

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

**Original Application No. 363 of 2015
And
Original Application No. 366 of 2015
And
Original Application No. 367 of 2015
And
Original Application No. 368 of 2015
(M.A. No. 229 of 2017)**

IN THE MATTER OF :-

**National Green Tribunal Bar Association
Vs.
Dr. Sarvabhoun Bagali (State of Karnataka)**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Present: Applicant: Mr. Raj Panjwani, Sr. Adv. with Mr. Aagney
Sail, Advs. Adv.
Mr. Devraj Ashok, Adv. for State of Karnataka
Mr. N.S. Awatade, Sub Regional Officer, Solapur
Mr. N.N. Singh, Adv., Mr. Rahul Baid, Adv.
Mr. Shakunt Saumitra, Adv. (Maharashtra MB)**

	Date and Remarks	Orders of the Tribunal
	Item Nos. 9 to 12 March 10, 2017 sn	<p style="text-align: center;">The Learned Counsels appearing for M/s K.J. Infra Structure Pvt. Limited, Pune; for the State of Maharashtra; Maharashtra State Pollution Control Board and M/s Shree Industries prays for time to file their Replies/ objections to the Report of the Learned Local Commissioner. Let that be done within two weeks from today.</p> <p style="text-align: center;">After hearing the Learned Counsel appearing for the parties on perusal of the record before us and the Report of the Learned Local Commissioner, we are of the considered view that there was illegal and unauthorized mining going on in the river itself. The mining was being done mechanically and when the Local Commissioner went there, the suction pipes were removed. However, the basic infrastructure of the same was found on the site including ramps, pumping machines, boards and other materials.</p> <p style="text-align: center;">Before we pass any final order, we direct issuance of</p>

<p>Item Nos. 9 to 12</p> <p>March 10, 2017 sn</p>	<p>show cause notice to all these Government bodies, State Government through Collector Incharge and the private players to show cause, why should we not direct their prosecution as well as payment of environmental compensation in terms of Section 15 and 17 of the National Green Tribunal Act, 2010. Let the Reply to the show cause notice, on the above facts, be filed within two weeks from today.</p> <p>The matter be listed for arguments on 11th April, 2017, the date already fixed.</p> <p>On that date, the collector of both the border district of State of Maharashtra and State of Kerala be present before the Tribunal.</p> <p>In the meanwhile, both the State Governments and all its instrumentality including the States Pollution Control Boards would ensure that there shall be no mining in the river, mechanically or otherwise.</p> <p>The Local Commissioner fees should be paid by the State of Maharashtra at the first instance and subject to further orders.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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