

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

Original Application No.1299/2024

Vinod Singh Rawat

Applicant

Versus

State of Uttarakhand & Ors.

Respondents

Date of hearing: 24.01.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None for the applicant.

Respondents: Ms. Soni Singh, Advocate for CPCB.

ORDER

1. Mr. Vinod Singh Rawat has sent the present letter petition, which has been treated and registered as O.A. No. 1299/2024, complaining that one Vinod Dobhal is engaged in illegal mining on river bank of Yamuna and is also operating a stone crusher namely M/s Astitwa Anantraj Enterprises stone crusher in violation of environmental laws.

2. Vide order dated 26.11.2024 this Tribunal constituted a Joint Committee comprising Central Pollution Control Board, Uttarakhand State Pollution Control Board and District Magistrate, Uttarkashi with direction to visit the site, collect relevant information, interact with stakeholders and submit a factual report within one month.

3. In compliance thereof report dated 30.12.2024 of the Joint Committee has been filed by CPCB vide forwarding letter dated 01.01.2025.

4. We have gone through the report and we find that the Joint Committee has not looked into the aspects of previous illegal mining in the area and compliance with CTO conditions and guidelines issued by CPCB and UKPCB by the Project Proponent-M/s. Astitwa Anantraj Enterprises. The Joint Committee has also not looked into applicability of location criteria and compliance with the same by the Project Proponent-M/s. Astitwa Anantraj Enterprises. In the report of the Joint Committee, it has been mentioned that penalty of Rs. 1,06,42,748/- was imposed on the Project Proponent-M/s. Astitwa Anantraj Enterprises vide notice dated 06.08.2022 and but said penalty is stated to have been waived subsequently vide notice dated 18.05.2023 in view of reply submitted by M/s. Astitwa Anantraj Enterprises regarding supply of raw material to the Project Proponent-M/s. Astitwa Anantraj Enterprises by Smt. Varsha Devi wife of Mr. Praveen Singh Village Paletha who was granted river dredging permit by District Magistrate, Uttarkashi and the legality of such wavier has also to be looked into.

5. The Joint Committee is directed to look into the aspects of illegal mining, collect copies of the relevant documents regarding river dredging permit to Smt. Varsha Devi, the quantity supplied by above said permit holder to M/s. Astitwa Anantraj Enterprises and the total quantity of raw material utilized by M/s. Astitwa Anantraj Enterprises during the period.

6. Additional report of the Joint Committee addressing all the relevant aspects including the aspects highlighted above be filed within one month.

7. In view of the averments made in the application and observations made in the report of the Joint Committee, we consider it necessary to have response of (1) State of Uttarakhand through Secretary, Environment Department, Government of Uttarakhand, (2) Director, Mining and Geology, Government of Uttarakhand, (3) District Magistrate, Uttarkashi,

(4) Uttarakhand State Pollution Control Board, (5) Central Pollution Control Board (6) M/s. Astitwa Anantraj Enterprises and (7) Smt. Varsha Devi wife of Mr. Praveen Singh Village Paletha who are impleaded as respondents no. 1 to 7.

8. The Registry is directed to prepare and attach memo of parties to the application.

9. CPCB is already represented before this Tribunal through its Counsel.

10. The Registry is directed to issue notices of the application alongwith copies of all documents and orders passed by this Tribunal to respondents no. 1 to 4 and 6 and 7.

11. Notices be served on respondent no. 6-M/s. Astitwa Anantraj Enterprises and respondent no. 7 Smt. Varsha Devi through the District Magistrate, Uttarkashi and for this purpose notices issued to respondent no. 6-M/s. Astitwa Anantraj Enterprises and respondent no. 7 Smt. Varsha Devi be sent to the District Magistrate, Uttarkashi by E-mail for getting service of the same effected on them and sending his report in this regard

12. List on 20.03.2025 for further consideration.

13. A copy of this order be sent to the District Magistrate, Uttarkashi by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 24th, 2025
O.A. No.1299/2024
AG