

Item No. 01(Bhopal Zonal Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 06/2021 (CZ)

Prabhat Mohan Pandey

Applicant(s)

Versus

State of Madhya Pradesh & Ors.

Respondent(s)

Date of hearing: 13.04.2021

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s):

Mr. Rohit Sharma, Adv

For Respondent(s):

**ORDER**

1. The issue raised in the present application is mining in district Panna, Madhya Pradesh in violation of Madhya Pradesh Sand(Mining, Transportation, Storage and Trading) Rules, 2019. It is alleged that tender was granted for the mining for excavation of 27 numbers of Sand quarries in the district of Panna, Madhya Pradesh having following anomalies:
  - i. Some of the Sand quarries are not mentioned in the Tender documents but despite of that EC has been given over the same and the contractor is carrying out mining activities over the same
  - ii. No District Survey Report has been prepared before starting the operations of the sand quarries in the district of Panna
  - iii. The scientific annual replenishment study which is mandatory as per the MOEF Guidelines as well as various judgments of the Hon'ble NGT and Apex Court, has not been conducted by the Non-Applicant officials before starting the excavation of sand.

- iv. No response to the complaints filed by Applicant from the Non-Applicant officials, which establishes the fact that various anomalies have been done as a result of which the Environmental loss is occurring tremendously on daily basis and the environmental norms are being violated at the threshold.

The above highlighted issues have resulted in degradation of the environment as the river stretch of River Ken in the area in question is despoiled because of unauthorised and illegal mining of sand which is against environmental norms.

2. Another issue that is raised in the present matter is regarding the sand mining excavation going over private lands belonging to farmers and the contractor is entering into agreement with the farmers stating specifically that the contractors shall be excavating sand from the private lands of these farmers.
3. We deem it just and proper to constitute a Joint Committee consisting of 1. District Collector, Panna or Representative and 2. Madhya Pradesh Pollution Control Board/representative and direct them to submit a factual and action taken report within 4 weeks. The report may be submitted in the matter by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
4. The applicant is directed to submit requisite document to the members of the committee within a week.
5. List it on 05<sup>th</sup> July, 2021.

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

April 13<sup>th</sup>, 2021  
O.A. 06/2021(CZ)  
N & ag