

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.154/2023/EZ
(I.A. No.58/2023/EZ)

Threat to Life arising out of
Coal Mining in south Garo Hills District

Applicant(s)

Versus

State of Meghalaya &Ors.

Respondent(s)

Date of hearing: 19.10.2023

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : *Suo Motu*,

For Respondent(s) : Mr. Anuj Singh, Advocate for R-10, (in Virtual Mode)
Mr. Sudipto Sirkar, Advocate for R-11-13,
Mr. Rohan Talwar, Adv. (in Virtual Mode) a/w
Ms. Sneha Singh & Ms. Bipasha Jaiswal, Advocates
For Goldstone Cements Ltd.,
Ms. Vanita Bhargava, Advocate (in Virtual Mode) a/w
Ms. Shivangi Thard, Advocate for Meghalaya Cements Ltd.
Mr. Kanisk Kejiriwal, Advocate (in Virtual Mode)
For Amrit Cement Ltd.,

ORDER

1. The case records of this case have been received in the Eastern Bench of the National Green Tribunal at Kolkata on 26.09.2023 on being transferred from the New Delhi Bench of the Tribunal vide its order dated 22.08.2023.
2. The Office of the Tribunal is also directed to give fresh numbers to the various Respondents appearing in this Original Application.
3. Today is the first date. issue notice to the Respondents, returnable within four weeks.
4. Ms. K. Enatoli Sema, learned Counsel appearing (in Virtual Mode) has put in appearance on behalf of the Respondent No.8, Meghalaya State Pollution Control Board.

5. Mr. Anuj Singh, learned Counsel appearing (in Virtual Mode) has put in appearance on behalf of the Respondent No.10, Dalmia Cement (Bharat) Limited.
6. Mr. Sudipto Sircar, learned Counsel has put in appearance on behalf of the Respondent Nos.11, 12 & 13, Star Cement Ltd., Star Cement Meghalaya Ltd. and Meghalaya Power Limited.
7. Ms. Vanita Bhargava, learned Counsel appearing (in Virtual Mode) assisted by Ms. Shivangi Thard, states that she represents the Meghalaya Cements Ltd. who had filed Civil Appeal No.2355/2021 before the Hon'ble Supreme Court and, therefore, the Meghalaya Cements Ltd. needs to be impleaded in the array of Respondents. Learned Counsel prays for and is granted two weeks time for filing I.A. for impleadment of the said Respondent.
8. Mr. Kanisk Kejriwal, learned Counsel appearing (in Virtual Mode) states that he represents Amrit Cement Ltd. who had filed Civil Appeal No.4962/2022 before the Hon'ble Supreme Court and, therefore, the Amrit Cement Ltd. needs to be impleaded in the array of Respondents. Learned Counsel prays for and is granted two weeks time for filing I.A. for impleadment of the said Respondent.
9. Mr. Anuj Singh, learned Counsel appearing for Respondent No.10, Mr. Sudipto Sircar, learned Counsel appearing for Respondent Nos.11 to 13, Mr. Kanisk Kejriwal, learned Counsel appearing for Amrit Cement Ltd., and Ms. Vanita Bhargava, learned Counsel appearing for Meghalaya Cement Ltd., state that they may be permitted to inspect and collect the records of the case since they were not parties at any stage of the proceedings before the New Delhi Bench of the Tribunal. Counsel may inspect and collect the

case records that may be required for purposes of the present case as per rules of the Court.

10. Learned Counsel also pray that they may be granted liberty to file their affidavits post inspection of the records of the case. Let them file such affidavits as they may require before the next date of listing.
11. No one is present on behalf of the State of Meghalaya, though the case records show that Mr. Avijit Mani Tripathi, Advocate appeared before the New Delhi Bench of the Tribunal. We, therefore, direct the Office to send him information of this case on his e-mail.
12. The Counsel for the parties shall exchange copies of their affidavits among themselves before the next date of listing.
13. Learned Counsel for the parties also earnestly requested that the matter may be listed in the second week of January, 2024.
14. **List on 09.01.2024.**

(I.A. No.58/2023/EZ):-

1. This I.A. has been filed by the Goldstone Cements Limited, praying that it be impleaded in the array of Respondents in the Original Application. It is stated that Applicant has been fasten with the huge penalty/compensation under the 5th Interim Report of the Katakey Committee constituted by the New Delhi Bench of the Tribunal.
2. We are satisfied that grounds for impleadment have been made out. The I.A. No.58/2023/EZ is, therefore, allowed. Let Goldstone Cements Limited be impleaded in the array of Respondents as Respondent No.14.

3. Affidavit dated 16.10.2023 has been filed on behalf of the Goldstone Cements Ltd.; the same is taken on record.
4. Mr. Rohan Talwar, learned Counsel appearing (in Virtual Mode) for the newly added Respondent No.14, prays that he may be permitted to inspect the record of the case and be granted liberty to file affidavit post inspection of records, if necessary.
5. Liberty as prayed is granted.

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

October 19, 2023,
Original Application No.154/2023/EZ
(I.A. No.58/2023/EZ)
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