

Item No. 02

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 389/2021

Seema Chauhan

Applicant

Versus

State of Madhya Pradesh

Respondent

Date of hearing: 30.05.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Respondent: Mr. Raghav Sharma, Advocate for MP PCB

ORDER

1. Grievance in this application is that 382 hectares of land is being removed for diamond mining in Bundelkhand, District Chhattarpur, Madhya Pradesh, as against the requirement of 65 hectares land.
2. Vide order dated 21.01.2022, a factual and action taken report was sought from District Magistrate, Chhattarpur, DFO, Chhattarpur and the State PCB.
3. In response, the State PCB has filed a status report on 15.05.2022 which annexes report of the Forest Department addressed to the Collector, Chhattarpur. It is stated that there is a proposal for the project in question which may involve cutting of 37,334 trees for which proposal

has been sent to MoEF&CC. Annexure to the said letter further shows that a letter of intent for mining lease on 364 hectare area has been issued on 19.12.2019 by the Mineral Department of the State of Madhya Pradesh and 10 percent upfront payment amounting to Rs. 27.5 crores has been taken.

4. From the report filed, there is nothing to show that Environmental Clearance has been granted without which the mining cannot be allowed. Only proposal for Forest Clearance is said to have been submitted,

5. Accordingly, we dispose of this application with a direction that no mining be allowed in absence of requisite EC nor any tree be allowed to be cut without requisite Forest Clearance. This may be ensured by the District Magistrate, Chhattarpur, Madhya Pradesh and the State PCB.

A copy of this order be forwarded to Secretary, MoEF&CC, MP State PCB and District Magistrate, Chhattarpur by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 30, 2022
Original Application No. 389/2021
SN