

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

Original Application No.23/2017/EZ

Syed Arshad Nasar Applicant(s)

Versus

Union of India & Ors. Respondent(s)

With

Original Application No.140/2023/EZ
(Earlier OA No.373/2019/PB)

Pradeep Kumar Singh Applicant(s)

Versus

State of Jharkhand Respondent(s)

With

Original Application No.150/2023/EZ
(Earlier OA No.776/2018/PB)

Ramchandra Chaurasia Applicant(s)

Versus

State of Jharkhand Respondent(s)

Date of hearing: 24.07.2024

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

For Applicant(s) : Ms. Paushali Banerjee, Advocate

For Respondent(s) : Ms. Aishwarya Rajyashree, Advocate for State (in Virtual Mode),
Mr. Ashok Prasad, Advocate for Jharkhand BDB
(in Virtual Mode),
Mr. Kumar Anurag Singh, Advocate (in Virtual Mode) a/w
Mr. Surendra Kumar, Advocate (in Virtual Mode) a/w
Mr. Dev Aryan, Advocate for JSPCB (in Virtual Mode),
Mr. Ghanshyam Pandey, Advocate for ED,
Mr. Mukesh Kumar, Advocate for CPCB (in Virtual Mode)

**(in O.A. No.140/2023/EZ
Earlier OA No.373/2019/PB)**

For Applicant(s) : None

For Respondent(s) : Mr. Kumar Anurag Singh, Advocate (in Virtual Mode)a/w
Mr. Surendra Kumar, Advocate (in Virtual Mode) a/w
Mr. Dev Aryan, Advocate for JSPCB (in Virtual Mode),
Mr. Mukesh Kumar, Advocate for CPCB (in Virtual Mode)

**(in O.A. No.150/2023/EZ
Earlier OA No.776/2018/PB)**

For Applicant(s) : None

For Respondent(s) : Ms. Aishwarya Rajyashree, Advocate for State
(in Virtual Mode),
Mr. Kumar Anurag Singh, Advocate (in Virtual Mode) a/w
Mr. Surendra Kumar, Advocate (in Virtual Mode) a/w
Mr. Dev Aryan, Advocate for JSPCB (in Virtual Mode),
Mr. Mukesh Kumar, Advocate for CPCB (in Virtual Mode)

ORDER

1. Ms. Paushali Banerjee, learned Counsel is present for the Applicant in Original Application No.23/2017/EZ.
2. Affidavit dated 23.07.2024 has been filed by Mr. Dipanjan Ghosh, learned Counsel stating that he will not be appearing for the Applicant in the present Original Application No.23/2017/EZ; the same is taken on record. In future, the name of Mr. Dipanjan Ghosh, learned Counsel shall not be shown in the Cause-list as Counsel for the Applicant in this case.
3. Ms. Paushali Banerjee, learned Counsel for the Applicant has referred to Para 9 to the affidavit of the Enforcement Directorate dated 19.01.2024, wherein it is stated that the joint inspection has confirmed the instance of huge illegal mining spread across vast area and their illegal transportation through railways, by roads and through inland vessels, whose quantification is more than 1000 crores of rupees as on day and is still going on.
4. It is also stated in the affidavit that such activities have resulted in denudation of land and forest area leading to other environmental hazards namely soil erosion, soil runoff, infertility of land, water

logging, flattening of hill areas and other environmental and ecological damages whose exact quantification is beyond the bounds of possibility.

5. Mr. Dev Aryan, learned Counsel appearing (in Virtual Mode) for the Jharkhand State Pollution Control Board, prays for and is granted further four weeks time for filing his affidavit.
6. Time as prayed is granted.
7. The Jharkhand State Pollution Control Board while filing its affidavit shall also take into consideration the affidavit filed by the Enforcement Directorate.
8. Mr. Ghanshyam Pandey, learned Counsel along with Ms. Anamika Pandey, learned Counsel states that the Enforcement Directorate (ED) is not a party to the present proceedings and in any case, any action to be taken by the Enforcement Directorate would be beyond the jurisdiction of the National Green Tribunal.
9. We, therefore, direct that the name of Ms. Anamika Pandey, learned Counsel shall not be printed in future in the Cause-list in the present case.
10. **List on 18.09.2024.**

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B. Amit Sthalekar, JM

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Dr. Arun Kumar Verma, EM

July 24, 2024,
Original Application No.23/2017/EZ
With
Original Application No.140/2023/EZ
(Earlier OA No.373/2019/PB)
With
Original Application No.150/2023/EZ
(Earlier OA No.776/2018/PB)
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