

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

Original Application No. 1086/2018  
(Earlier O. A. No. 140/2014)  
(I.A. No. 783/2019)

Nanga Ram Dangi

Applicant(s)

Versus

Secretary, Department of Environment  
& Forests & Ors.

Respondent(s)

Date of hearing: 20.01.2020

**CORAM:**

**HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s)

Ms. Katyayni, Advocate

For Respondent(s)

Ms. Sneha Ravi Iyer, Advocate for  
Ms. Padmalakshmiyengar, AAG  
Mr. Attin Shankar Rastogi and  
Ms. Mansiha, Advocates  
Mr. Jinesh Humad, ME, Udaipur  
Mr. Rajkumar, Advocate

**ORDER**

**I.A. No.783/2019**

This interlocutory application has been filed on behalf of the respondent with the prayer that cost of Rs. 10,000/- imposed on the Director Mines and Geology, State of Rajasthan be waived. However, the affidavit in support of the application is coming from Mining Engineer of the Department, Udaipur.

It is to be noted that earlier an interlocutory application no.698/2019 was filed by the respondent

Department for the same purpose. The said application was supported by affidavit of the Mining Engineer. Therefore, the Learned Counsel for respondent had withdrawn the application (698/2019).

In view of the earlier application (698/2019) withdrawn on 06<sup>th</sup> December, 2019, we do not find any reason to consider present application for waiver of cost which was imposed on the Director Mining, where again the application has been supported by affidavit of Mining Engineer.

Therefore, I.A. No. 783/2019 is dismissed.

On 06<sup>th</sup> November, 2019, we had directed the Director Mines and Geology, State of Rajasthan to file a proper affidavit in compliance of the order dated 18<sup>th</sup> October, 2019. Another affidavit was filed by the Department on 14<sup>th</sup> January, 2020. The applicant has filed reply to both the affidavits, filed by Department, on 15<sup>th</sup> January, 2020. The applicant has filed annexures by way of photographs and newspaper clippings along with the reply of 15<sup>th</sup> January, 2020, to substantiate his submission that illegal mining is still continuing.

Before proceeding further in respect of affidavit and counter affidavit filed by the parties, we deem it proper to direct the Inspector General of Police, Udaipur Range Rajasthan to be present before the Tribunal, for the purpose of assistance. He should look into and study about

the illegal mining activities which are going on, around the Jaisamand Lake and other areas of District Udaipur before he appears before us. He may contact the Counsel for the applicant and obtain copy of reply affidavit filed on his behalf and the annexures thereto, for the purpose of his information.

The counsel for the applicant may also send copies of the replies filed to the affidavits of the Mining Department, along with the annexures, through email forthwith.

List the matter on 05<sup>th</sup> February, 2020.

Justice Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

JG

