

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

Original Application No. 416/2015

Omakumar Vs. State of Haryana & Ors.

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present: Applicant/Appellant(s) :Appearance not marked
Respondent No. 1&2 :Mr. Anil Grover, AAG Mr. Rahul Khurana, Adv.**

Date and Remarks	Orders of the Tribunal
Item No. 1 September 24, 2015	<p>Heard. Perused.</p> <p>Admit. Issue Notice to the Respondents by Registered Post/Acknowledgment Due and Dasti as well. Notice made returnable on 8.10.2015. Requisites to be filed within three days from today.</p> <p>Service of notice is waived on behalf of the Respondents. Copies of the application along with annexures thereto shall be furnished to the Counsel appearing for the respondents.</p> <p>According to the Applicant, no mining is permitted in District Yamuna Nagar of Haryana, where during dry season a dry stretch of about 3 to 5 kms. of river Yamuna lies and this stretch is vulnerable to illegal sand mining particularly the stretch in villages Lapra, Birpur Taapu and Odari, etc. The Applicant is therefore praying for directions to the District Magistrate Yamuna Nagar to ensure that no illegal mining is carried on in District Yamuna Nagar. Learned Counsel appearing for the Applicant further prays for an appointment of local commissioner for the purposes of local investigation to bring on record the incidents of illegal sand mining activities in the said stretch.</p>

We have before us the photographs at page nos. 15 to 19 showing the machines in action on the river bank to remove sand from the bank. Mr. Kapil Kumar Dagar, Advocate, is appointed as a Court Commissioner to visit the places indicated in the application and place before us the report of the local investigation carried out along with the photographs taken on the said place. The Court Commissioner shall record the particulars including registration nos. of vehicles/JCBs, etc. involved in illegal sand mining.

The State of Haryana shall pay an amount of Rs. 25,000/- to the Court Commissioner and shall arrange for necessary conveyance, security and other facilities to the Court Commissioner for carrying out the work of local investigation effectively.

List this matter on 8th October, 2015.

.....,JM
(U.D. Salvi)

.....,EM
(Ranjan Chatterjee)