

Item No.3

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

Original Application No.46/2023(CZ)

Subhash Pandey

Applicant(s).

Vs.

State of MP & Ors.

Respondent(s)

Date of Hearing: **24.01.2024**

**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. Atul Jan Adv,
Mr. Prashan M. Harne, Adv.
Mr. Pranjal Pandey, Adv. for
Ms. Parul Bhadoria, Adv.
Mr. Alok Jain, RO, Jabalpur

ORDER

1. The Original Application highlighted two issues i.e. (1) validity of environmental clearance granted by DEIAA (2) illegal mining.
2. The matter of validity of DEIAA was considered at length by this Tribunal vide order dated 05.12.2023 and State Government has taken necessary steps according to rules. The matter was finally disposed of by the Hon'ble Supreme Court of India vide order dated 13.12.2023 passed in Civil Appeal No. 8181-8182/2023. Thus the issue number one is disposed of in terms of the order and directions of the Hon'ble Supreme Court of India.
3. Second issue with regard to the illegal mining and the realisation of EC was taken by this Tribunal and a committee was constituted to submit the report and in view of the report the State Pollution Control Board was directed to take necessary steps and to realise the environmental compensation. The State Pollution Control Board vide report dated 25.08.2023 has submitted action taken report and during the course of hearing it is argued that in the case of first violation an amount of Rs. 2,98,950/- has been imposed as environmental compensation and that

has been deposited. Similarly in another case an amount of Rs. 3,53,700/- was assessed and was deposited by the Project Proponent.

4. Learned Counsel for the applicant has submitted that just yesterday the applicant has personally informed the Learned Counsel with regard to some illegal mining in the area by other person. This case is new case and new cause of action, applicant has liberty to move an application before the appropriate forum impleading the violators.
5. In view of the point no. 1 and 2 discussed above, the Original Application No. 46/2023 (CZ) stands **disposed** of.

Sheo Kumar Singh, JM

Dr. A Senthil Vel, EM

24th January, 2024
O.A No. 46/2023(CZ)
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