

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

**Original Application No. 176 of 2016
(Earlier O.A. No. 184/2013)**

IN THE MATTER OF:

Gurpreet Singh Bagga Vs. MoEF & Ors.

CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

Present: **Applicant:** Mr. Alok Sangwan, Adv.
Respondent No. 1 Ms. Divya Prakash Pande, Adv.
Mr. Anil Grover, AAG adv Mr. Rahul
Khurana, Adv. for State of Haryana
Respondent No.4 : Mr. Abhishek Yadav, Adv. for State of UP
Ms. Geeta Luthra, Sr. Adv., Mr. Ankit
Verma and Ms. Shivani Luthra Lohiya,
Adv.
Mr. S.P. Singh, Sr. Adv. and Mr. Kalyan
Duta, Adv. for Noticee
Mr. Neeraj Jain and Mr. Anupam Mishra,
Adv. for R- 7

Date and Remarks	Orders of the Tribunal
Item No. 07 May 31, 2016	<p>We have heard the Learned counsel appearing for the parties.</p> <p>The main contentions raised before us today is that the stock of minor mineral were auctioned and Agreement for the same is executed on 22nd September, 2015. The period of lifting the stock of minor mineral was six months. It is further stated that 20% of the stock were removed till February, 2016, however 80% is lying at the site and they should be permitted to remove the same. This relate to State of Uttar Pradesh.</p> <p>Learned counsel appearing for the Applicant submits that in fact this is a camouflage for continuing the illegal mining. According to him the stocks remain intact and illegal mining is done and now the plea is raised to cover up the illegal mining which will cause</p>

serious loss to environment and revenue. In view of the fact and circumstances afore-stated we direct the State of Uttar Pradesh to file an Affidavit of the concerned Secretary of the State Government by giving the following details:-

1. What was the exact amount of the minor mineral stock lying for which the Agreement was executed in September, 2015.
2. The name of the parties who were declared successful bidders and agreements were entered into, along with the period for the agreement executed.
3. The quantity of the minor mineral that has been removed as on 18th February, 2016 and the minor mineral lying upon physical inspection of the site.
4. Balance material which is expected to be removed by seeking variation of the order dated 18th February, 2016, the quantity thereof and the value in terms of money.
5. How the State Authorities and the Revenue Board would ensure that only the stocked material is removed. However under no circumstances no illegal mining is done, in the grab of removal of balance stock. Check and balances that the State Government wishes to provide.
6. The details of MM forms issued for lifting the stock should also be provided in relation to each party.

The MoEF to take instructions and place final report on record positively.

List this matter on 01st June, 2016 in relation to the State of Haryana and on 06th June, 2016 in relation to the State of Uttar Pradesh.

.....,CP
(Swatanter Kumar)

.....,JM
(M.S. Nambiar)

.....,JM
(Raghuvendra S. Rathore)

.....,EM
(Prof. A.R. Yousuf)

.....,EM
(Bikram Singh Sajwan)

