

Item No. 01

(Court No. 2)

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

(Though Physical Hearing with Hybrid Option)

Original Application No.462/2021

Dashrath Singh Parihar

...Applicant

Versus

State of Madhya Pradesh & Ors.

...Respondents

Date of hearing: 07.12.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None.

Respondent: Mr. Sachin Kumar Verma, Advocate for State of M.P
(through VC).

Application under Sections 14 and 15 of the National Green Tribunal Act, 2010.

ORDER

1. Grievance in the application filed by the applicant Mr. Dashrath Singh Parihar relates to illegal stone mining in forest area of Mohangarh, Khairona Beet, Forest Division of Distt. Shivpuri, Madhya Pradesh. It is submitted that Forest Department is unable to stop the illegal mining in reserved forest and this has caused damage to the environment.

2. Vide order 28.01.2022, this Tribunal constituted a Joint Committee and directed the same to submit factual and action taken report within three months. In compliance thereof, the Joint Committee inspected the area on 28.02.2022 and submitted report vide email dated 21.04.2022.

3. Vide order dated 26.07.2022, this Tribunal constituted a Joint Committee comprising of Principal Secretaries of Forest, Mineral Resources and Revenue Departments, Government of Madhya Pradesh and Director General of Police, Madhya Pradesh and directed the same to look into all relevant aspects as mentioned therein and to submit its report within three months. The Director, Mining and Geology Directorate, Madhya Pradesh, DFO and District Magistrate, Shivpuri were directed to prepare an action plan for reclamation of illegally mined area and disposal of over burden by making its proper use for land filling as may be possible in the area concerned and to execute such action plan within a period of three months.

4. Compliance report has been filed vide email dated 07.12.2022. In the compliance report, it has been mentioned that State Level Committee has been constituted vide order dated 25.11.2022 and the meeting of the State Level Committee is scheduled for 16.12.2022. Report of the Joint Committee be submitted within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

5. However, no Action Plan has been submitted by the Director, Mining and Geology Directorate, Madhya Pradesh, DFO and District Magistrate, Shivpuri. Action Plan with specific implementation timelines, budgetary provisions in respect of reclamation of the illegally mined area and action taken report be filed within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

6. List the matter for further consideration on 10.04.2023.

7. A copy of this order be forwarded to Principal Secretaries of Forest, Mineral Resources and Revenue Departments, Government of Madhya Pradesh and Director General of Police, Madhya Pradesh and Director, Mining and Geology Directorate, Madhya Pradesh, DFO and District Magistrate, Shivpuri by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 07, 2022
AG