

Item No.1

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

Original Application No. No.46/2023(CZ)

Subhash Pandey

Applicant(s)

Versus

State of MP & Ors

Respondent(s)

Date of Hearing : 12.09.2023

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. A SENTHIL VEL EXPERT MEMBER**

For Applicant(s):

Mr. Prabhat Yadav, Adv.

For Respondent(s):

Mr. Amit Singh, Adv.

Mr. Prashant M. Harne, Adv.

Ms. Parul Bhadoria, Adv.

Mr. Alok Kumar Jain, Adv.

ORDER

1. The issue raised in this Original Application is illegal mining and operation of stone crushers in violation of environmental rules causing Air and Noise pollution also effecting water bodies of nearby areas adversely. The matter was taken up by this this Tribunal and report was called from the Joint Committee. The Joint Committee has filed the report, which is on record. Learned Counsel appearing for Respondent no. 7 sought a short time to file the reply and further submitted to provide the copy of the application and relevant documents, so that he may file the reply. Applicant is directed to supply the copy of the application and other relevant documents to the Respondent on

available e-mail. The Applicant is further directed to include all those persons/ Project Proponents / Units as narrated in the committee's report and found to be violated environmental norms.

2. The report of the committee reveals that the EC was granted by DEIAA which cannot be said to be environmental clearance legally issued in light of the existing norms and the rules, repeated directions have been issued with this regard in various applications. SEIAA is directed to examine or re-examine matters whether the EC granted by DEIAA and take the appropriate decision according to the rules within a time frame and further to explain why the action has not been taken according to the rules and SEIAA has indirectly permitted the illegalities to be continued. There is further violation of conditions of Environmental Clearance and some of the matters where the mining was permitted without any transfer of EC.
3. Learned Counsel appearing for the State Pollution Control Board, Ms. Parul Bhadoria has submitted that SEIAA is not party in this case and further submitted that the SEIAA is a proper and necessary party.
4. In view of the above facts the Applicant is directed to implead the SEIAA and all other project proponents who are found to be violating the environmental norms as respondents with providing copy of the application and other relevant documents.
5. Accordingly, we direct the State Pollution Control Board and SEIAAA to take necessary remedial actions and submit the

action taken report. Reply by all the respondents must be filed within 10 days.

6. List it on **25th September, 2023.**

Sheo Kumar Singh, JM

Dr. A Senthil Vel, EM

12th September, 2023
O.A No.46/2023(CZ)
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