

Item No. 02

Court No. 1

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

Original Application No. 567/2023

Tribunal on its own motion

Applicant

Versus

State of Jharkhand

Respondent

Date of hearing: 20.09.2023

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

ORDER

1. This Original Application has been registered in exercise of *suo-motu* power on the basis of the communication dated 30.08.2023 received in the Tribunal. The communication discloses that there is picturesque Dalma Range hills on the northern side of Jamshedpur running from west to east, which is natural habitat of elephants and numerous flora and fauna in Jharkhand. It is further stated that pristine river Subarnarekha flows from the district and runs parallel to the hill range and is a lifeline of several residents of the area. Allegation is that there is rampant and discriminate construction of high-rise buildings on the river-bed of Subarnarekha-river in violation of the environmental guidelines and that the construction activities by private individuals have started in foothills of Dalma Range, which is otherwise a protected area.

2. Perusal of the communication reveals that the issue relating to violation of environmental laws is involved.

3. Power of the Tribunal to exercise *suo-motu* power has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal*

Corporation of Greater Mumbai vs. Ankita Sinha & Ors.” reported in 2021 SCC Online SC 897.

4. Having regard to the above, we deem it proper to form a joint Committee comprising of the Chief Conservator of Forests (CCF), Regional Office, MoEF&CC Ranchi, Regional Director (East), Central Pollution Control Board (CPCB), Member Secretary, State Pollution Control Board (SPCB), Principal Secretary, Water Resource Department of State of Jharkhand and concerned District Magistrate. The District Magistrate will act as nodal agency for coordination and compliance. The Committee will visit the site, ascertain the factual situation in respect of violation of the environmental norms and especially in regard to issue mentioned above and will submit a report before the Eastern Zone Bench, Kolkata alongwith suggested remedial measures, including environmental restoration plan within eight weeks.

5. Since the matter relates to the Eastern Zone Bench, Kolkata, therefore, it is transferred to the said bench for taking further appropriate action. The Registry is directed to transfer the record of this matter to Eastern Zone Bench, Kolkata where the Registrar shall register the case and place before the Bench for further proceedings according to Rules.

6. List this matter before Eastern Zone Bench, Kolkata.

7. A copy of this order be forwarded to the CCF, Regional Office, MoEF&CC Ranchi, Member Secretary, CPCB, Member Secretary, SPCB, Principal Secretary, Water Resource Department of State of Jharkhand and concerned District Magistrate by e-mail for compliance.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

September 20, 2023
Original Application No. 567/2023
DV