

Item No. 02

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

Original Application No. 117 /2023(CZ)

In Re : Article published in the News paper "Dainik Bhaskar Daily" dated 24.09.2023, Bhopal edition reported by Manish Kushwah with regard to illegal mining in district Vidisha, Madhya Pradesh

Vs.

State of Madhya Pradesh

Suo Moto

Date of Hearing: **11.03.2024**

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

For Applicant (s):

For Respondent(s): Mr. Mehul Bhardwaj, Adv.
 Ms. Parul Bhadoria, Adv.
 Mr. Dharamvir Sharma, Adv.

ORDER

1. The issues raised in this application are illegal mining in Vidisha, Ganjbasoda Tehsil in the Villages Udaipur, Pathari, Ghatera, Pathari, Noorpur. The matter was taken up by this Tribunal on 25.09.2023 and a committee was constituted with direction to submit the factual and action taken report. The committee visited the site and submitted the report with the following illegalities :

- i. The illegal mining is being continued for last five years through use of tractor, trolleys, trucks, poclain, JCB Machines, Motorcycle, blasting equipments, compressors, diesel engines and other instruments. More than 13 mines were operating without any valid environmental clearance within the forest area.

- ii. The forest area under question is very vast and not properly accessible except two sites located along the road side. Approximately seven illegal mining pits were found near the road side in the forest land.
- iii. Low intensity blasting is generally preferred by the violators.
- iv. Instead of control of illegal mining, cutting of the trees and protection of the forest area the Divisional Forest Officer, Forest Department District Vidisha has recommended and suggested for denotifying the forest land, which is against the policy of the forest and against the departmental rules. It is surprising that the DFO is recommending for deforestation of already notified area when the responsibility to protect the forest land is with DFO concerned.

2. Accordingly, the Principal Chief Conservator of Forest, State of MP is directed to look into the matter and to ensure that unnecessary already declared forest area should not be denotified. The matter may be placed before the Principal Secretary (Mining), State of MP and Principal Chief Conservator of Forest for taking necessary action and for submission of the report. Further action taken report by the authorities may be filed within three weeks.

3. In the meantime the Madhya Pradesh State Pollution Control Board is directed to calculate the environmental compensation and to take necessary actions against the illegal mining operators and to do the needful and submit the report

List it on **1st May, 2024.**

Sheo Kumar Singh, JM

Dr. A Senthil Vel, EM

11th March, 2024
O.A. No. 117/2023(CZ)
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