

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

ORIGINAL APPLICATION NO. 128 OF 2023 (WZ)

Nilesh Bhai Lakhabhai Garenia

.....Applicant

Versus

The Collector, Junagadh & Ors.

....Respondents

Date of hearing: 02.06.2025

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Applicant : None present

Respondents : Ms. Reshma Mutha, Advocate holding for Mr. Patha
Bhatt, Advocate for R-1
Ms. Garima Malhotra, Advocate for R-2
Mr. Maulik Nanavati, Advocate for R-3 and R-4

ORDER

1. As per the previous order of this Tribunal dated 04.03.2025, respondent no. 2/Project Proponent was required to submit rejoinder to the affidavit of respondent no. 3 and 4 - GPCB within two weeks. Today, learned counsel respondent 2 states that the same could not be filed due to some translation to be done and a week's time is prayed to be granted. We allow the same as last opportunity with a direction to serve copy of the same to other parties.

2. As regards paragraph No.2 of the previous order, respondent No.1 – District Collector has submitted English translation of the letter dated 31.01.2025, issued by the Geologist, Geology and Mining Department, Junagadh, which is at page 314 of the paper-book, which states that a penalty of an amount of Rs.13,18,66,288/- was imposed on 19-07-2024 for unlawful mining of ordinary clay and blacktrap mineral in quarry

named Jay Khodiyar Enterprise for dispatch of minerals without royalty pass. Among the Penalty, out of Rs.13,18,66,288/-, an amount of Rs.10,43,35,774/- is the penalty regarding dispatch without royalty pass and Rs. 20,000/- is for violation of the terms and conditions of quarry lease, hence total comes to Rs. 10,43,55,774/- and balance amount i.e. Rs.2,75,10, 514/- is imposed as an amount of Environmental Compensation. There is no penalty for violation for production exceeding the Environment Clearance (EC) limit but unlawful mining from the lease area and dispatch it without a royalty pass has been penalized for unauthorized operations. The next hearing date of this case is on 04/03/2025.

3. It is stated by the learned counsel for Respondent no.1 District Collector that the break-up has been given of the amount of Rs.13,18,66,288/-, which was required to be clarified as directed by this Tribunal vide order dated 04.03.2025.

4. Thereafter we enquired from the learned counsel for respondent No.2 as to whether the penalty amount has been deposited. Learned counsel for respondent No.2 stated that against that order, an appeal has been preferred and all the details would be submitted by the Respondent No. 2 along with an affidavit to be filed. She seeks time for the same. We allow the request made by her.

Put up this matter for next consideration/final order on 1.08.2025.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

June 02, 2025
O.A. No.128/2023 (WZ)
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Hemangi