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: Applicant:

Respondent No. 1: Mr. Balendu Shekhar, Mr. Akshay Abrol, Mr. Eishan

and Mr. Akash, Advs

Respondent No. 2 to 11: Ms. Savitiri Pandey, Mr. Ankit Verma, Advs.

Mr. Anil Grover, AAG and Mr. Rahul Khurana,

Adv.

Respondent No. 26: Mr. Vikas Singh, Sr. Adv with Mr. Shaurya

Sharma, Advs

Respondent No. 28: Mr. Mukesh Gupta, Adv. Respondent No. 29 & 30: Mr. Tarun Singla, Adv.

Mr. Virender Singh, Adv.

Original Application No. 517 of 2015

Present: Applicant: Mr. Suraj Prakash Singh, Adv.

Respondent No. 1: Mr. Balendu Shekhar, Mr. Akshay Abrol,

Mr. Eishan Advs.

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, Advs.

Mr. Ankit Verma, Adv.

Mr. Pradeep Misra, Mr. Daleep Kr. Dhyani, Advs.

Original Application No. 550 of 2015

Present: Applicant: Mr. Kapil Joshi adn Mr. Arun S. Bhati, Advs.

Respondent No. 1: Mr. Divya Prakash Pandey, 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, Advs.

Mr. Ankit Verma, Adv.

Date and Remarks	Orders of the Tribunal
Item Nos. 03 to 05	Learned Counsel appearing for the persons who are
February 25, 2016	carrying on mining operation raises serious grievances
25, 2016	that they are being subjected to huge financial losses

despite the fact that they have been granted Environmental Clearance for their project.

The whole issue revolves on the question as to what is the non-mechanised, mechanised and semi-mechanised mining in the river bed and/or beyond the river bed forming the part of the lease of mining.

Learned Counsel appearing for the Ministry of Environment & Forest, & CC submits that the Affidavit placed before the Tribunal is not appropriate. The State of Uttar Pradesh and State of Haryana, in whose area mining is going on should approach Ministry of Environment & Forest, & CC immediately.

Learned Counsel appearing for the Respective States submit that by Friday i.e. 26th February, 2016 the concerned Secretary would arrange the meeting with the appropriate officers and competent officers authorised by the Ministry of Environment & Forest, & CC for taking such policy decision in accordance with law and would file affidavit keeping in view the judgement passed in Original Application No. 06 of 2012 :Manoj Misra Vs. Union of India & Ors. And Original Application No. 184 of 2013: Gurpreet Singh Bagga Vs. Ministry of Environment & Forest, & CC & Ors. by Tuesday i.e. 1st March, 2016 on the above issues with advance copies to all the Learned Counsel appearing in these case.

List the matter on 2nd March, 2016.

,CI	
(Swatanter Kumar)	

	JM (Dr. Jawad Rahim)
	,EM (Dr. D. K. Agrawal)
	,EM (B.S. Sajwan)

