

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

Original Application No. 797/2018

(With Report dated 25.09.2019)

Residents of Saren Phala Dhelana

Applicant(s)

Versus

State of Rajasthan

Respondent(s)

Date of hearing: 26.11.2019

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
HON'BLE MR. SAIBAL DASGUPTA, EXPERT MEMBER**

For Applicant(s): None

For Respondent(s): Mr. Adhiraj Singh, Advocate for RSPCB

ORDER

1. This order may be read in continuation of order dated 02.05.2019 on the subject of recovery of environmental compensation for illegal mining. The Tribunal found that assessment of compensation made earlier by the State Pollution Control Board (SPCB) was erroneous ignoring the norms laid down by the Central Pollution Control Board (CPCB) as well as by this Tribunal which were mentioned in the said order.
2. Report dated 25.09.2019 filed by the SPCB purports to determine environmental compensation but there is no basis indicated in the order. The report does not mention the area of mining, value of the mined material, financial capacity of the miner and extent of

violations which are to be the basis for calculating the compensation.

3. Let a further action taken report be filed within two months by e-mail at judicial-ngt@gov.in.

List again on 06.02.2020.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

Saibal Dasgupta, EM

November 26, 2019
Original Application No. 797/2018
DV

