

Original Application No.154/2023/EZ
(I.A. No.65/2023/EZ, I.A. No.01/2024/EZ, I.A No.02/2024/EZ, I.A.
No.03/2024/EZ and I.A. No.04/2024/EZ)

Applicant(s)

Respondent(s)

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

For Respondent(s) : Mr. Amit Kumar, Advocate General a/w
Mr. Avijit Mani Tripathi, Advocate for State (in Virtual Mode)
Ms. Anamika Pandey, Adv. for R-2, (in Virtual Mode)
Mr. Ashok Prasad, Advocate for R-3,
Mr. Apurba Ghosh, Advocate for R-4, (in Virtual Mode)
Mr. Shailendra Prasad Kanojia, Advocate a/w
Mr. Sibojyoti Chakraborty & Ms. Debalina Dutta, Advs. For R-5
Mr. Surendra Kumar, Advocate for R-7,
Ms. K. Enatoli Sema, Adv. for R-8, (in Virtual Mode)
Ms. Amrita Pandey, Advocate for R-9, (in Virtual Mode)
Mr. Anuj Singh, Advocate for R-10, (in Virtual Mode)
Mr. Sudipto Sircar, Advocate for R-11-13,
Mr. Rohan Talwar, Advocate a/w Ms. Sneha Singh,
Ms. Bipasha Jaiswal, Advocates for R-14, (in Virtual Mode)
Mr. Kanishk Kejiriwal, Advocate a/w Mr. Pranav Sharma,
Advocate in I.A. No.65/2023/EZ, (in Virtual Mode)
Mr. Nawneet Vibhaw, Advocate a/w
Mr. Prannoy J. Sebastian Advocate in I.A. No.01/2024/EZ
& I.A. No.02/2024/EZ, (in Virtual Mode)
Ms. Vanita Bhargava, Advocate a/w
Ms. Nikitha Shenoy & Ms. Shivangi Thard, Advocate
in I.A. No.03/2024/EZ (in Virtual Mode)
Mr. Rohan Talwar, Advocate a/w Mr. Himanshu Saraswat,
Advocate in I.A. No.04/2024/EZ (in Virtual Mode)

1. Mr. Raj Panjwani, learned Senior Counsel (Amicus Curiae) assisted by Mr. Aagney Sail, learned Counsel appearing (in Virtual Mode), states that the copies of the I.As. which have been filed in the case

have not been served upon him. Office is directed to provide copies of all the I.As. upon Mr. Raj Panjwani within one week. Mr. Panjwani shall share his e-mail address in the chat box of the Virtual Link within 48 hours.

2. Mr. Surendra Kumar, learned Counsel appearing for Respondent No.7, Central Pollution Control Board, states that he may be permitted to collect all the documents on record in the present proceedings from the Office of the Tribunal. Let him collect the same as per rules within one week.
3. Ms. Anamika Pandey, learned Counsel appearing (in Virtual Mode) for Respondent No.2, Ministry of Environment, Forests and Climate Change, also states that she may be permitted to collect all the documents on record in the present proceedings from the Office of the Tribunal. Let her collect the same as per rules within one week.
4. Mr. Amit Kumar, learned Advocate General of Meghalaya assisted by Mr. Avijit Mani Tripathi, learned Standing Counsel appearing (in Virtual Mode) states that he has not received the copies of the various I.As. filed by the Respondents.
5. The learned Counsel for the various Respondents shall provide all their documents on record to Mr. Avijit Mani Tripathi, Counsel for State of Meghalaya within one week.
6. Mr. Sibojyoti Chakraborty, learned Counsel along with Mr. Shailendra Prasad Kanojia and Ms. Debalina Dutta, learned Counsel file Vakalatnama on behalf of the Respondent No.5. Rongsa Awe Coal Mine, the same is taken on record. Mr. Chakraborty states that he has not received any documents on record including the various I.As. which have been filed by the

Respondents. Let him collect the same from the office of the Tribunal as per rules within one week. Learned Counsel also prays for and is granted four weeks time for filing counter-affidavit.

7. Mr. Apurba Ghosh, learned Counsel appearing (in Virtual Mode) states that he will file Vakalatnama on behalf of the Respondent No.4, Ministry of Coal, within one week. Learned Counsel also states that he will collect all the documents of the present proceedings from the Office of the Tribunal within one week.
8. Mr. Ashok Prasad, learned Counsel who is present in Court, accepts notice on behalf of the Respondent No.3, Director General of Mines Safety, Ministry of Labour & Empowerment, Dhanbad. Learned Counsel prays for and is granted four weeks time for filing counter-affidavit.
9. Ms. Amrita Pandey, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No.9, National Disaster Management Authority. Learned Counsel prays for and is granted four weeks time for filing counter-affidavit.
10. No one is present on behalf of the Respondent No.6.
11. The Respondents may file their counter-affidavits within four weeks.
12. The Registry of the Tribunal shall ensure that all the documents on record, post Supreme Court order, are on the Tribunal's website so that the Counsel may download the same.
13. **List on 09.02.2024.**

(I.A. No.65/2023/EZ):-

1. This I.A. has been filed by Applicant, Amrit Cement Limited, seeking to be added party Respondent in the present proceedings in view of the order of the Hon'ble Supreme Court dated 02.05.2023

passed in Civil Appeal No.4962/2022 and other connected Appeals.

2. Learned Counsel for the parties present have no objection if this I.A. is allowed and Amrit Cement Limited is impleaded as Respondent in the Original Application.
3. We, therefore, allow the I.A. No.65/2023/EZ and direct Amrit Cement Limited to be impleaded in the array of Respondent as Respondent No.15 within 48 hours.

(I.A. No.01/2024/EZ):-

1. This I.A. has been filed by Applicant, Hills Cement Company Limited, seeking to be added party Respondent in the present proceedings in view of the order of the Hon'ble Supreme Court dated 02.05.2023 passed in Civil Appeal No.4962/2022 and other connected Appeals.
2. Learned Counsel for the parties present have no objection if this I.A. is allowed and Hills Cement Company Limited is impleaded as Respondent in the Original Application.
3. We, therefore, allow the I.A. No.01/2024/EZ and direct Hills Cement Company Limited to be impleaded in the array of Respondent as Respondent No.16 within 48 hours.

(I.A. No.02/2024/EZ):-

1. This I.A. has been filed by Applicant, Green Valliey Industries Limited, seeking to be added party Respondent in the present proceedings in view of the order of the Hon'ble Supreme Court dated 02.05.2023 passed in Civil Appeal No.4962/2022 and other connected Appeals.

2. Learned Counsel for the parties present have no objection if this I.A. is allowed and Green Valliey Industries Limited is impleaded as Respondent in the Original Application.
3. We, therefore, allow the I.A. No.02/2024/EZ and direct Green Valliey Industries Limited to be impleaded in the array of Respondent as Respondent No.17 within 48 hours.

(I.A. No.03/2024/EZ):-

1. This I.A. has been filed by Applicant, Meghalaya Cements Limited, seeking to be added party Respondent in the present proceedings in view of the order of the Hon'ble Supreme Court dated 02.05.2023 passed in Civil Appeal No.4962/2022 and other connected Appeals.
2. Learned Counsel for the parties present have no objection if this I.A. is allowed and Meghalaya Cements Limited is impleaded as Respondent in the Original Application.
3. We, therefore, allow the I.A. No.03/2024/EZ and direct Meghalaya Cements Limited to be impleaded in the array of Respondent as Respondent No.18 within 48 hours.

(I.A. No.04/2024/EZ):-

1. This I.A. has been filed by Applicant, Shyam Century Ferrous Ltd., seeking to be added party Respondent in the present proceedings in view of the order of the Hon'ble Supreme Court dated 02.05.2023 passed in Civil Appeal No.4962/2022 and other connected Appeals.
2. Learned Counsel for the parties present have no objection if this I.A. is allowed and Shyam Century Ferrous Ltd. is impleaded as Respondent in the Original Application.

3. We, therefore, allow the I.A. No.04/2024/EZ and direct Shyam Century Ferrous Ltd. to be impleaded in the array of Respondent as Respondent No.19 within 48 hours.

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

January 09, 2024,
Original Application No.154/2023/EZ
(I.A. No.65/2023/EZ, I.A. No.01/2024/EZ,
I.A No.02/2024/EZ, I.A. No.03/2024/EZ
and I.A. No.04/2024/EZ
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