

Item No. 6

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

**Original Application No. 36/2023(CZ)
(I.A. No. 86/2023)
(I.A. No. 107/2023)
(I.A. No. 110/2023)**

Brijendra Kumar Mala & Anr.

Applicant

Vs.

Grasim Industries Ltd. Chemical Division & Ors.

Respondents

Date of Hearing: **05.10.2023**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

For Applicant(s): Mr. Atul Kumar Jain, Adv.

For Respondent(s): Mr. Prashant M. Harne, Adv.
Mr. Mehul Bhardwaj, adv.
Mr. Gaurvanvit Jain, Adv.
Mr. Kanishk Devesh Sharma, Adv.
Mr. Enosh George Carlo, Adv.
Ms. Parul Bhadoria, Adv.
Mr. Himanshu Shukla, Adv.
Mr. Om Shankar, Shrivastava, Adv.
Mr. Deepesh Shukla, Adv.
Mr. Yadvendra Yadav, Adv.

ORDER

I.A. No. 107/2023

1. An application has been moved by MPSEIAA with the prayer to implead the MPSEIAA as necessary and proper party. Learned counsel for the opposite parties has no objection thus MPSEIAA is impleaded as respondent in this proceedings. The applicant is directed to take necessary steps and implead MPSEIAA as respondents, applicant has to provide the copy of the application and relevant document to the MPSEIAA, so that learned counsel representing MPSEIAA might be able to submit the reply. **I.A. No. 107/2023 stands disposed of.**

2. Learned counsel for the state PCB has further raised the question on the point of issue of the EC by DEIAA and narrated subsequent modification by the MoEF&CC. Since, it touches the merit of the case which requires to be heard on merit with objections of the parties thus this point shall be considered and heard on merit at the time of final hearing.

I.A. No 110/2023

3. This application has been moved by learned counsel Mr. Kanishk Devesh with the prayer to remove their name from the array of the parties and further to pass some relief. Both the reliefs are contradictory.
4. The contention of the learned counsel for the respondent is with regard to the parties mentioned in para no. 12 from Sr. No. 1 to 7 with the facts that requisite terms and conditions renewal of consent to operate, for production of stone gitti from MPPCB has been granted and the electricity disconnected illegally without giving an opportunity of hearing by the authorities concerned/PCB/Sub-Divisional Magistrate.
5. Learned counsel for the applicant sought a short time to file the objection with copy of the application. Copy of the application be provided to the learned counsel for the applicant, who may file the objection, if any.
6. In the mean while the applicants as mentioned in para 12 are directed to move an application before the State PCB, M.P. and State PCB is directed to examine the records and all requisite conditions and in case of validity of the consent orders and all requisite permissions pass suitable orders after providing an opportunity of hearing to the applicants and copy of the same be provided to the authority concerned /electricity department for compliance. **I.A. No 110/2023 stands disposed of accordingly.**

7. Respondent nos. 1, 2, 5, 6, 7, 9, 10, 12, 14, 17, 23, 24, 25, 27, 30, 36, 37, 39, 40, 43 and 45 have filed the reply which is on record. During the course of hearing respondent nos. 16, 18 and 22 have filed the reply.
8. The preliminary objection by applicant nos. 1 and 2 have been filed to the report submitted by the joint committee. The document filed by the parties be kept on record. Pleadings be exchanged through available e-mail.
9. List it on **06th November, 2023** for final hearing. Parties are at liberty to file written submission with providing copy to the opposite parties.

Sheo Kumar Singh, JM

Dr. Afroz Ahmad, EM

05th October, 2023
O.A. No. 36/2023 (CZ)
PN