

Item No. 05

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 107/2022

Awadhesh Dikshit

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 18.07.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Saurabh Tiwari, Advocate

ORDER

1. Grievance in this application is regarding illegal mining of soil and sand on the bank of river Ganga with the help of Pokeland and JCB Machine from Assi Ghat to Raj Ghat. It is alleged that illegal mining of sand and soil is continuing without any District Survey report (DSR) and Environmental Impact Assessment (EIA) in violation of Hon'ble Supreme Court order in Deepak Kumar Vs. State of Haryana & Ors., (2012) 4 SCC 629 and NGT order in O.A No. 173/2018 in the case of Sudarshan Das V. State of West Bengal & Ors.

2. Vide order dated 17.02.2022, the Tribunal constituted a joint Committee of the National Mission for Clean Ganga, State PCB, SEIAA, UP and District Magistrate, Varanasi to ascertain the factual position.

The joint Committee through State PCB has filed its report to the effect that no mining has been carried out and only dredging has been done under the project of Ministry of Jal Shakti from Assi Ghat to Rajghat on the left bank of river Ganga.

3. We consider it necessary to confirm that dredging was under the project of Ministry of Jal Shakti. Let the Secretary, Ministry of Jal Shakti furnish a factual report in this regard with details of policy on the subject with guidelines for proper utilization/disposal of dredged material. The report may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List for further consideration on 21.10.2022.

A copy of this order be forwarded to the Secretary, Ministry of Jal Shakti, GoI, by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

July 18, 2022
Original Application No. 107/2022
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