

Item No. 19

Court No. 1

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

Original Application No. 169/2025

Pawan Kumar

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 13.11.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Ashish Madaan, Adv. for Applicant

Respondent: Mr. Vivek Tankha, Senior Advocate with Mr. Gaurav Kumar Bansal, Ms. Nandita Bansal, Mr. Vipul Tiwari, Mr. Inder Dev Singh & Ms. Chandrika Upadhyay, Advs. for R - 11  
Mr. Pradeep Misra & Daleep Dhyani, Advs. for UPPCB  
Mr. Mukesh Verma & Ms. Vatsala Tripathi, Advs. for DM, Sonbhadra  
Ms. Priyanka Swami, Adv. for SEIAA, UP

**ORDER**

1. In this matter considering the allegation of illegal mining by the project proponent in District Sonbhadra, the Tribunal by order dated 23.04.2025 had appointed the Joint Committee by directing as under:

*“xxx .....xxx.....xxx*

*10. Having regard to the seriousness of the allegation made in the OA, we also constitute a Joint Committee comprising of R.O., MoEF & CC Lucknow, a representative of the Member Secretary, CPCB, Member Secretary, UPPCB and District Magistrate Sonbhadra. The District Magistrate, Sonbhadra will act as the nodal agency in the Joint Committee.*

*11. The Joint Committee will visit the site, ascertain the extent of illegal mining and also ascertain the correctness of the allegation of midstream mining, the status of requisite environmental clearances with respondent no. 11 and correctness of the allegation that even after the expiry of the EC form eMM11 has been issued.*

*12. The Joint Committee will submit the report before the Tribunal within eight weeks.”*

2. The Joint Committee was required to submit the report within eight weeks meaning thereby the report was required to be submitted by 23.06.2025. No report was submitted by the Joint Committee within the prescribed period as directed by the Tribunal.

3. When the matter was listed on 19.08.2025, it was disclosed that the Joint Committee had carried out the inspection on 30.06.2025 and stated that the report of the Joint Committee was under preparation and the time was sought. The Counsel for the Applicant had objected to it at that stage by submitting that by delaying the inspection of the site disappearance and wiping-up of the illegal mining has been facilitated. Accordingly, the Tribunal in the proceedings dated 19.08.2025 had observed as under:

*“2. Counsel appearing for the Applicant has raised objection by submitting that the Tribunal had appointed the Joint Committee by order dated 23.04.2025 and the joint Committee waited for more than two months to carry out the site inspection on 30.06.2025 which has facilitated disappearance or wiping off of the evidence of illegal mining. The District Magistrate, Sonbhadra is directed to furnish an explanation as to why the joint inspection was done after a delay of more than two months of appointment of the Joint Committee by the Tribunal. Let an explanation in the form of Affidavit be submitted within four weeks. Time fixed for filing the report by the joint Committee is also extended by four weeks.”*

4. In spite of the above observation, the report of the joint Committee has not come on record.

5. Learned Counsel appearing for the Respondent No. 10, District Magistrate, Sonbhadra, the Nodal Officer in the Joint Committee has submitted that the report has been filed today morning.

6. The above conduct of the District Magistrate reflects that he is not prompt in complying with the order of the Tribunal, as a result of which hearing of this matter has been delayed. Thus, we impose cost of Rs. 10,000/- upon the District Magistrate, Sonbhadra to be deposited with the

NGT Bar Association within one week for use for the upgradation of the library and other facilities.

7. Subject to payment of the cost, Office is directed to place the reply of the District Magistrate, Sonbhadra alongwith the Joint Committee report on record, if it is defect free.

8. It will be open to all the concerned parties to file objection to the report of the Joint Committee within four weeks.

9. List on 28.01.2026.

10. Interim order to continue.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

November 13, 2025  
Original Application No. 169/2025  
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