

Item No. 06

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

Original Application No. 23/2017 (EZ)

Syed Arshad Nasar

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 07.05.2019

**CORAM :** HON'BLE. MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE. MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER

For Applicant(s) : -  
For Respondent (s) : Mr. Bibhuti Kumar, District Mining  
Officer for R-8

**ORDER**

1. Mr. Bibhuti Kumar, District Mining Officer, Sahebganj who is present today has stated that the Registrar, NGT, EZB, Kolkata has expressed certain inconvenience with regard to retention of the demand draft against cost imposed upon him.
2. Let the District Mining Officer deposit the amount with the Central Pollution Control Board (CPCB) Kolkata region. The CPCB shall deposit the amount in the account maintained for cost towards environmental Restitution and remediation.
3. The inspection report in terms of the order dated 21.01.2019 filed by DMO on behalf of Committee, is taken on record. Copy of the report be also handed over to the Learned Counsel for the Applicant. We shall consider the report on the next date. However, *prima facie* it appears that the action taken by the concerned State Authorities and

the State Pollution Control Board appear to be lacking on many aspects.

4. Undeniably there are a large number of illegal stone mines and crushers operating in the area which have now either been closed or at the stage of compliances for the pollution norms.
5. Considering this, there is also the necessity to assess the environmental damages caused by the illegal stone mines and stone crushing units.
6. Since the Committee consist of Competent Authorities both statutory and otherwise, we direct them to assess the damages on the following parameters:-
  - i. The quantum of minerals extracted and crushed.
  - ii. Damage on account of Net Present Value (NPV) against the ecological loss forgone forever.
  - iii. The ecological damage caused on account of the operation of the illegal unit.
  - iv. Cost against restoration of the environment.

The compensation duly assessed by the aforesaid authorities jointly shall be filed before the next date.

7. List on 19.07.2019 for further consideration.

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. S.S Garbyal, EM