

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

**Original Application No. 122/2014
(M.A. No. 367/2014)**

Intajar V/s Union of India & Ors.

**CORAM: HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE PROF. (DR.) R. NAGENDRAN, EXPERT MEMBER**

**Present: Applicant / Appellant : Ms. Kamini Jaiswal, Mr. Akhilesh Kalra and Mr.
Rohit Kr. Singh, Advs.
Respondent No. 2,3,4&6 : Ms. Savitri Pandey, Adv.**

Date and Remarks	Orders of the Tribunal
Item No. 2 June 4, 2014	<p>Heard the learned Counsel appearing for the applicant. Ms. Savitri Pandey, learned Counsel took notice on behalf of respondent nos. 2, 3, 4 & 6.</p> <p>From the materials placed, we find that this application is to be admitted.</p> <p>Admit. Issue Notice in the original application as well as in the miscellaneous application to the respondents by registered post/acknowledgement due and Dasti as well. Reply of respondent nos. 2, 3, 4 & 6 be field by the next date of hearing.</p> <p>On hearing the learned Counsel appearing for the applicant and going through the relevant documents produced, we find that originally lease was granted for a period from 01.10.2005 to 13.09.2008 in favour of respondent no. 7. As respondent no. 7 indulged in illegal mining in violation of the terms and conditions of the lease, the mining was stopped from 10.06.2007. Later, the respondent no. 7 sought permission to mine the said area, for the period in which he could not enjoy mining as it was</p>

stopped. It was permitted on condition that no objection from the National Board of Wild Life shall be obtained. It is the case of the applicant that it was not so far as obtained. It is also pointed out that the area where mining is allowed to be carried-out, comes within the Ramsar site, which has since been earmarked and designated as highly sensitive eco fragile and it falls within the wet lands of International Important designated area. The order granting permission to the respondent no. 7 shows that authorities took the stand that as mining sought to be permitted is for the remaining period covered under the original lease granted in 2005, the 2006 Regulations are not applicable. *Prima facie*, it does not appear to be correct. In such circumstances, the respondent no. 7 is restrained from conducting mining, until further orders.

List on 17th July, 2014.

....., JM
(M.S. Nambiar)

....., EM
(Prof. (Dr.) R. Nagendran)