

Email

OA-84/2024/EZ

Judicial Section

**ORDER passed in Original Application No. 319/2024**

**From :** Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in> Tue, Apr 09, 2024 11:08 AM  
**Subject :** ORDER passed in Original Application No. 319/2024 2 attachments  
**To :** Sh. RAJA CHATTERJEE Registrar <registrarngt-kolkata@gov.in>, Judicial Section <ngtjudicial-kolkata@gov.in>  
**Cc :** ranchijspcb@gmail.com, MS, CPCB <mscb.cpcb@nic.in>, Smt Jadhav Vijaya Narayan Rao <dc-bok@nic.in>  
**Reply To :** Consultant Judicial-NGT(P.B.) <judicial-ngt@gov.in>

Respected Sir/Madam,

I am directed to forward a copy of the **Petition & Order dated 04/04/2024 passed in Original Application No. 319/2024 News item titled "Bermo ke mahuatand mai avaidh balu ke khel mai saikaro tractor se aam log ho rahe pareshaan" appearing in News Wing dated 19.12.2023.** . for your kind perusal & necessary action.

**REGARDS**  
**CONSULTANT (Judicial)**  
⌘ (N.G.T.)(P.B.) ⌘ New Delhi ⌘



**OA NO 319 of 2024 Suo Motu Bermo Bokaro.pdf**  
560 KB

**Bermo ke mahuatand mai avaidh balu ke khel mai.pdf**  
169 KB

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

Original Application No. 319/2024

News item titled "Bermo ke mahuatand mai avaidh balu ke khel mai saikaro tractor se aam log ho rahe pareshaan" appearing in News Wing dated 19.12.2023.

Date of hearing: 04.04.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Dev Aaryan & Mr. Kumar Anurag Singh, Advs. for R – 1 (Through VC)  
Mr. Amit Singh Chauhan, Adv. for R – 2 (Through VC)

**ORDER**

1. This Original Application is registered *suo-motu* on the basis of the news item titled "Bermo ke mahuatand mai avaidh balu ke khel mai saikaro tractor se aam log ho rahe pareshaan" appearing in News Wing dated 19.12.2023. The news item relates to the illegal sand mining in Mahuatand under Bermo sub-division of Bokaro district (Jharkhand). As per the news item, in Mahuatand hundreds of tractors are involved in transporting the illegally mined sand and this activity goes on throughout the night even making it difficult for the residents to sleep and the students to study and is also causing serious noise pollution. The news item discloses that such trucks containing illegally mined sand cross through Putka Heed, Barki Punu, Tirla and Mahuatand and such illegally mined sand is sold at a very high rate.

2. The news item raises substantial issue relating to compliance of the environmental norms.

3. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

4. Hence, we implead the following as respondents in the matter:

- (i) Jharkhand State Pollution Control Board, through its Member Secretary
- (ii) Central Pollution Control Board, through its Member Secretary
- (iii) Deputy Commissioner/District Magistrate, Bokaro

5. Respondent No. 1 and 2 are represented through the counsel. Let notice be issued to Respondent No.3 for filing the response before the appropriate bench of the Tribunal atleast one week before the next date of hearing.

6. Submission of learned counsel for the Respondent no. 2 i.e. Central Pollution Control Board (CPCB) is that in compliance of the direction of the Tribunal the guidelines have been framed by the CPCB and it is primarily the responsibility of the State authorities to control the illegal mining and the CPCB has limited capacity therefore it cannot regulate it. CPCB is directed to clarify its stand by filing a detailed report.

7. Let the reply/report be filed by the concerned respondents before the appropriate bench of the Tribunal atleast one week before the next date of hearing

8. Since the matter relates to the Eastern Zonal Bench, Kolkata, therefore, OA is transferred to the Eastern Zonal Bench for appropriate further action. Office is directed to transfer the original record of the OA to Eastern Zonal Bench, Kolkata.

9. List before Eastern Zonal Bench at Kolkata on 28.05.2024.

Prakash Shrivastava, CP

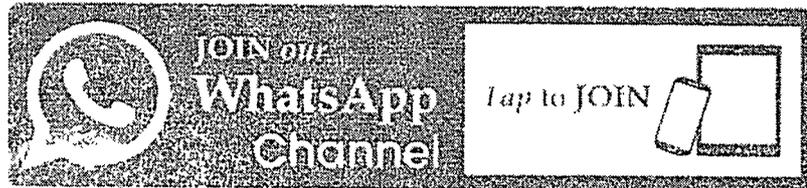
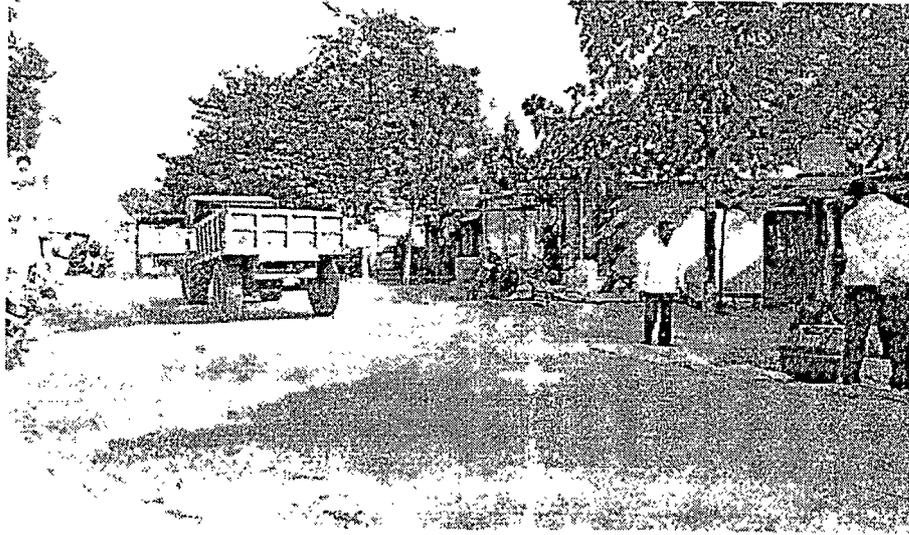
April 04, 2024  
Original Application No. 319/2024  
AS.

Dr. A. Senthil Vel, EM

## बरमो के महुआटांड में अवैध बालू के खेल में सैकड़ों ट्रैक्टर से आम लोग हो रहे परेशान



Shailendra K.S. 19/12/2023



Bermo: बोकारो जिला के बेरमो अनुमंडल अंतर्गत महुआटांड में सुबह से लेकर रात तक ट्रैक्टरों की गड़गड़ाहट सुनने को मिलती है. इस संबंध में समाज सेवी गुडेमल केवट ने मंगलवार को कहा कि महुआ टांड में सैकड़ों की संख्या में ट्रैक्टरों से निरंकुश अवैध बालू का खेल चल रहा है. शाम होते ही ट्रैक्टरों की गड़गड़ाहट तेज हो जाती है जो रात भर चलती है. लोगों का सोना और बच्चों का पढ़ना मुश्किल हो चुका है ध्वनि प्रदूषण से बच्चे पढ़ नहीं पाते जिस कारण शिक्षा पर बुरा प्रभाव पड़ रहा है.



आश्चर्य जताते हुए केवट ने कहा कि चार से पांच गांव में बीच मोहल्ले से पुटका डीह, बड़की पुनु, तिरला एवं महुआटांड से बालू लदी ट्रैक्टर पार होती है. बताते चले कि इससे पूर्व बीते सप्ताह छापेमारी की गई थी किंतु बालू माफियाओं पर इसका कोई असर नहीं. बेखौफ होकर कानीडीह एवं हरलाडीह की नदी से बालू को ढो रहे हैं और ऊंचे दामों पर बेच रहे हैं.