

Item No. 04

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

Original Application No. 02/2019 (WZ)

Ashok Shrimali

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 13.03.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Sanjay Upadhyay, Mr. Salik Shafique and
Ms. Pavitra Balakrishnan, Advocates

ORDER

1. Grievance in this application is against alleged illegal mining in and around Balaram Ambaji sanctuary, District Banaskantha, Gujarat. According to the applicant, the mining is illegal as the area is protected and is declared as sanctuary and is also having endangered flora and fauna. No mining is permitted within 1 Km. of protected areas and no clearance has been taken under the Wildlife (Protection) Act, 1972.
2. Notice was issued on 08.02.2019 to the Department of Mining, Government of Gujarat but nobody has appeared.

3. We are of the view that to consider the matter further, it will be necessary to have a factual and action taken report in the matter from a joint Committee comprising representatives of State Pollution Control Board (State PCB), District Collector, Banaskantha, Deputy Conservator of Forests, Banaskantha and District Mining Officer, Banaskantha. The nodal officer will be Deputy Conservator of Forests, Banaskantha for coordination and compliance. The report be furnished to this Tribunal within one month by e-mail at ngt.filing@gmail.com.

4. A copy of this order be sent by e-mail to State PCB, District Collector Banaskantha, Deputy Conservator of Forests, Banaskantha and District Mining Officer, Banaskantha.

The applicant may furnish set of papers to the above four officers forthwith.

List for consideration of the report on 22.05.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

March 13, 2019
Original Application No. 02/2019 (WZ)
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