

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 44 of 2016
And**

**Original Application No. 517 of 2015
(M.A. No. 1247 of 2015 & M.A. No. 1288 of 2015)**

And

**Original Application No. 550 of 2015
(M.A. No. 1311 of 2015)**

IN THE MATTER OF:

**Mushtakeem Vs. MoEF & CC & Ors.
And**

**Sandeep Kumar Vs. Ministry of Environment & Forest, & CC & Ors.
And**

Virender Kumar Vs. Ministry of Environment, Forests & Climate Change & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE DR. JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Original Application No. 44 of 2016

Present:

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| Applicant : | Mr. Vikram Singh Punia, Adv. |
| Respondent No. 1: | Mr. Balendu Shekhar, Mr. Akshay Abrol, Mr. Eishan and Mr. Akash, Adv |
| Respondent No. 2 to 11: | Ms. Savitri Pandey, Adv and Mr. Ankit Verma, Adv. Mr. Anil Grover, AAG and Mr. Rahul Khurana, Adv. |
| Respondent No. 26: | Mr. Shaurya Sharma, Adv |
| Respondent No. 27: | Mr. Abhay Batra and Mr. Sidhartha Bamlha, Adv. |
| Respondent No. 28: | Mr. Mukesh Gupta, Adv. |
| Respondent No. 29 & 30: | Mr. Tarun Singla, Adv. Mr. Virender Singh, Adv. Mr. Attin Shankar Rastogi, Adv. MoEF |

Original Application No. 517 of 2015

Present:

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| Applicant : | Mr. Suraj Prakash Singh, Adv. |
| Respondent No. 1: | Mr. Balendu Shekhar, Mr. Akshay Abrol, Mr. Eishan Adv. |
| Respondent Nos. 2 to 6: | Mr. Anil Grover, AAG and Mr. Rahul Khurana, Adv. |
| Respondent No. 7: | Ms. Savitiri Pandey, Adv. |
| Respondent No. 8: | Mr Pinaki Misra and Mr. Ankur Mittal, Mr. Varinder Singh Rathore and Mr. A. Gupta, Adv. Mr. Ankit Verma, Adv. Mr. Pradeep Misra, Mr. Daleep Kr. Dhyani, Adv. Mr. Attin Shankar Rastogi, Adv. for MoEF |

Original Application No. 550 of 2015

Present:

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| Applicant: | Mr. Kapil Joshi and Mr. Arun S. Bhati, Adv. |
| Respondent Nos. 2 to 6: | Mr. Anil Grover, AAG and Mr. Rahul Khurana, Adv. |
| Respondent No. 8: | Mr Pinaki Misra and Mr. Ankur Mittal, Mr. Varinder Singh Rathore and Mr. A. Gupta, Adv. Mr. Ankit Verma, Adv. |

| Date and Remarks | Orders of the Tribunal |
|--|---|
| Item Nos. 05 to 07 March 02, 2016 | Learned counsel appearing for the MoEF prays for further time to comply with the directions issued by the Tribunal. |

Learned counsel appearing for the various parties have pointed out the various deficiencies as well as defective policy decisions in relation to mining by different methods.

By way of last opportunity we grant one week time to MoEF to comply with the directions of the Tribunal.

Copy of the Affidavits that are now filed should be furnished to all Learned counsel appearing for the parties.

It is also contended that the State Mining Policies more often than not are frustrated by imposition of conditions in the Environmental Clearance granted by MoEF. Other practical difficulties have also been pointed out which shall be duly noticed by the Ministry's representative and the counsel. It would be appropriate to clearly state in the Affidavit the type and the number of machines permissible per Unit, as also the extent and; number of man power needed.

Let this order be personally communicated by the Learned counsel appearing for the MoEF to the Secretary of MoEF.

Learned counsel appearing for the State of Haryana as well as Miners submit that they are suffering from financial losses. The State is suffering from revenue loss because the MoEF is not clarifying its stand. The Environmental Clearances being issued are not in consonance with law and on the other hand the proceedings before the Tribunal are being adjourned on their request from time to time. This is third time that the MoEF has asked for adjournment.

List these matters for hearing on 15th March, 2016.

.....,CP
(Swatanter Kumar)

.....,JM
(Dr. Jawad Rahim)

.....,EM
(Dr. D. K. Agrawal)

.....,EM
(B.S. Sajwan)

