

Item No.05

Court No. 1

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

Original Application No. 222/2019
(I.A. No. 112/2019)

Kunal Raheja

Applicant(s)

Versus

State of Uttarakhand & Ors.

Respondent(s)

Date of hearing: 17.05.2019

**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. Kunal Raheja

For Respondent(s): Mr. Rahul Verma, Addl. A.G for State of
Uttarakhand
Mr. Mukesh Verma, Advocate for UPPCB

ORDER

The question for consideration is the remedial action against illegal mining and illegal construction in the flood plain of River Ganga in District Pauri, Uttarakhand.

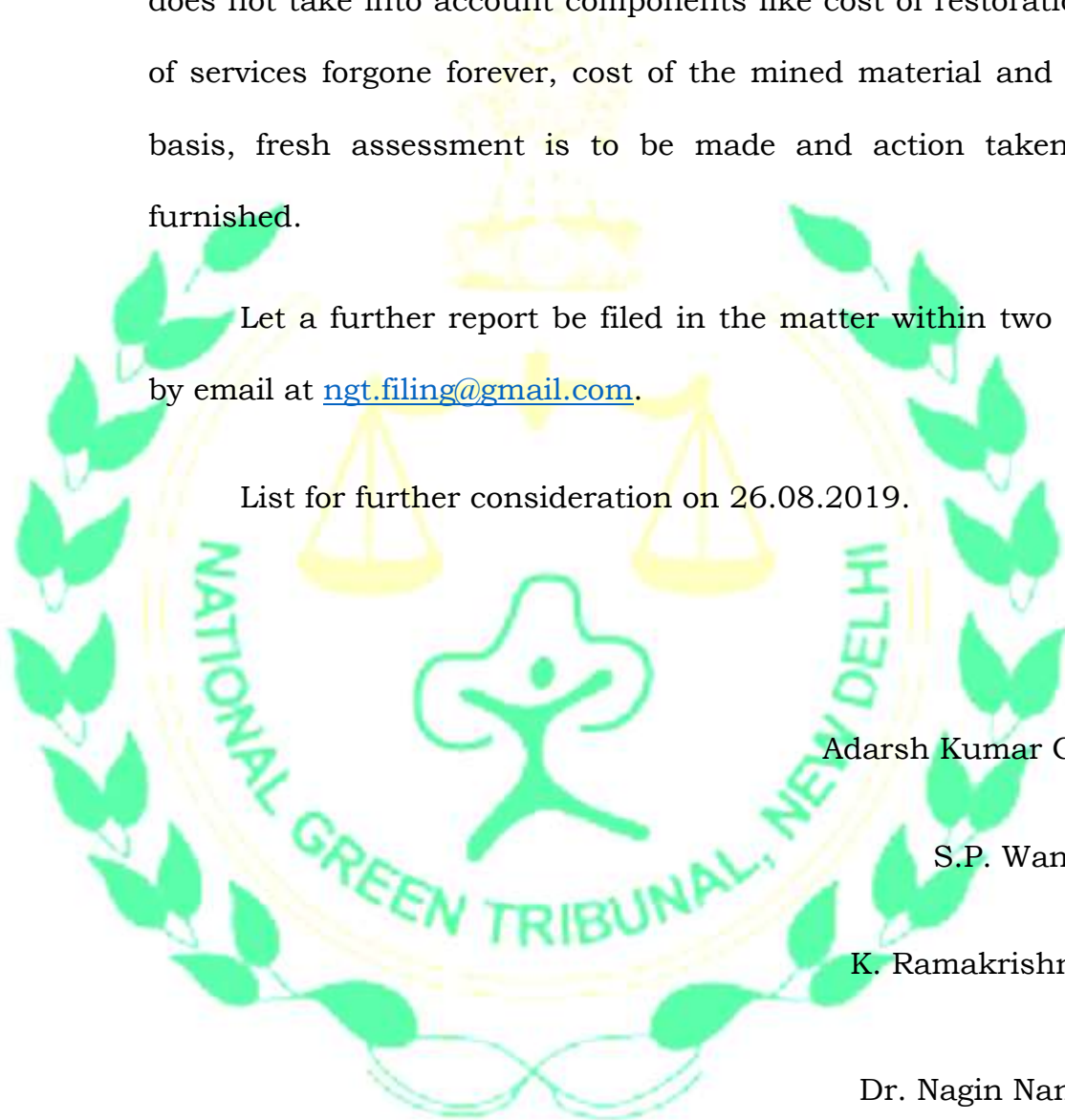
Vide order dated 08.03.2019, a report was sought from the District Magistrate, Pauri and the State Pollution Control Board (SPCB). Accordingly, reports have been received from the State Pollution Control Board and the District Magistrate, Pauri. According to the said reports, the allegation of illegal construction

and illegal mining has been found correct. Fine of Rs.3,34,500/- has been imposed as penalty for the illegal mining.

Learned counsel for the State Pollution Control Board states that compensation determined is only on the basis of royalty and does not take into account components like cost of restoration, cost of services forgone forever, cost of the mined material and on that basis, fresh assessment is to be made and action taken report furnished.

Let a further report be filed in the matter within two months by email at ngt.filing@gmail.com.

List for further consideration on 26.08.2019.



Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

May 17, 2019
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(I.A. No. 112/2019)
AK