

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 135/2024

IN THE MATTER OF: -

KHUSBU SINGH

... APPLICANT

VERSUS

STATE OF U.P. & ORS.

... RESPONDENTS

WITH

ORIGINAL APPLICATION NO. 267/2024

IN THE MATTER OF: -

KHUSBU SINGH

... APPLICANT

VERSUS

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... RESPONDENTS

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Delhi


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SUBMISSIONS BY AMICUS CURIAE

MOST RESPECTFULLY SUBMITTED:

1. That this Hon'ble Tribunal has been pleased to take cognizance of the grievance raised by the applicant through two letter petitions vide order dated 18.04.2024 & 21.05.2024. Wherein the applicant raised grievances regarding large-scale illegal sand mining in the River Ganga affecting the Turtle Wildlife Sanctuary areas at Prayagraj, Mirzapur, and Sant Ravidas Nagar (Bhadohi).

2. That this Hon'ble Tribunal vide order dated 20.11.2025 was pleased to appoint the undersigned as **Amicus Curiae** to assist this Hon'ble Tribunal in just and proper adjudication of the environmental questions involved in the present case.
3. That the Turtle Sanctuary was declared by the Government of Uttar Pradesh, under Section 18 of the Wildlife (Protection) Act, 1972, vide Notification No. 346/81-4-2020-823/2008 TC dated 17.03.2020 (herein referred to as **2020 Notification**), declared a stretch of 30 km along both banks of the River Ganga, falling in the district of Bhadohi, Prayagraj, and Mirzapur, as the Kachhua Wildlife Sanctuary.

The Boundaries of the said Sanctuary shall be:

- **East (downstream of the River):** Lat. 25.273769, Long. 82.287486
(falling in revenue boundary of village Baripur Uparwar, Gyanpur of District Bhadohi)
- **West (upstream of the River):** Lat. 25.215000, Long. 82.194814
(falling in revenue boundary of village Kotahri, Meja of District Prayagraj)
- **North:** Left Bank of River Ganga;
- **South:** Right Bank of River Ganga.

4. ANALYSIS OF REPORTS ON RECORD

4.1 Joint Committee Report dated 19.07.2024

A. No active mining pits found during inspection but, significant amount of sand stored found near lease sites

B. All activities were stopped only in 2024

- DM, Bhadohi has cancelled all active / advertised / sanctioned mining leases vide letter dated **03.01.2024**.
- DM, Mirzapur has cancelled all active / advertised / sanctioned mining leases vide letter dated **01.01.2024**.
- DM, Prayagraj ordered that no mining lease should be sanctioned in 10 km area considering the same as Eco-Sensitive Zone of the turtle sanctuary vide letter dated **20.03.2024**.

C. Eco-Sensitive Zone (ESZ)

- MoEF&CC Guidelines dated 09.02.2011 mandates, declaration and demarcation of ESZ around every sanctuary.
- Guidelines for Declaration of Eco-Sensitive Zones prohibits commercial mining.
- **ESZ of Turtle Wildlife Sanctuary has not been notified till date**
- No ESZ proposal has been received to the MOEF from the State of UP

D. Observation:

- Stored sand indicates past extraction
- Violations have occurred from 2020-2024
- Continuing statutory default by the State Government w.r.t notification of ESZ

4.2 MOEF&CC Affidavit dated 24.10.2024**A. Section 29- Wild Life (Protection) Act, 1972-**

- Destruction, etc in a sanctuary prohibited without a permit.
- Permit is granted by Chief Wild Life Warden

B. Guidelines for Declaration of Eco-Sensitive Zones:

Commercial mining is Prohibited

C. Supreme Court Order dated 03.06.2022 in WP(C) No. 202/1995:

- Absence of ESZ notification does not mean absence of protection;
- Regulatory authorities must ensure buffer protection, consistent with environmental principles.

D. Supreme Court Order dated 26.04.2023 in WP(C) No. 202/1995:

Mining within the National Park and Wildlife Sanctuary and within an area of one kilometer from the boundary of such park or sanctuary shall not be permissible.

E. Observation: MOEF&CC affidavit is policy heavy but not site specific/ factual.

- Whether specific ECs/CTOs were wrongly granted.

- Whether illegal mining occurred

4.3 DM, Mirzapur Affidavit dated 23.07.2024 & 18.11.2024

A. Letter of Intent (LOI) was issued by DM, Mirzapur for two vacant land

- M/s Prashant Maurya, Gata No. 3, Khand 3 on 02.02.2021
- M/s Vijay Kumar Singh, Gata No. 3, Khand 3

B. NOC for mining in the two Vacant area was given by DFO on 22.11.2017, time prior to the notification of turtle sanctuary.

C. Cancellation of LOI vide office order dated 01.01.2024

- DM office wasn't aware of the 17.03.2020 Notification nor Govt. Order dated 23.06.2020.
- Actions were taken largely after communications dated 14.12.2023 from the Forest Department regarding sanctuary sensitivity.
- All mining areas which were advertised, approved or operational all stands cancelled on 01.01.2024.

D. Observations:

- Illegal/unauthorised mining activity had taken place within the district.
- Affidavit is silent on the Quantity of minor minerals illegally extracted; Market value or volume of extraction; Duration and extent of such mining.

- **Claiming ignorance**

17.03.2020 Notification vide which the Sanctuary was established;
and

Govt. Order dated 23.06.2020 vide which District Magistrates of Prayagraj, Mirzapur, and Bhadohi were appointed as Collectors for their respective territories falling within the boundary of the newly declared Kachhua Wildlife Sanctuary, and the administrative control of this sanctuary was explicitly conferred upon the Divisional Forest Officer, Prayagraj.

- Stopping the activity does not erase liability for damage already caused.
- Wildlife considerations were not fully embedded at the initial stage of mining permissions.

4.4 Affidavit of DM, Sant Ravidas Nagar (Bhadohi) dated 18.11.2024

A. The forest clearance previously granted in 2017, time prior to the notification of turtle sanctuary.

B. Post Notification Investigation:

DFO investigated its own 2017 clearance and vide letter 13.08.2021 had clarified that **one** of the three mining lease falls within the boundary of the Turtle Sanctuary.

- Shri Girdhari Prasad Patahk, Gata No. 59- lay within the sanctuary.
- Shri Rana Pratap Singh S/o Shri Gajra Singh, Gata 103- lay 17.1 km away from sanctuary.

- Shri Girdhari Prasad Patahk, Gata 30- lay 16.3 km away from sanctuary.

C. Steps taken:

- Forest clearance previously granted in 2017 for the villages of Kudikala Tari, Ibrahimpur, and Purva under Tehsil Gyanpur is partially revoked.
- Forest clearance for the village of Kudikala Tari, which falls within the Turtle Wildlife Sanctuary, stands cancelled vide order dated 03.01.2024.
- In the other two sites the e-tender-cum-e-auction was also cancelled by DM, Bhadohi
- All mining zones within the restricted area which were advertised, approved or under operation all stands cancelled.

D. Observations:

- Illegal mining did occur.
- Affidavit is silent on the Quantity of minor minerals illegally extracted; Market value or Volume of extraction; Duration and Extent of such mining.
- Wildlife considerations were not fully embedded at the initial stage of mining permissions.
- **The re-inspection report dated 15.02.2024 of the DCF** which was done at the request from ADM, Bhadohi, wasn't taken into consideration during the filing of this affidavit.

- The re-inspection report dated 15.02.2024 of the DCF fully contradicts its own above findings and **that the other two mines were located within the ESZ.**
- **Major Administrative lapse.**

4.5 Affidavit of the DM, Prayagraj dated 18.11.2024

A. Field Investigation dated 06.01.2024

- Letter dated 14.12.2023 issued by Forest Authorities, upon which Field Investigation was carried out on 06.01.2024.
- It was observed that all mining area are located at a distance of more than 10km away from the Prayagraj border of wildlife sanctuary.

B. District Survey Report, 2024

In the process of preparing the DSR, 2024, it was observed vide letter dated 08.08.2024 and 09.08.2024 of the Forest Authorities that:

- Block 32, 33 & 34 falls within the buffer zone (ESZ) of the Sanctuary. Hence the LOI has now been cancelled. But no mining has taken place.
- Several other mining leases in Blocks 29, 30, 31 were cancelled due to violation of the conditions of lease.

C. Observations:

- Why these Blocks 32, 33 & 34 were identified for mining in the first place despite sanctuary proximity; **(LOI were granted post 2020 notification)**

- CTO issued on **30.06.2023** by UPPCB in Block 34
- **Speculation arises on 2024 NOCs by Forest Authority.**
During the preparation of the District Survey Report, first they say Block 30, 31 falls within the ESZ then upon objection/SCN by the lessee, they say its outside the ESZ.
- Whether other blocks or earlier periods involved mining activity.
- In regard to Blocks 29, 30 & 31- Quantity of minor minerals illegally extracted; Market value or volume of extraction; Duration and extent of such mining.
- **Absence of Mining does not mean there is Absence of Regulatory Failure**

4.6 Additional Affidavit filed by the UPPCB dated 19.11.2024

A. Mirzapur

- M/s Prashant Maurya: CTO granted on 29.12.2022, made it infructuous on 27.08.2024
- M/s Vijay Kumar Singh: Didn't apply for CTO. Therefore, CTO not obtained.

B. Prayagraj

- M/s Mahip Construction, Block No. 30: No CTO obtained. EC imposed
- M/s Prakash enterprises prop., Block No. 29: No CTO obtained.
- M/s Singh Constructions, Block No. 32: No CTO obtained. No mining has also been carried out

- M/s Gayatri Constructions, Block No. 33: No CTO obtained. No mining has also been carried out
- Smt. Shakuntala, Block No. 31: CTO issued on 20.05.2023, made it infructuous on 27.08.2024
- Shri Arun Singh, Block No. 34: CTO issued on 30.06.2023 (*Within boundary*), made it infructuous on 27.08.2024

C. Sant Ravidas Nagar (Bhadohi)

- Shri Girdhari Prasad Patahk, Gata 30: CTO issued on 29.12.2023, made it infructuous on 20.08.2024. Mining done in default period. EC imposed.
- Shri Rana Pratap Singh S/o Shri Gajra Singh, Gata 103: CTO issued on 15.02.2023, made it infructuous on 14.11.2024. Mining done without obtaining consent. EC imposed.

D. Observations:

- The affidavit is silent about the lease granted Shri Girdhari Prasad Patahk, Gata 59 in Bhadohi District.
- Grant of CTOs followed by recommendation for revocation indicates initial regulatory lapse.
- **CTOs were granted post 2020 notification**. Sanctuary sensitivity was not fully factored at the time of granting CTOs.
- Report shows CTOs were granted without factual verification.
- Quantity of minor minerals illegally extracted; Market value or volume of extraction; Duration and extent of such mining.
- No reference to **assessment of damage to riverbed, turtle habitat, or aquatic ecology**

- No Environmental damage assessment
- **Non-application of the precautionary principle**

4.7 Reply by the DFO, Bhadohi dated 11.12.2024

A. NOC granted by DCF on 18.11.2017, with clear stipulation of it being void if the area is declared as reserved forest.

B. Inspection dated 10.08.2021, record:

- Shri Girdhari Prasad Patahk, Gata No. 59: lay within the sanctuary.
- Shri Rana Pratap Singh S/o Shri Gajra Singh, Gata 103: lay 17.1 km away from sanctuary.
- Shri Girdhari Prasad Patahk, Gata 30: lay 16.3 km away from sanctuary.
- Based on this Inspection, **NOC** was for mining areas was granted on **13.08.2021**

C. Re-inspection dated 15.02.2024:

In 2024, after receiving a request on 01.02.2024 from ADM, Bhadohi, re-inspection report dated 15.02.2024 revealed discrepancies:

- Shri Rana Pratap Singh S/o Shri Gajra Singh, Gata 103 (now Gata 108)- lay 8.4 km away from sanctuary. (*within the buffer zone*)
- Shri Girdhari Prasad Patahk, Gata 30- lay 7.7 km away from sanctuary. (*within the buffer zone*)

D. Disciplinary proceedings

Disciplinary proceedings are being initiated against the concerned officials and employees for procedural lapses.

E. Eco-Sensitive Zone

- ESZ has yet not been demarcated.
- Several letters dated 24.08.2024, 09.09.2024, 05.12.2024 were sent to DFO, Prayagraj, requesting for demarcation of ESZ, as vide Govt. Order dated 23.06.2020 the administrative control of this sanctuary is explicitly conferred upon the Divisional Forest Officer, Prayagraj.

F. Observations:

- Clear admission of **administrative failure**
- Currently no mining activity within the Turtle Sanctuary
- No reference to **assessment of damage to riverbed, turtle habitat, or aquatic ecology**
- No Environmental damage assessment
- **Non-application of the precautionary principle;**
- Quantity of minor minerals illegally extracted; Market value or volume of extraction; Duration and extent of such mining.

4.8 Reply by the DFO, Mirzapur dated 11.03.2025

A. Issuance of NOCs for Sand Mining (Pre-2020):

- 48 NOCs were issued in 2017;
- 12 NOCs were issued in 2018;

B. Jurisdictional Change:

The area notified as the Turtle Sanctuary is now under the administrative control of the Divisional Forest Officer, Prayagraj Vide Government Order dated 23.06.2020.

C. Observation:

- **Jurisdictional Transfer Does Not Bar:**
 - Examination of past actions;
 - Fixing of responsibility.
- Reply silent as to the status of mining after 17.03.2020 Notification
- Even though the Sanctuary was not notified till 2020, such huge numbers of NOCs issued in 2017 & 2018 could cause severe environmental degradation
- **Carelessness/ Negligence by Authorities**

4.9 Reply by the DFO, Prayagraj dated 15.03.2025**A. No Forest Clearance or Mining Lease**

Several communications have been made to all the DMs and Mining officers state that no Forest Clearance or Mining Lease shall be granted to those areas falling within the boundary of the Turtle Sanctuary or within the 10km radius thereof.

B. Role of DM under the Wildlife (Protection) Act, 1972

- Section 18B - Appointment of Collectors
- Section 19 to 25- deal with settlement Proceedings
- Section 21- Proclamation by Collector

C. Proclamation by Collector

- The District Magistrate, Prayagraj, issued Proclamation dated 15.02.2021
- The District Magistrate, Mirzapur, issued Proclamation dated 06.03.2021
- The District Magistrate, Bhadohi, issued Proclamation dated 20.03.2021

D. Observations:

- ESZ yet not demarcated
- From the proclamations issued, it is clear that all three DMs had the knowledge about the notifications dated 17.03.2020 and the Govt. order dated 23.06.2020.
- After having the administrative control on the turtle sanctuary
 - No Examination of past actions has been done.
 - No Environmental damage assessment
 - No responsibility fixed on erring officials if illegal mining persisted despite knowledge, Penal consequences
 - Time-bound restoration
 - No Quantify illegally extracted mineral.
 - No Reclamation of mined land.
 - No Afforestation with native species

			<p>from the sanctuary.</p> <p>Re- inspection by DFO Bhadohi has clarifies that Gata 103 (now Gata 108)- lay 8.4 km away from sanctuary.</p> <p>FALLS WITHIN THE BUFFER ZONE</p>	800-801
3.	<p>Shri Girdhari Prasad Patahk Gata 30 Dist.- Bhadohi</p>	<p>EC has been granted by SEIAA-UP vide letter 08.12.2023, for extraction of the sand of 1, 21,410 cubic meter/year from lease area of 4.047 hectare</p> <p>Consent to operate (CTO) has been granted by UPPCB vide letter dated 29.12.2023, which is valid from 12.12.2023 to 31.12.2025 for extraction of the sand of 1,21,410 cubic meter/year from lease area of 4.047 hectare.</p>	<p>As Answered by SEIAA in their Reply dated 15.11.2024 Clearance was given by DFO vide letter dated 13.08.2021 that the property was situated 16.3 km away from the sanctuary.</p> <p>Regional Officer, UPPCB, Varanasi is recommended to revoke the CTO vide letter dated 18.07.2024.</p> <p>Re- inspection by DFO Bhadohi has clarifies that Gata 30- lay 7.7 km away from sanctuary.</p> <p>FALLS WITHIN THE BUFFER ZONE</p>	<p>493-494, 497, 603</p> <p>7</p>

4.	Shri Girdhari Prasad Patahk Gata No. 59 Dist.- Bhadohi	EC granted by SEIAA-UP vide letter dated 05.12.2022, for extraction of the sand of 1, 00,000 cubic meter/year from lease area of 5.0 hectare.	DM, Bhadohi has cancelled all active / advertised / sanctioned mining leases vide letter dated 03.01.2024 FALLS WITHIN THE BOUNDARY OF TURTLE SANCTUARY.	6 7 603
5.	M/s Prashant Maurya Gata no. 3, Khand 3 (5 hectare) District-Mirzapur	NOC granted by DCF on 22.11.2017/ 01.05.2017 LOI by DM was issued on 02.02.2021 EC granted by SEIAA-UP vide letter dated 02.12.2022 CTO from UPPCB dated 29.12.2022	Sanctuary declared in 2020 Regional Officer, UPPCB, Sonbhadra recommended to revoke the CTO vide letter dated 16.07.2024. CTO made infructuous on 27.08.2024 (UPPCB report) District magistrate (DM), Mirzapur has cancelled one active and sanctioned mining lease vide letter dated 29.05.2024.	551/ 663 550 550 7 664 7, 169

6.	M/s Vijay Kumar Singh Gata no. 3, Khand 4 District-Mirzapur	NOC granted by DCF on 01.05.2017 Letter of Intent (LOI) was issued by DM, Mirzapur CTO not obtained as not applied for it before UPPCB.	District magistrate (DM), Mirzapur has cancelled one Letter of Intent (LOI) issued to mining lease vide letter dated 29.05.2024.	665 169 665
7.	M/s Prakash enterprises prop. Block No. 29 5.00 Hect. District-Prayagraj	NOC granted by DCF on 06.09.2019 No CTO obtained from UPPCB	Lease was cancelled on 19.10.2019 as it violated the conditions of lease deed THE AREA FALLS OUTSIDE the 10km boundary of the ESZ- as clarified vide letter dated 09.11.2024 of Divisional Director, Forest	619 667-668 619 620
8.	M/s Mahip Construction Block No. 30 5.00 Hect.	NOC granted by DCF on 06.09.2019	Lease was cancelled on 11.07.2024 as it violated the conditions of lease deed	619 621 619

	District-Prayagraj	No CTO obtained from UPPCB and mining has been done for a period of 546 days. EC Imposed.	(mining done since 2021) Vide letter dated 09.11.2024 of Divisional Director, Forest clarifies that the area FALLS OUTSIDE THE BUFFER ZONE	622, 667 623
9.	Smt. Shakuntala Block No. 31 5.00 Hect. District-Prayagraj	NOC granted by DCF on 06.09.2019 CTO issued on 20.05.2023, made it infructuous on 27.08.2024 as mining lease called by DM on 22.08.2024	 Vide letter dated 24.09.2024 of Divisional Director, Forest clarifies that the area FALLS OUTSIDE THE BUFFER ZONE	619 624, 669 624-626
10.	M/s Singh Constructions Block No. 32 5.00 Hect. District-Prayagraj	NOC granted by DCF on 06.09.2019 LOI was issued by DM on 09.09.2022 No CTO obtained from UPPCB (No mining is done)	 FALLS WITHIN THE BUFFER ZONE No further NOC for this land shall be granted by forest vide letter 08.08.2024 Mining lease cancelled, order 22.08.2024	619 626 668 626 626

11.	M/s Gayatri Constructions Block No. 33 5.00 Hect. District-Prayagraj	NOC granted by DCF on 06.09.2019 LOI was issued by DM on 25.01.2024 No CTO obtained from UPPCB (No mining is done)	FALLS WITHIN THE BUFFER ZONE No further NOC for this land shall be granted by forest vide letter 08.08.2024 Mining lease cancelled, order 22.08.2024	619 627 668 627 627
12.	Shri Arun Singh Block No. 34 5.00 Hect. District-Prayagraj	NOC granted by DCF on 06.09.2019 LOI was issued by DM on 09.09.2022 CTO issued on 30.06.2023 by UPPCB, made it infructuous on 27.08.2024 (Grant of CTO highly questionable)	Lease was cancelled on 29.05.2023 as it violated the conditions of lease deed Security & installment forfeited. FALLS WITHIN THE BUFFER ZONE No further NOC for this land shall be granted by forest vide letter 09.11.2024	619 628 629, 670 628 629

6. The undersigned does not dispute the factual assertions made therein, but seeks to assist this Hon'ble Tribunal on whether the statutory and environmental consequences flowing from the admitted violations stand fully addressed.
7. That several reports have been submitted by various authorities– and after analysing the information provided by the respondents, the following conclusions were derived:
 - i. Illegal mining is admitted to have occurred, at least for a certain period.
 - ii. Illegal mining has now been stopped; actions have been undertaken.
 - iii. Negligence by Authorities by granting NOC, LOI, CTO, EC after the 2020 Notification.
 - iv. Monitoring mechanisms are in place.
 - v. Responsibility of field-level officers has been identified.
8. It is to be pointed out that all the Reports/ Affidavits on record emphasise stoppage of mining, but none address:
 - i) Environmental liability for the period of violation;
 - ii) Whether damage is reversible or irreversible.

- iii) Scientific assessment on record as to:
 - Impact to turtle breeding/nesting sites– Damage on turtle nesting or breeding habitats, turtle nesting success/failure, their breeding season disturbance and about the habitat degradation parameters;
 - River morphology alteration;
 - Seasonal or cumulative ecological impact.
- iv) Site-specific ecological restoration plan

9. The affidavits indicate identification of responsible officers. However, the present record does not clarify- the status of disciplinary proceedings.

10.Suggestions:

- i) Scientific assessment of environmental damage to turtle habitat and river ecology;
- ii) Its restoration;
- iii) Periodic joint inspections;
- iv) Seasonal protection during turtle breeding periods;
- v) Continued technological monitoring;
- vi) Clear inter-departmental responsibility.
- vii) Time-bound ESZ demarcation

11. The allegations in the present matter relate not merely to illegal mining per se, but to mining in areas identified as **turtle habitat and breeding grounds**. In such circumstances, even temporary or seasonal illegal mining may result in **irreversible ecological loss**, the effects of which may not be immediately visible. Environmental harm is often **cumulative, latent, and long-term**, particularly in riverine ecosystems; and the compliance that has been achieved after detection does not negate the liability for **damage that already has been caused**. Therefore, the claim that illegal mining has been stopped may be treated as a **baseline compliance**, and should not preclude further examination of environmental consequences arising during the period of violation.

12.RELEVANT STATUTORY LAW

- National Green Tribunal Act, 2010
- Environment (Protection) Act, 1986
- Wildlife (Protection) Act, 1972
- Water (Prevention & Control of Pollution) Act, 1974
- Air (Prevention & Control of Pollution) Act, 1981
- Mines and Minerals (Development and Regulation) Act, 1957
- Uttar Pradesh Minor Minerals (Concession) Rules, 2021
- EIA Notification, 2006

13.CONSTITUTIONAL PROVISIONS:

- Article 48A: Mandates the State to protect and improve the environment and safeguard forests and wildlife.

- Article 51A(g): Imposes a fundamental duty on every citizen to protect and improve the natural environment including forests.

14. RELEVANT STATUTORY LAW

i. Public Trust Doctrine:

The Hon'ble Supreme Court for the first time took note of this doctrine in *M.C. Mehta v. Kamal Nath* [(1997) 1 SCC 388] and held that the principle of the public trust is a part of the Indian legal system. The Bench noted that the public trust principle is based on the philosophy that some resources, such as air, forests, seas, and water, are so essential to society that putting them under private control is utterly indefensible. As a trustee, the Government has a responsibility to safeguard these resources and make sure that everyone has access to them, as opposed to using them for personal gain.

ii. Sustainable Development:

As per the Brundtland Report (1987), "sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs". Thus, sustainable development demands the protection of natural resources for the next generation and not exploiting everything at once. The Hon'ble Supreme Court in *Olga Tellis and Ors. vs. Bumbai Municipal Corporation and Ors. Etc.*, 1985, has held that the right to livelihood is a part of the right to life under Article 21 of the Constitution of India and thus protected while achieving the goals of sustainable development. It was also held that environmental interests

in social development should not conflict with the fundamental rights of citizens.

iii. Precautionary Principle:

Recognizing the potential for irreversible damage, the Hon'ble Supreme Court in the M.C. Mehta v. Union of India & Ors. (1997) (Taj Trapezium Case) emphasized taking preventative action even in the absence of absolute scientific certainty regarding the extent of the harm

iv. Polluter Pays Principle:

Accountability of the Polluter, to bear the price for polluting the environment which was first implemented in India in the case of Vellore Citizens' Welfare Forum vs. Union of India (1996). This Principle establishes the legal obligation on those who harm the environment, and makes them liable to bear the cost of restoration and environmental compensation.

15. The present note is confined to assisting this Hon'ble Tribunal on the legal and environmental implications post-cessation of illegal mining, and on the scope of further directions, if any, that may be warranted in the facts of the case


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