

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

Application No. 51/2012  
And  
Application No. 61/2013  
And  
Application No. 64/2013  
And  
Application No. 68/2013  
And  
Application No. 69/2013  
And  
Application No. 75/2013  
And  
Application No. 78/2013  
And  
Application No. 112/2013  
And  
Application No. 113/2013  
And  
Application No. 62/2013  
And  
Application No. 63/2013  
And  
Application No. 65/2013  
And  
Application No. 66/2013  
And  
Application No. 70/2013  
And  
Application No. 72/2013  
And  
Application No. 73/2013  
And  
Application No. 74/2013  
And  
Application No. 76/2013  
And  
Application No. 77/2013  
And  
Application No. 120/2012  
And  
Application No. 121/2012  
And  
Application No. 126/2012  
And  
Application No. 127/2012  
And  
Application No. 129/2012

**IN THE MATTERS OF:**

Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Prafulla R. Hede & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Sh. Vincent Fernandes & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s

Sh. Zacarias Antao & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Sh. Mahabaleshwar Garco Industries Ltd. & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Smt. Amalia Rodrigues Fiquereido & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Sh. Shaikh Mohammad Issac & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Sh. Haider Kassim Khan & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
M.S.H.L. Nathurmali & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Shri Chandrakanta Fondu Naik & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Smt. Shakuntala Bai M. Rege & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
M/s. V.M. Salgaocar & Bro. Pvt. Ltd. & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
M/s. V.M. Salgaocar & Bro. Pvt. Ltd. & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
M/s V.M. Salgaocar & Bro. Pvt. Ltd. & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
M/s V.M. Salgaocar & Bro. Pvt. Ltd. & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
M/s V.M. Salgaocar & Bro. Pvt. Ltd. & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
M/s V.M. Salgaocar & Bro. Pvt. Ltd. & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
M/s V.M. Salgaocar & Bro. Pvt. Ltd. & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
M/s V.M. Salgaocar & Bro. Pvt. Ltd. & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Smt. Ahilabai Sardesai & Ors.  
And  
Goa Paryavaran Savrakshan Sangharsh Samitee  
V/s  
Sh. Coicunta Canecar & Ors.

And  
 Goa Paryavaran Savrakshan Sangharsh Samitee  
 V/s  
 M/s Sova & Ors.  
 And  
 Goa Paryavaran Savrakshan Sangharsh Samitee  
 V/s  
 M/s Marzook & Cadar Pvt. Ltd. & Ors.  
 And  
 Goa Paryavaran Savrakshan Sangharsh Samitee  
 V/s  
 Mr. Ciprianao De Souza & Ors.  
 And  
 Goa Paryavaran Savrakshan Sangharsh Samitee  
 V/s  
 M/s Shantilal Khushaldas & Bros. Pvt. Ltd. & Ors.  
 And  
 Goa Paryavaran Savrakshan Sangharsh Samitee  
 V/s  
 Sh. Ramacant Velingkar & Ors.

**CORAM: HON'BLE SHRI JUSTICE U.D. SALVI, JUDICIAL MEMBER**  
**HON'BLE SHRI JUSTICE DALIP SINGH, JUDICIAL MEMBER**  
**HON'BLE DR. D.K. PANDEY, EXPERT MEMBER**  
**HON'BLE SHRI B.S. SAJWAN, EXPERT MEMBER**  
**HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER**

**Applicant / Appellant :** Mr. S.M. Walawaikar, Advocate  
**Respondent for State of Goa** Mr. Pawan Kumar Bansal, Adv. for Mr. Siddharth Bhatnagar, Adv.  
**Respondent for MoEF** Ms. Syed Amber, Adv. for Ms. Neelam Rathore, Adv.  
**Respondent No. 1** Mr. Anuj Sarma, Adv.  
 (IN Application Nos. 78/2013, 61/2013, 129/2013, 76/2013, 74/2013, 73/2013, 72/2013, 70/2013, 66/2013, 63/2013, 62/2013)  
**Respondent No. 1** Mr. B.V. Gadnis, Adv.  
 (IN Application No. 51/2012)  
**Respondent No. 1** Mr. Sumit Goel and Ms. Sarabjot Walia and Ms.  
 (IN Application Nos. 120/2012, Sanjana, Adv.  
 121/2012, 126/2012, 127/2012, )

Date and Remarks	Orders of the Tribunal
Items 1 to 24 August 8, 2013	Heard. Perused.  These are the cases in which the Applicants are seeking relief of compensation to victims of environmental <u>destruction due to illegal and unauthorized mining of iron ore and destruction of forest cover in and outside of mining constructions/ lease areas.</u>  These applications concern several mines spread over separate portions of lands in the State of Goa.

In these cases, Learned Counsel appearing for Respondent Miners in Application No. 51/2012 submits that the reply to the Application has been tendered.

Learned Counsel appearing for the Respondent Miners in Application Nos. 62/2013, 63/2013, 65/2013, 66/2013, 70/2013, 72/2013, 73/2013 and 74/2013 has filed replies. In other matters before us, the replies on behalf of the Respondent Miners are to come on record.

Learned Counsel appearing for the Respondent Miners in Application Nos. 120/2012, 121/2012, 126/2012 and 127/2012 seeks time to file replies on behalf of the Respondent Miners. Respondents Miners shall file their replies in each of the cases, if not filed, within four (4) weeks.

Learned Counsel appearing for the State of Goa submits reply in Application No. 112/2013. He submits that the said reply will hold good for every Application. However, this submission is countered by the Learned Counsel appearing for the Respondent Miner in Application No. 51/2012. It is pointed out that the reply which has been tendered on behalf of the State of Goa in Application No. 112/2013 concerns a mine situated at 39/53, in Village Harvlam and considering the pleadings in each of the applications there needs to be separate replies concerning each of the mines referred to in every applications.

Our attention is drawn to the order dated 16.07.2013 passed by this Tribunal, which required the State of Goa to file a report in respect of inventory proceedings to be undertaken by the State of Goa pursuant to the order dated 29.05.2013 passed in Application No. 55/2012 and other connected matters. However, no such detailed report has been tendered by the State of Goa. It is submitted on behalf of the State of Goa that this exercise of carrying out Inventory and Panchnamas were commenced. However, this exercise could not be completed because of the

ensuing monsoon and would be completed around November, 2013.

Learned Counsel appearing for the MoEF submits that the replies in each of the Applications could not be filed for the reason that MoEF is in the process of examining the documents concerning 188 (139+49) iron, ore mining leases in the State of Goa and to evaluate there from the status of compliance with reference to the conditions stipulated as part of environmental clearances and this process would take time. Time needs to be granted to have clear picture of the controversy.

We direct the parties to complete their proceedings by that time without any excuse. The State of Goa shall file separate replies in each of the applications.

The Respondents are directed to reveal information on the following points:-

- i) Lease Area allotted vis-à-vis actual mining being done in the area and ore extracted since commencement of mine.
- ii) Over Burden Management.
- iii) Forest Area in the mine lease area.
- iv) Ground water management.
- v) Details of transportation of ore/overburden.
- vi) Consent taken from the State Pollution Control Board, Goa.
- vii) Noise pollution Levels.
- viii) Dust levels (RSPM) near the mines.
- ix) Whether EC was taken from MoEF or State Government.
- x) Whether any compensation was paid in the past by mining company to the affected persons.
- xi) Whether any complaint on environmental pollution was received.

xii) Environment Compliance Status.

A detailed report required by the order dated 29.05.2013 shall be placed before us on or before the next date. Copies of that report shall be furnished to the Applicant and other parties, well in advance.

Similar cases have been posted on 13<sup>th</sup> November, 2013. We, therefore, post these cases on 13<sup>th</sup> November, 2013.

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

....., JM  
(Dalip Singh)

....., EM  
(Dr. G.K. Pandey)

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

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

