to obtain a factual report for which we constitute a joint Committee comprising Integrated Regional Office, Ministry of Environment, Forest & Climate Change, Ranchi; Central Pollution Control Board (hereinafter referred to as '**CPCB**'); Jharkhand State Pollution Control Board (hereinafter referred to as '**JSPCB**'); and District Magistrate, Bokaro.

4. The Committee shall visit the site, collect relevant information and submits a factual report within one months.

5. Besides other, the Committee shall also find out whether conditions of Environmental Clearance and consent are being observed by the above Proponent in coal mining activities.

6. CPCB shall be the nodal agency for coordination and compliance.

7. List on 23.10.2024

8. A copy of this order be forwarded to Integrated Regional Office, MoEF&CC, Ranchi, CPCB, JSPCB and District Magistrate, Bokaro by e-mail for compliance.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

September 06, 2024
Original Application No. 941/2024
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