

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

M.A . No. 671 of 2013  
And  
M.A . No. 672 of 2013  
And  
M.A . No. 714 of 2013  
And  
M.A . No. 738 of 2013  
And  
M.A . No. 1004 of 2013 in M.A . No. 739 of 2013  
And  
M.A . No. 749 of 2013  
And  
M.A . No. 975 of 2013  
And  
M.A . No. 1084 of 2013  
And  
M.A . No. 1085 of 2013  
And  
M.A . No. 1109 of 2013  
And  
M.A. No. 93 of 2014  
In

Original Application No. 171 of 2013

National Green Tribunal Bar Association  
Vs.  
Ministry of Environment & Forests & Ors.

**CORAM :** HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE MR. B.S. SAJWAN, EXPERT MEMBER  
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER

**Present:**

<b>Applicant:</b>	Mr. Raj Panjwani, Sr. Advocate along with Mr. Vaibhav, Advocate and Mr. Rahul Choudhary, Advocate
<b>Applicant (in MA No.975/2013:</b>	Mr. S.M. Wadekra, Advocate
<b>Applicant (in MA Nos.1084&amp;1085 of 2013:</b>	Mr. Sudeep Vijayan, Advocate
<b>Applicant (in MA No.739/2013:</b>	Mr. Ajit Sharma, Advocate
<b>Applicant (in MA No.1109/2013:</b>	Mr. Suraj Prakash Singh, Advocate
<b>Respondent No. 1:</b>	Mr. Vikas Malhotra, Advocate
<b>Respondent No. 3:</b>	Mr. Ranjan Mozumdar, Advocate and Mr. Avijit Roy, Advocate.
<b>Respondent No. 4:</b>	Ms. Anjani Singh and Mr. Samir Ali Khan, Advocates
<b>Respondent No. 5&amp;15:</b>	Mr. Apoorv Kurup, Advocate, Mr. Anshuman Shrivastava, Advocate and Mr. C.D. Singh, Adv.
<b>Respondent No. 6:</b>	Mr. Chandan Kumar and Mr. Manoj C. Mishra, Advocates
<b>Respondent No. 7:</b>	Mr. S. Panda, Advocate and Ms. Hemantika Wahi, Advocate.
<b>Respondent No. 8:</b>	Mr. Narender Hooda, Sr. Adv, Mr. D.P. Singh and Mr. Vineet Malik, Advocates
<b>Respondent No. 9:</b>	Mr. Suryanarayana Singh, AAG
<b>Respondent No. 13:</b>	Mr. Jogy Scaria and Mr. K.K. Sudesh, Advocates.
<b>Respondent No. 14:</b>	Mr. Mukesh Verma, Adv, And Mr. Pawan Kr. Shukla, Advocate.
<b>Respondent No. 17:</b>	Ms. Aprajita Mukherjee, Advocate.
<b>Respondent No. 18:</b>	Mr. Pragyan Sharma, Mr. Heshu Kayina, Advocates.
<b>Respondent No. 20:</b>	Mr. Vivek Kr. Tondon, Adv.
<b>Respondent No. 21:</b>	Mr. Ashok Panigrahi, Advocate and Mr. Santosh Kumar, Advocate.
<b>Respondent No. 25:</b>	Ms. Aruna Mathur Advocate.

Respondent No. 26: Mr. Abdul Saleem, Advocate  
 Respondent No. 27: Mr. Pranab Prakash, Advocate  
 Respondent No. 28,36,38,39,41,42,&43: Mr. Gaurav Bhatia, AAG, UP and Ms. Savitri Pandey Advocate.  
 Respondent No. 36,38,39: Mr. Gaurav, Advocate.  
 Respondent No. 29: Dr. Abhishek Atrey, Advocate and Mr. Atif Suhrawardy, Advocate.  
 Respondent No. 30: Mr. Bikas Kar Gupta, Advocate  
 Respondent No. 31: Mr. K.V. Jagdishvaran, Mrs. G. Indira, Advocates  
 Respondent No. 32: Mr. Shubham Bhalla, Advocate  
 Respondent Nos. 33 to 35: Mr. Alok Kumar, Advocate.  
 Respondent No. 39: Mr. Raman Yadav, Advocate  
 Respondent No. 41: Mr. Daleep Kr. Dhyani, Advocate for Mr. Pradeep Misra, Advocate.  
 Noticee No. 9: Mr. Pramod Kumar, Adv. and Mr. Amit Prajapati (Noticee), Mr. Atul Batra, Mr. Yogendra, Mr. Vijay, Bale Singh and Rinku, Noticees.  
 For Noticee No. 1 to 6, 49, 46, 55,56,57: Mr. Vishal Bakshi and Mr. Vikas Bakshi, Mr. P.K. Shukla, Advocates.  
 For Noticee No. 79&80: Mr. Sudhir Nagar, Advocate, Mr. Mohit Singh, Advocate.  
 In M.A. No. 1109/2013: Mr. Suraj Prakash Singh, Advocate, Ms. Pushpila Bight, Advocate.  
 For Noticee No. 107,119,120: Mr. Pramod Kumar, Advocate.  
 For Noticee No. 14,15,16,64: Mr. Atul Batra, Advocate.  
 In M.A. No. 738/2013: Mr. Anand Verma, Mr. Tarun Patnaik, Advocates.  
 In M.A. No. 975/2013: Mr. S.M. Wadehra, Advocate.  
 In M.A. No. 739/2013: Mr. Ajit Sharma, Advocate.  
 For Noticee No. 21,25,66,: Mr. Anil Baoga, Advocate.  
 76,77,122,124,125, 126,127,128.  
 For Noticee No. 153: Mr. Kapur, Adv.  
 For Respondent No. 1to4,56,57: Mr. Sandeep singh, Advocate.  
 For Noticee No. 34,35: Mr. R. K. Sonkiya, Advocate.  
 For Noticee No. 26,101,104,40,41,105,115,112,117, 118,104,106. : Ms. Pinki Mor, Advocate.  
 For Noticee No. 81,84,82,85, : Mr. Nasir Ahmed, Advocate.  
 88,73,96,93,17, 86,75,20,22,87,72,18,78, 74,109,100,94,99,89,92, 30,31,32,40,41

Date and Remarks	Orders of the Tribunal
<p>Item No.9 February 19, 2014</p>	<p><b><u>Original Application No. 171 of 2013</u></b></p> <p>The Learned Additional Advocate General prays for further time to comply with directions contained in Order dated 22<sup>nd</sup> January, 2014. Let the needful be positively done within three weeks.</p> <p>It is stated on behalf of the State that there were 129 Noticees/offenders who had been caught while doing illegal mining in Gautam Budh Nagar. The police Authorities have served Notices upon 94 Noticees. Out of the served 94 Noticees - 49 Noticees, whose names are listed separately and kept with the service report maintained by the Registry are present.</p> <p>They are granted two weeks time to file Reply as to why they may not called upon to pay compensation for</p>

degradation of environment and ecology resulting from the illegal mining as stated in the Affidavit of the State. We also grant liberty to the State to serve the remaining 35 Noticees/offenders.

We make it clear that the proceedings in this Application shall be confined to ecological and environmental degradation resulting from illegal mining by various person as well as for removal of seized sand against whom FIRs have been registered.

The Affidavit being filed on behalf of the State shall also state the roles attributed to the each one of the Noticees.

All the States are directed to comply with directions contained in our Orders dated 14<sup>th</sup> August, 2013 and 22<sup>nd</sup> August, 2013.

The Registry is directed to put up a note showing which of the States have complied with the Order and which have not.

The Learned Counsel appearing for the State of Gujarat submits that there has been some mistake in issuing of contracts/Orders and no where the mining would be permitted beyond 3 meters depth subject to their getting Environmental Clearance and satisfying other requirements under the law for the time being in force in State of Gujarat.

The State of Uttarakhand is hereby directed to make a statement showing the permissions for mining in the entire State, District wise, the quantities permitted and the period of the permissions along the Form MM.

List this case on 19<sup>th</sup> March, 2014.

**M.A. No. 93 of 2014**

Notice of this Application to the State of Madhya Pradesh.

Learned counsel appearing for the State of Madhya Pradesh accept Notice and pray for time to file the Reply. Let the Reply be filed within two weeks from today with advance copy to the Learned counsel appearing for the Applicant who may file Rejoinder thereto, if any, within one week thereafter.

List this case on 19<sup>th</sup> March, 2014.



**M.A. Nos. 1084/2013 & 1085/2013**

Learned counsel appearing for the Ministry of Environment and Forests, State of Chhatisgarh and Applicant pray for time to file the Reply. Let the Reply be filed within two weeks from today with advance copy to the Learned counsel appearing for the Applicant who may file Rejoinder thereto, if any, within one week thereafter.

List this case on 19<sup>th</sup> March, 2014.

**M.A. No. 975 of 2013**

List this case on 19<sup>th</sup> March, 2014.

.....,CP  
(Swatanter Kumar)

.....,JM  
(U.D. Salvi)

.....,EM  
(Dr. D.K. Agrawal)

.....,EM  
(B.S. Sajwan)

.....,EM  
(Dr. R.C. Trivedi)

