

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

M.A. No. 865/2013 & M.A. No. 95/2014

In

Original Application No. 184 of 2013

Gurpreet Singh Bagga Vs. MoEF Vs. 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: **Applicant:** Mr. Narender Hudda, Sr. Advocate, Mr. Alok Sangwan, Adv. and Mr. Shashank Shekhar, Advocates
Respondent No. 1: Mr. Vikash Malhotra and Mr. M.P. Sahay, Advocate
Respondent Nos. 2 to 5: Mr. Gaurav Bhatia, AAG and Ms. Savitri Pandey, Advocate.
M.A. No. 95/2014: Mr. Krishan Vasudev (for Applicant), Sr. Advocate, Mr. Suraj Prakash Singh, Advocate, Mr. Kumar Anurag Singh.

Date and Remarks	Orders of the Tribunal
Item No. 8 February 19, 2014	<p><u>M.A. No. 95/2014:</u></p> <p>This Application for the limited relief of impleadment is allowed, since there is no objection to the same. The Applicant is ordered to be impleaded as Respondent in the main Application.</p> <p>Liberty is granted to file the Replies in the meanwhile. Accordingly, M.A. No. 95/2014 stands disposed of.</p> <p><u>Original Application No. 184 of 2013</u></p> <p>Having heard the Learned Counsel appearing for the parties, we direct the State of Uttar Pradesh (particularly District Administration of Saharanpur) to file an Affidavit on all the issues as directed in our Order dated 22nd January, 2014.</p> <p>Though the Additional Advocate General stated that 13 licenses have been granted, the Affidavit put in by the State shall in certain terms state as to how many licenses have been granted, the mining depth and the area of each of the licenses and the revenue the State has received from these licensees.</p> <p>The Affidavit must also deal with the content of the Report of the CEC dated 12th July, 2010, State</p>

Government's compliance of the CEC directions and when there was a illegal mining of 141 lac cubic metres who were the persons responsible for illegal mining; what steps have been taken to recover the State revenue, and if the Tribunal is to direct restoration in the interest of the environment or its replenishment what would be the money required for that purpose including quantum of damage for degradation of the environment in the area.

The Affidavit shall also state as to what is the mechanism provided for monitoring the vehicles which are involved in mining activity.

Let this affidavit be filed within three weeks from today. The DM and the SSP, Saharanpur are present in person. They assure the Tribunal that they will ensure that no illegal mining either in terms of leased area, depth or even by the persons having no license to do mining activity in the area, and they would take all steps within their power to curb the mischief of illegal sand mining.

In view of the statement made by the two Officers who are present in person before the Tribunal, we do not propose any action at this stage. However, they shall submit a joint inspection Report after examining the DVD furnished to them today in the Tribunal by the Applicant.

List this matter on 14th March, 2014 at the end of the Board.

.....,CP
(Swatanter Kumar)

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

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

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

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