

ORDER passed in Original Application No.
264/2026

ngtjudicial-
kolkata

< ngtjudicial-kolkata@gov.in >

न्यायिक अनुभाग Judicial Section < judicial-ngt@gov.in >

Mon, 25 May 2026 11:28:08 AM +0530

To "Sh Deepto Ghosh Registrar"<registrarngt-kolkata@gov.in>,"National Green
Tribunal, Eastern Zone Bench, Kolkata"<ngtjudicial-kolkata@gov.in>

Respected Sir/Madam,

I am directed to forward a copy of the ORDER passed in
Original Application No. 264/2026 Tausip Sheikh & Ors. Applicant(s) Versus State of
Jharkhand & Ors. Respondent(s) Date of hearing: 18.05.2026. for your kind perusal &
necessary action.

It is also intimated have that, henceforth no pleadings/ report/ documents etc in pending
case will be accepted except through E-filing module of NGT.
Pleadings/ report/ documents, etc. filed through E-mail will not be taken on record, unless
otherwise directed.

भवदीय / Regards

परामर्शदाता (न्यायिक) / Consultant (Judicial)

राष्ट्रीय हरित अधिकरण / National Green Tribunal

प्रधान न्यायपीठ / Principal Bench

नई दिल्ली / New Delhi - 110001

2 Attachment(s)

Tausip Sheikh Ors.pdf
174.4 KB

OA NO 264 of 2026 in LP No 1...
1 MB

Black and white email copy

172/4P/2028

03/02/2028

<jhskmandal@gmail.com >

Mon, 29 Dec 2025 9:32:27 PM +0530

To "publicgrievance-ngt" <publicgrievance-ngt@gov.in>

Tags * Not in Contacts



1 Attachment(s)

NN.pdf
12.6 MB

To
The Registrar
National Green Tribunal
Eastern Zone Bench, Kolkata

Subject: Application seeking immediate intervention against continuous illegal river-bed mining near River Ganga in Udhwa Block, Sahibganj District, causing grave environmental damage, public safety risk, flood threat and violation of

Respected Sir/Madam,

We are resident of Udhwa Block, Sahibganj District, most respectfully submit this application seeking your urgent intervention in a matter involving continuous and organised illegal digging of land and riverbed near the River Ganga, which has been going on unabated for the last nearly four years with apparent patronage of local authorities.

The facts stated below are based on ground realities personally witnessed,

1. FACTUAL BACKGROUND —:

1. That large-scale illegal excavation of soil/sand from land adjoining the Ganga riverbed and floodplain is being carried out by organised mafias.
2. That the excavated material is openly sold to brick/chimney factories for commercial profit without any mining lease, environmental clearance or statutory permission.
3. That heavy, overloaded trucks transport the excavated material at high speed through village roads and public infrastructure.
4. That despite repeated local awareness and public concern, the activity continues uninterrupted, giving rise to a reasonable apprehension of collusion and bribery involving local police and revenue officials, including the Circle Office.

2. MULTIPLE PUBLIC HARMS CAUSED —:

(A) Damage to Public Infrastructure & Threat to Life

- Overloaded vehicles have severely damaged public roads, culverts and village paths.
- Continuous high-speed movement of trucks has created fear psychosis among residents, particularly women, children and elderly persons.

(B) Air Pollution & Public Health Crisis

- Transportation of excavated soil without covering generates thick dust clouds, leading to:
 - Respiratory problems
 - Eye irritation

(C) Agricultural Loss & Farmer Distress

- Dust deposition and pollution have caused degradation of fertile agricultural land.
- Crop productivity has declined, directly affecting livelihood of marginal farmers, thereby violating their right to livelihood.

(D) Ecological Destruction & Flood Risk

- Illegal digging has altered the natural morphology of the Ganga, leading to:
 - Increase in river width
 - Weakening of riverbanks
 - Increased vulnerability to floods
 - Several villages located close to the river now face perpetual flood threat and displacement risk, leading to forced migration.

(E) Failure of Protective Measures

- The Government earlier attempted to protect riverbanks by installing stones/rocks, but these efforts were forcefully stopped by local middlemen (dalals) through bribery and intimidation.

(F) Threat to Aquatic Life (Gangetic Dolphin)

- The affected stretch is part of the ecological habitat of the Gangetic Dolphin, a Schedule-I species under the Wildlife Protection Act, 1972.
- Continuous excavation, noise, turbidity and pollution have severely disturbed aquatic biodiversity.

(G) Proximity to Farakka Barrage (High-Sensitivity Zone)

- The affected area lies very close to the Farakka Barrage, a structure of national importance for flood control, river management and interstate water regulation.
- Any alteration of riverbed or sediment flow in this zone poses grave interstate and national environmental consequences.

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(H) The Government of Jharkhand had earlier undertaken riverbank protection measures by placing stones/rocks along the Ganga riverbank to prevent erosion, illegal excavation and flood risk.

However, local mining mafias deliberately obstructed and prevented the continuation of this protective work, so that their illegal excavation and commercial activities could continue uninterrupted.

Such obstruction of government work was done with apparent local influence and intimidation, resulting in abandonment of public safety and environmental protection measures.

The deliberate stoppage of river protection work has exposed nearby villages to increased flood risk, riverbank collapse and ecological damage, directly defeating the State's duty under Article 48A of the Constitution.

The failure to complete these protective measures has facilitated ongoing illegal riverbed mining, causing irreparable harm to the Ganga's ecology and public interest.

(H) During the ongoing illegal digging, two JCB machines and around 500 tractor trips continuously occupied and blocked nearly 3 kilometers of public road for loading operations causing severe obstruction to public movement, disruption of daily life, and hardship to residents, thereby amounting to public nuisance and unlawful blockage of public ways.

JCB DETAILS :- 7H 18 K4177

3. VIOLATION OF LAW :-

The above acts constitute violations of the following:

- Article 21 of the Constitution of India - Right to life, health, clean environment and livelihood
- Environment (Protection) Act, 1986
- Water (Prevention & Control of Pollution) Act, 1974
- Wildlife Protection Act, 1972 (Schedule-I protection of Gangetic Dolphin)

Section 303, BNS - Theft

* Illegal extraction and removal of sand, stone, and minerals from riverbeds without lawful authority constitutes theft of public property.

Section 324, BNS - Mischief causing damage to public property

* Excavation and destruction of riverbeds, embankments, and natural watercourses amount to mischief causing damage, especially when such acts affect public resources.

Section 325, BNS - Mischief causing damage by destroying or changing water flow

* Illegal sand mining that alters river flow, depth, or causes erosion, flooding, or drying of water sources attracts this provision.

Section 270, BNS - Public Nuisance

* Continuous illegal mining activities causing pollution, obstruction of river flow, noise, dust, and danger to public health constitute public nuisance.

Section 195, BNS - Obstructing public servant in discharge of public functions

* Preventing or threatening government officials from placing stones, barriers, or other river protection measures attracts this offence.

Section 191, BNS - Criminal intimidation (if applicable)

* Use of fear, threats, or pressure by mining mafias to stop lawful government action falls under criminal intimidation.

Section 285, BNS - Endangering life or personal safety of others

* Use of heavy vehicles and machinery in riverbeds in a rash and negligent manner, endangering lives of villagers and officials.

Section 291, BNS - Acts endangering environment or public health

* Activities causing ecological degradation, water pollution, and destruction of aquatic life fall within offences endangering public health and safety.

SUPREME COURT JUDGMENTS -:

1. M.C. Mehta v. Union of India (Ganga Pollution Cases)
 - Held that Right to clean water and environment is part of Article 21.
 - Rivers are public trust resources, and the State is only a trustee.
 2. Intellectuals Forum v. State of A.P. (2006)
 - Floodplains and riverbeds cannot be exploited for private profit.
 3. Paryavaran Suraksha Samiti v. Union of India (2017)
 - Zero tolerance for water pollution and ecological damage.
 4. Animal Welfare Board v. A. Nagaraja (2014)
 - Expanded Article 21 to include ecological balance and intrinsic value of nature.
5. APPARENT ADMINISTRATIVE FAILURE
- Illegal activity has continued for nearly four years.
 - No effective action by local police, Circle Office or district administration.
 - This prolonged inaction gives rise to reasonable suspicion of official

6. PRAYERS -:

In view of the above, I humbly request that your good office may be pleased to:

1. Order immediate stoppage of all illegal excavation near the Ganga riverbed and floodplain in Udhwa Block.
2. Direct a high-level independent inquiry into the role of local officials, including police and revenue authorities.
3. Order seizure of vehicles and machinery involved in illegal mining.
4. Direct environmental damage assessment and recovery under the Polluter Pays Principle.
5. Ensure protection of villagers from intimidation and reprisals.
6. Restore riverbank protection measures earlier initiated by the Government.
7. Take special action considering the ecological sensitivity of Farakka Barrage and Gangetic Dolphin habitat.
8. It is respectfully submitted that if the ongoing illegal soil and riverbed excavation continues in the present manner, the consequences will be extremely grave and irreversible for the local population, environment, agriculture, and flood safety of the area. In view of the complete failure of local enforcement and the reign of fear created by sand mafias, it is humbly requested that armed police force / central force / temporary security camp be deployed in the affected area for at least two weeks, so that the element of fear is neutralised and illegal mining activities are effectively stopped, as mere administrative directions have proved fruitless on the ground.

7. UNDERTAKING

I submit this application in public interest, without any personal malice, solely for protection of life, environment and constitutional rights of residents of the Ganga belt. I shall remain grateful for your prompt and decisive intervention.

Yours faithfully,
Villagers of Begamganj

Address:
Village - Begamganj,
P.S - Radhanagar
Udhwa Block,
Sahibganj District,
Jharkhand

Date: /12/2025

Copies Submitted To -

Ministry of Jal Shakti (Department of River Development and Ganga Rejuvenation)
Ministry of Environment, Forest and Climate Change

① Tausip Shekh

② Samim Shekh

③ ~~मिर्जा अली~~

④ Ajmail Shekh

⑤ ~~मिर्जा अली~~

⑥ ASGAR ALI

⑦ Mousa Shekh

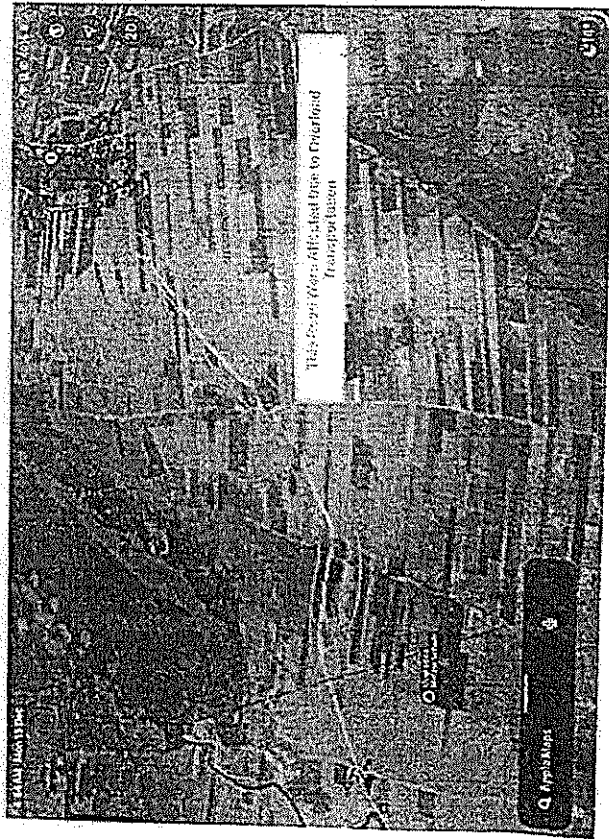
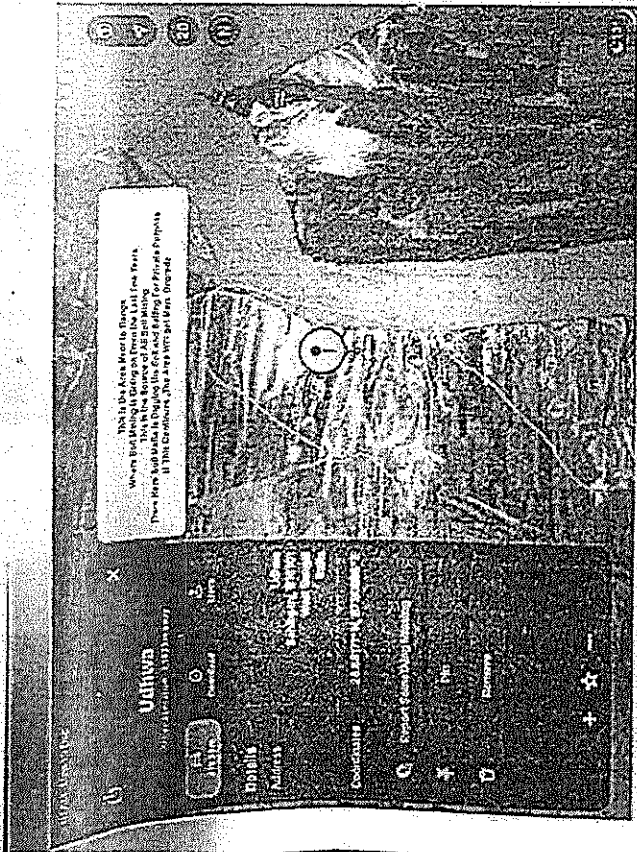
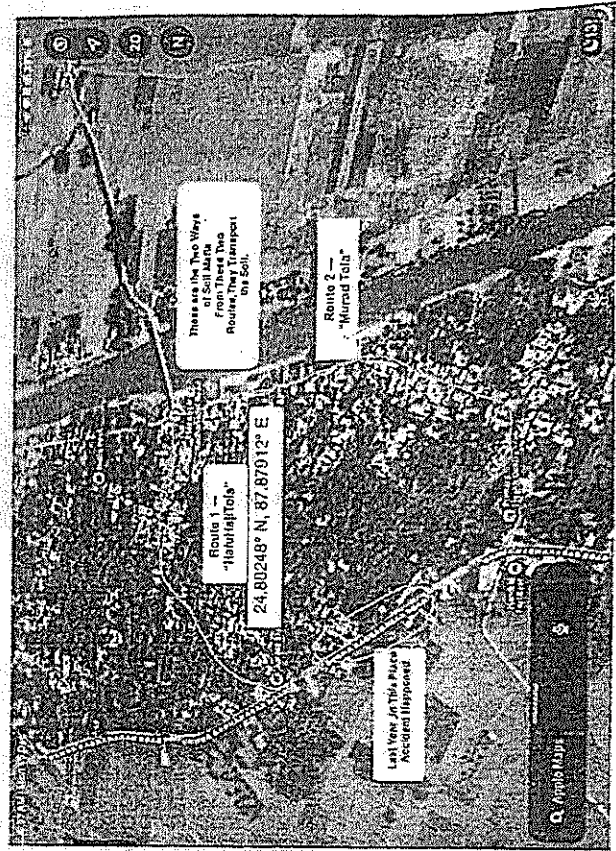
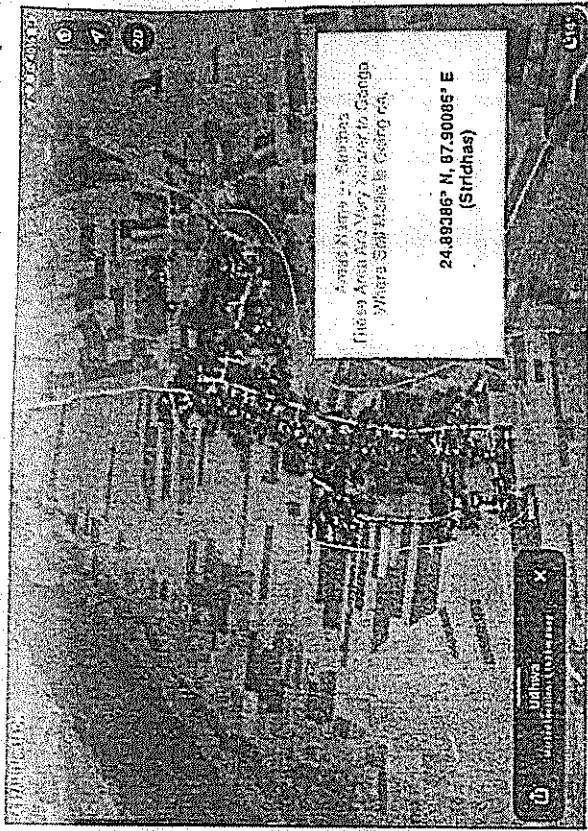
⑧ Tausim Shekh

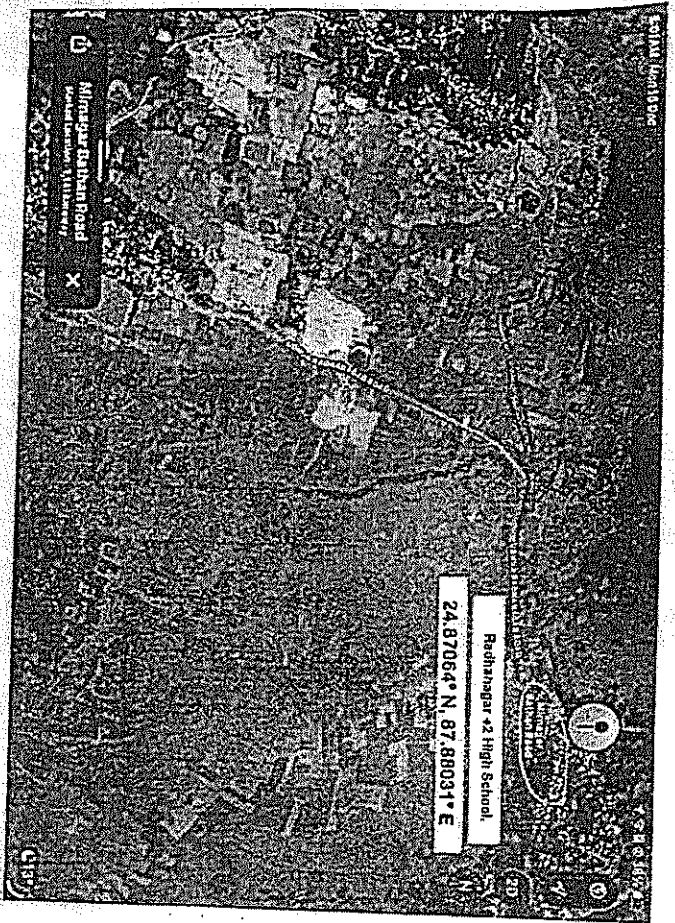
⑨ Azim Shekh

⑩ Musarrat Shekh

⑪ Samim Shekh

⑫ ~~मिर्जा अली~~





**This is the Complete
Route of Soil Matia.**

- ① वेद्यका खातुन
- ② अलिपन्त्र खातुन
- ③ रुफसार खातुन
- ④ सारीहा खातुन
- ⑤ शागीजा चाशगीर
- ⑥ शलमा खातुन
- ⑦ आपलिचा खातुन
- ⑧ आदिपा खातुन
- ⑨ मालशीनखातुन
- ⑩ साखाना खातुन
- ⑪ सालेमा खातुन
- ⑫ फैसल इस्तीकार
- ⑬ इलिपाससैरव
- ⑭ इन ती कान
- ⑮ शबोगल शैख
- ⑯ जुयव सैख
- ⑰ आजमिली शैख
- ⑱ जिसान शैख
- ⑳ वूर असावांम शैख

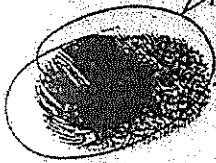
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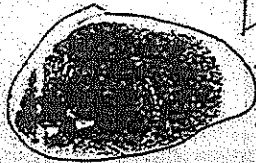


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पुन्य संद

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नुरमीहमदखान



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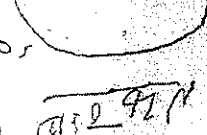



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खान मंडल

- 22 शुक्राणु खातुन
- 23 नुर आपसाना
- 24 खापयाना डालमा
- 25 आद्येनुर खातुन
- 26 तुनीजा खातुन
- 27 आफसाना परवीन
- 28 पाएमीन खातुन
- 29 उम्हमेन खातुन
- 30 थाजीना खातुन
- 31 मीथिना खातुन
- 32 अपुवाणु खातुन
- 33 नाफिशा खातुन
- 34 जमीला खातुन
- 35 ग्राम्मीन खातुन
- 36 शक्तिजा सुल्हाला
- 37 साफण्डर खातुन
- 38 सागिना खातुन
- 39 धीरसा खातुन
- 40 थावाना - खातुन


- 1. उमाशानाशकब शैख सायेब शेख
- 2. पिनीप मंडल इशिया शैख
- 3. लाशकुल शैख
- 4. फखान शेख शेकीम शेख
- 5. किरण शेख शेकीम शेख
- 6. यउद शेख शेकीम शेख
- 7. RUOSIK
- 8. साकि डल शैख कीराल शेख



- 9.  आदरी कीली
- 10.  आदरी कीली
- 11. लाल का शेख शमजाद शेख

- 12.  Suresh Pismanik

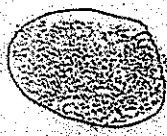

- 13.
- 14. राजेश बहादुर
- 15. सुमिता शाकुन शे शाप शेख




- 16. अनिया कुलताना
- 17. तजमीरा खान
- 18. Meem Hussain साउद शेख

- 19.  राजकुल शेख शेकीम शेख

- 20.  Shakti साकि कुल शेख
- 21.  शक्ति शेख

- 22. साद्वरी नशैख

24. जसदीर शेख
25. नाईम शेख
26. सामाजान शेख
27. आसराउल शेख
28. हाबीब शेख
29.  L.T.P.
खदरम शेख
30.  सधरवानु शेख
31. आबु बशीर शेख
32. मजसदीन अमथ
33. जसदीर शेख
34. जाबदुल शेख
35. तीनातन मंडल
36. पिपिन बसाल
37. PARVY KUMAR
38. काशीन शेख
39. कानु शेख
40. Alim shekh
- जाबदु मंडल
- Shalbar Sharif

- 44. Najib Akbar
- 45. Litan SK
- 46. Sifza Sanjay
- 47. Aslam Sheikh
- 48. Kismat Sheikh
- 49. Moudramhammad
- 50. Nadim Sheikh
- 51. ~~...~~
- 52. - Tousif Reza
- 53. ...
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- 56. Ramzan
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6. सामाजन शैश्व

7.  जनु सैश्व

8.  राशमान सैश्व

9. MD सोनिल S.K

10. Habim Sk

11. रजुल शैश्व

12. रामरजुल


13. MUKULKHAN

14. Bubaai Baghar

15. कुलप ~~कुलप~~

वक्राक

16.  L.T.T
वापना वक्राक

17.  L.T.T
नाल्लार वक्राक

18.  वंफन वक्राक

19.  राजु सैश्व

20. जाक्कार शैश्व

(70) BAWAJUI SEKH

(71) ~~समसुल~~ पत्रालिका

(72)  आयम फेर

(73)  सुहृयम फेर

(74) Md. Shaonul Haque

(75) मजिहावीवी

(76) अल्लाम शेख

(77) अमरुत शमिकर (अध)

(78) गुरु संतल

(79) शेजिर बीज

(80) रहिम शेरव

(81) Hatish Ghosh

(82) ~~समसुल~~ ~~इ~~

हैदराबाद एवा टुव

(83)

(84) आसमीन खातुन

(85) Reehana Khatun

(86) मासुमा खातुन

(87) रिजाया शुलावाना

(88) Tuhina Khatun

(89) शुलसान खातुन