

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

**Appeal No.48 of 2014  
(M.A. No. 388 of 2014)  
And  
Original Application No. 93 of 2014  
(M.A. No. 412 of 2014 & M.A. No. 79 of 2015)**

**IN THE MATTER OF:**

**Kota Vikas Samiti Vs. State of Uttarakhand & Ors.  
And  
Nirmala Ganga Mata Sangh Society Vs. State of Uttarakhand & Ors.**

**CORAM: HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE SONAM PHINTSO WANGDI, JUDICIAL MEMBER  
HON'BLE DR. D. K. AGRAWAL, EXPERT MEMBER  
HON'BLE PROF. A. R. YOUSUF, EXPERT MEMBER**

**Appeal No.48 of 2014**

**Present: Appellant: Mr. Devendra Singh and Mr. Anant K. Vatsya,  
Adv.  
Respondent No. 3 & 9: Mr. Mukesh Verma, Advocate  
Respondent No. 1, 2, 4, 8 to 10 :4 Mr. Rahul Verma, Advocate for the State  
of Uttarakhand  
Mr. Vikas Malhotra along with Mr. M.P. Sahay  
(MoEF), Advocates  
Respondent No. 11 : Mr. Prateek Dwivedi, Adv.**

**Original Application No. 93 of 2014**

**Applicant : Mr. Devendra Singh and Mr. Anant K.  
Vatsya, Advs.  
Respondent No. 1 : Mr. Mukesh Verma, Advs.  
Respondent No. 4-8 & 10 : Mr. Rahul Verma, AAG for State of  
Uttarakhand  
Respondent No. 3 : Ms. Panchajanya Batra Singh, Adv. for  
MoEF & CC**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 13 &amp; 14  February 01, 2016  ss</b>	<p>The Learned Counsel appearing for Applicant submits that CD placed on record has been damaged, but the conditions as can be seen in the photographs which he has annexed along with the application filed on record can even be verified as of today. He prays for appointment of a Local Commissioner.</p> <p>We appoint Mr. Rahul Khurana, Adv. as a Local Commissioner who shall visit to Pauri Garhwal and related places. He shall verify whether any mining is</p>

going on as of today in the area in question. If so he shall produce complete details thereof. Consequently he would verify if the photographs filed by the Applicant on record depict the correct position of the site in question which according to the applicant reflects rampant illegal mining.

We fix the fee of the Local Commission at Rs. 20,000/- which is to be paid by the Applicant at the first instance. If the complaint is found incorrect, it will be the project proponent who shall bear this cost. The Local Commissioner shall submit his report before the next date of hearing. All authorities including police are directed to provide full assistance to the Local Commissioner in carrying the inspection.

The Commissioner would conduct the inspection on Saturday i.e. 06<sup>th</sup> February, 2016. Officers and all parties of the State as well as the Applicant shall be present at the time of inspection.

List this matter on 10<sup>th</sup> February, 2016.

.....,CP  
(Swatanter Kumar)

.....,JM  
(Sonam Phintso Wangdi)

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

.....,EM  
(Prof. A.R. Yousuf)