

	<p>Item No. 11</p> <p>January 05, 2018 Jg</p>	<p>Pradeep Sinha submits that the noticee was found involved in a miner case of illegal mining of 6 cubic meters of sand and therefore he needs to be saddled with nominal compensation amounting to Rs. 5000/- commensurate with the penalty imposed on him under Chhattisgarh Minor Mineral Rules, 1995. He submits that in some of the cases of the noticees the environmental compensation of Rs. 5000/- each was imposed vide order dated 18-04-2017 in O. A. Nos. 32/2017, 43/2017, 44/2017, 49/2017 and 51/2017.</p> <p>Learned Counsel appearing on behalf of the applicant, however, points out that in bunch of cases the environmental compensation was imposed taking into consideration the equipments used therefor – vide order dated 11-01-2017. He submits that the cases in which the environmental compensation of Rs. 5000/- was imposed were the cases wherein the notices were not found equipped with any equipments or instruments.</p> <p>Fact of illegal mining is not disputed. Pertinently, the equipment used for sand mining in the present case is a JCB which when used has a capacity to do environmental degradation to the highest extent. No where it is revealed in the reply that the JCB was used for any other purposes by the noticee other than one in the present case.</p> <p>We, therefore, have no reason to depart from the rationale used in passing the order dated 11-01-2017. We, therefore, direct the noticee to pay environmental compensation of Rs. 1.5 lacs to the Chhattisgarh State Pollution Control Board. If the compensation is not paid within four weeks from now the same shall be recovered</p>
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	<p>Item No. 11</p> <p>January 05, 2018 jpg</p>	<p>as arrear of land revenue in accordance with law.</p> <p>In view of this Original Application No. 34/2017 stands disposed of accordingly.</p> <p>.....,ACP (U.D. Salvi)</p> <p>.....,EM (Dr. Nagin Nanda)</p>
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