

Item No. 07 & 08

Court No. 2

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

Original Application No. 462/2023

Raja Ram Singh

Applicant

Versus

State of U.P.

Respondent(s)

WITH

Original Application No. 481/2023
(IA NO 490/2024,IA NO 93/2024,IA NO 70/2024)

Balbir Sandhu

Applicant

Versus

State of U.P. & Anr.

Respondent(s)

Date of hearing: 04.10.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Original Application No. 462/2023

Applicant: None for the applicant.

Respondents: Mr. Gaurav Bhatia, Senior Advocate with Mr. Ankit Verma, Mr. Utkarsh Jaiswal and Mr. Vikas Tiwari, Advocates for Respondents No. 1 & 3.
Mr. Mukesh Verma and Ms. Vatsala Tripathi, Advocates for Respondent No. 2
Mr. Pradeep Misra Advocate for Respondent No. 4 (through VC).
Mr. Sharad Chauhan Advocate for Respondent No. 5.
Mr. Hem Chandra Joshi Advocate for Respondent No. 6 (through VC).
Dr. Sapna Aggarwal Advocate for Respondent no. 7 (through VC).
Mr. Raj Kumar, Advocate for Respondent No. 8 (through VC).

Original Application No. 481/2023

Applicant: None for the applicant main applicant
Ms. Pushpila Bisht, Mr. Shubham Karnwal, Mr. Henna Narula, Mr. Yashvi Aswani and Ms. Pallavi Pratap, Advocates for Applicant No. 5

Respondents: Mr. Gaurav Bhatia, Senior Advocate with Mr. Ankit Verma, Mr. Utkarsh Jaiswal and Mr. Vikas Tiwari, Advocates for respondents no. 1 to 3 and 5
Mr. Pradeep Misra, Advocate for respondent no. 4 (through VC)

Mr. Rahul Khurana, Advocate for respondents no. 6 to 10.
Mr. Narender Pal Singh, Mr. Hasil Jain and Ms. Anjali Advocates for
respondent No. 11- Memta
Ms. Anisha Jain Advocates for respondent No. 12-Salim
Mr. Atif Suhrawardy, Advocate for CPCB (through VC).
Ms. Suhasini Sen and Ms. Surbhi Advocates for MoEF & CC

ORDER

I.A. No. 490/2024 in OA 481/2023

1. Since both the matters involve similar question, therefore, have been listed together.
2. This IA has been moved in OA 481/2023 stating that there is one more matter i.e. OA 412/2023, *Pradeep Kumar Shukla vs. Ministry of Environment, Forest and Climate Change & Ors.* wherein also this question is involved as to whether mining activities can be allowed under a short term permit without obtaining Environmental Clearance (EC) under Environment Impact Assessment Notification dated 14.09.2006, as amended from time to time, read with the provisions of Environment Protection Act, 1986 (hereinafter referred to as '**EP Act, 1986**') and the law laid down by Supreme Court in *Deepak Kumar & Ors. Vs. State of Haryana and Ors. reported in (2012) Vol 4 SCC 629*.
3. In view thereof, we are of the view that both these matters as well as OA. No. 412/2023 may be heard by same Bench, and therefore, let record of these matters be placed before Hon'ble Chairperson for nominating a Bench which may hear all these matters together.
4. In the meantime, we also clarify that no mining operations shall be allowed by issuing permission in the name of short term permit, long term permit, mining lease, mining license etc. by any authority unless compliance of Environment Impact Assessment Notification dated

14.09.2006, as amended from time to time, is observed and
Environmental Clearance is obtained by concerned Proponent(s).

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

October 04, 2024
Original Application No. 462/2023
& Original Application No. 481/2023
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