

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL**

**Misc. Application No. 546/2014**

and

**Original Application No. 140/2013**

**Radharani Vajpayee v. State of M.P. & Ors.**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE MR. P.S.RAO, EXPERT MEMBER**

**PRESENT : Applicant : Shri Shantanoo Saxena, Advocate  
Respondent No. 7 & 13 Ms. Parul Bhadoria, Adv. for  
Shri Purushaindra Kaurav, AAG  
Respondent No. 1to5, 8to10 : Shri Yash K.Singh, Advocate for  
Shri Sachin K. Verma, Advocate  
Respondent No. 12 Shri Rohit Sharma for Sh. Alankar Soni,  
Adv.  
Respondent Leaseholders : Shri Ajay Gupta, Advocate  
Respondent No. 26 : Shri Manoj Verma, Advocate**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 3 23<sup>rd</sup> September, 2014</b>	<p><b><u>M.A.No. 546/2014</u></b></p> <p>This M.A. has been filed by the State Government by way of an application of the District Collector, Dewas praying for extension of time to submit the report as directed by this Tribunal under the earlier order dated 05.08.2014.</p> <p>Learned Counsel for the lease holders, Shri Ajay Gupta pointed out that, in fact, in the garb of the proceedings before this Tribunal only a few lease holders have been identified and are targeted by means of issuing the show cause notice. He submitted that in the entire belt, there are more than 40 lease holders and to review the permissions granted as well as the compliance of the conditions with respect to each one of them, reply may be sought from the MPPCB as well as the Mining Department.</p> <p>As far as the aforesaid position is concerned, we direct that the Pollution Control Board shall carry out the review of the compliance of the conditions of the permissions granted to each of such mining lease holders in Village Shankargarh, Palnagar, Rajoda and Dewas Junior of District Dewas.</p> <p>Apart from ensuring compliance of the conditions and verifying</p>

the fact whether or not necessary permissions have been obtained by each of such mining lease holders and crushing units, the issue with regard to improving the environment of the area shall also be examined as has been submitted that with such a large number of mines and crushing units operating in the area. The environment as a whole is being targeted and needs not only protection but improvement. The report to be submitted by the MPPCB as well as the State shall also indicate the number of leases which have been granted year-wise for each of such lease holders and crushing units and how many of them are actually existing and conducting operations.

Also in consultation with the Forest Department, the District Collector shall indicate whether it would be feasible for the Revenue Department to consider handing over the area to the Forest Department for preservation and protection of the same by allowing natural regeneration to come up supplemented with artificial regeneration by planting suitable species of trees/shrubs/grasses etc. depending on the soil conditions and taking measures for foolproof protection from biotic interference in the area though it is reported that presently the hills are barren/denuded.

As such, in M.A.No. 546/2014, we grant time to the Respondents to submit their report by 19.11.2014. In the meanwhile, the Respondent lease holders / owners of the crushing units may submit their reply by 19.11.2014 failing which their right to file reply shall be closed. M.A. No. 546/2014 stands disposed of.

List on **26<sup>th</sup> November, 2014.**

.....,JM  
**(DALIP SINGH)**

.....,EM  
**(P.S.RAO)**