

Action Taken Report –BEFORE THE NATIONAL GREEN TRIBUNAL

CENTRAL ZONAL BENCH ,BHOPAL

MA no 03/2020 in O. A. NO. 66/2019 (CZ)

In the matter of_ Jaya Thakur V/s State of MP & others

Hon'ble Principal bench, National green Tribunal order dated 20.07.2020 in the matter of M.A.No 03/2020 in OA no. 66/2019 (CZ) Jaya Thakur V/s State of MP & others for submitting action taken report by the committee of District Magistrate/collector Sagar and State pollution control Board. In compliance to above , most respectfully it is submitted as follows:-

1. The Hon'ble Tribunal vide its order dated 20/07/2020 formed a joint committee of District Magistrate/collector Sagar and State pollution control Board and directed the committee to visit the place of illegal mining and submit action taken report in light of order passed in the above original application on 11/02/2020. The said order dated 20/07/2020 is as under :-

"We deem it just and proper to call a report on the matter in issue in present application, from a Joint Committee consisting of-

- (i) District Magistrate / Collector Sagar
- (ii) State Pollution Control Board

The Committee is directed to visit the place and submit the action taken report in light of the order passed in the above original application with in four weeks. The State PCB will be the nodal agency for coordination and logistic support.

The order in Original application passed on 11/02/2020 was as under :-

In the circumstances we direct the Collector Sagar to have a surprise visit of thr site and call for periodical report every two months as to whether anyone has encroached in the land which has demarcated. He shall seek report with regard to the fencing which had been done and whether it is intact or being damaged by anyone. He shall also call for the report as to whether mining of any sort in khasara no 181/1 has been done or is being done subsequent to the demarcation and fencing had been done."

2. In compliance to order The Collector Sagar has constituted a committee of following member to visit the site of illegal mining and submit the report vide letter no 346 dated 28/07/2020. The copy enclosed . ANNEXURE -1



- (i) Sub Divisional Officer (Revenue) / SDM Tehsil- Banda, distt- Sagar,
- (ii) Regional officer, M.P. Pollution Control Board Sagar
- (iii) Mining officer, district Sagar .

3. The committee visited the site of illegal mining on 28.07.2020 at survey no/ khasara no 181/1(also land of Applicant Jaya Thakur) Village Ratanpur, Tehsil.- Shahgarh, district-Sagar along with supporting staff and submitted the report. Copy is attached as **ANNEXURE-2.& 3**

It is found that:-

- No mining activity on the said land is going on. No plant machinery, man power or equipment related to mining was found at the site. Mine pit is filled with rain water.
- The fencing which had been done on demarcated land is proper and no damage has been done. Encroachment by anyone is also not observed. Field observation indicated that no mining was done on khasara no 181/1 after demarcation and fencing had been done.

4. It is also submitted that surprise visit to the said site could not be done due to covid-19 epidemic and lockdown during month of March to June 2020.

5. Respectfully it is also submitted that as per direction of Hon'ble Tribunal, the surprise visit and periodical visit report of said site khasara no 181/1 will be called to insure no illegal mining, protect the site from encroachment by any other person and maintain the demarcation fencing at site. In case any illegal mining is found legal action will be taken and penalty will be imposed as per order of Hon'ble tribunal.

Date- 18.08.2020



District Magistrate/ Collector
District- Sagar (MP)

Enclosure

- 1- Collector sagar letter no 346 dt 28/07/20 to form committee and to visit site and submit report.
- 2- Inspection report of committee
- 3- Panchnama of Site visit.

कार्यालय कलेक्टर (खनिज शाखा) जिला सागर (म0प्र0)

क्रमांक/346/खनिज/2020
प्रति,

सागर दिनांक 28/07/2020

1. अनुविभागीय अधिकारी (राजस्व)
बण्डा जिला सागर
- ✓ 2. क्षेत्रीय प्रमुख
प्रदूषण नियंत्रण बोर्ड
सागर जिला सागर (म0प्र0)
3. खनि अधिकारी
जिला सागर (म0प्र0)

विषय:- माननीय एन0जी0टी0 (National Green Tribunal) प्रिंसिपल बेंच नई दिल्ली के प्रकरण क्रमांक 66/2019 में पारित आदेश दिनांक 20/07/2020 के सम्बन्ध में जॉच प्रतिवेदन बाबत।

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उपरोक्त विषय में लेख है कि माननीय एन0जी0टी0 (National Green Tribunal) में चल रहे अवैध उत्खनन के प्रकरण क्रमांक 66/2019 में आदेश दिनांक 20/07/2020 में माननीय एन0जी0टी0 (National Green Tribunal) द्वारा अवैध उत्खनन के प्रकरण के स्थल की जॉच कर प्रतिवेदन देने के आदेश दिये गये है।

अतः माननीय एन0जी0टी0 (National Green Tribunal) के आदेशानुसार अवैध उत्खनन स्थल की जॉच कर प्रतिवेदन प्रस्तुत करें।

संलग्न- माननीय एन.जी.टी.
का आदेश।


कलेक्टर
जिला सागर

Inspection report – NGT MA no 03/2020 in O. A. NO. 66/2019 (CZ)

Jaya Thakur V/s State of MP & others

Hon'ble Principal bench, National green Tribunal order dated 20.07.2020 in the matter of MA no 3/2020 OA no. 66/2019 (CZ) Jaya Thakur V/s State of MP & others for submitting site inspection and action taken report by the District Magistrate /Collector Sagar and State Pollution Control Board, The Collector Sagar has constituted a committee of Sub Divisional Officer (Revenue) / SDM Tehsil-Banda, distt- Sagar, Regional officer, M.P. Pollution Control Board Sagar and Mining officer, district Sagar to visit the site of illegal mining and submit the report vide letter no. 346 dated 28.07.2020. The Status is as follows:-

1. In compliance to order of Collector Sagar. The committee along with supporting staff visited the site of illegal mining khasara no 181/1 on 28.07.2020 in Village Ratanpur, Teh.- Shahgarh, district-Sagar having following members :-
 - Ms. Shashi Mishra, Sub Divisional Officer (Revenue) /SDM Banda, Distt- Sagar
 - Shri S.P. Jha, Regional Officer, M.P. Pollution Control Board, Sagar
 - Shri R.K.Kaithal, Mining Officer, Sagar
 - Shri Rajesh gangele, Mining Inspector, Mining Office, Sagar
 - Shri Santosh Lodhi, Patwari, Teh- Shahgarh, Distt- Sagar
2. Committee visited the land of applicant Jaya Thakur khasara no 181/1 village Ratanpur, Tehsil-Shahgarh, Distt-Sagar and found that no mining activity on the said land is going on. No plant machinery, man power or equipment related to mining was found at the site. Mine pit is filled with rain water.
3. The fencing which had been done on demarcated land is proper and no damage has been done. Encroachment by anyone is also not observed. Field observation indicated that no mining was done on khasara no 181/1 after demarcation and fencing had been done. The land is surrounded by agricultural land and is approx 500 meters away from village road.
4. Surprise visit to the said site could not be done due to covid-19 epidemic and lockdown during month of March to June2020.

Enclosure- Panchnama at site visit.

Date- 14.08.2020


**Mining Officer
Sagar**


**Regional Officer
M.P. Pollution Control Board, Sagar**


**SDM
Teh- Banda Distt- Sagar**

पंचनामा

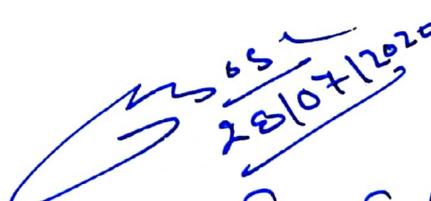
डो ग्राम पंचायत आज दिनांक 28/07/2020
 को ग्राम खनपुर में कुक्कर मंदिर के आदेश
 को क्रमांक 346/खनिज/2020, लागू दिनांक 28/07/20
 के परिपालन में अनुविभागीय अधिकारी (राजस्व) वडा
 शैलीय प्रमुख, प्रदूषण नियंत्रण बोर्ड लागू, खनिज
 अधिकारी लागू, खनिज निरीक्षक लागू, मौजा
 पखारी के उपस्थिति में श्रीमती जया डाकुर के मानवीय
 खन. जी. सी. ब्यापकम के प्रकरण क्रमांक 66/2019 (CZ)
 M.A. No 03/2020 के जांच हेतु ग्राम खनपुर के
 खनपुर क्रमांक 1811, खन 0.52 हैक्टर का
 मौजा निरीक्षण किया गया। निरीक्षण के दौरान
 मौजा पर काम बंद पाया गया। उत्खनन
 श्रेण में पानी बहा पाया गया। मोडे पर खन
 निरीक्षण से खन प्रतीत होता है कि कुड़े
 महीना से उत्खनन कार्य नहीं किया गया है।
 मोडे पर उत्खनन में प्रयोग होने वाली मशीनरी
 और खन मजदूर नहीं पाये गये। मोडे
 पर खन में काम गये सीमांकन के सीमा
 चिह्न पाये गये।

28/07/20
 श्रीमती अधिकारी
 प्र. प्र. प्रदूषण नियंत्रण बोर्ड लागू

Shal.
 28/07/2020
 SDM वडा


 28.07.2020
 खनिज अधिकारी
 जिला सागर


 एन 46
 28-7-20
 एनका पखारी


 28/07/2020
 व. व. निरीक्षक
 जिला सागर