BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 374 of 2016

IN THE MATTER OF:

Prahlad Singh Patel Vs. State of M.P.

CORAM: HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON

HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER

HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

Present: Applicant: Mr. Divyanshu Rai, Adv. and Ms. Smriti Shah,

Adv.

Ms. Nina R. Nariman, Adv., Amicus Curiae Respondent No. : Mr. V. K. Shukla, Advs. for State of M.P.

Mr. Pinaki Misra, Sr. Adv., and Mr. Aprathim Animesh Thakur, Advs. for M/s Diamond

Cement

Mr. Rajul Shrivastav, Adv. for MPPCB

Date and	Orders of the Tribunal		
Remarks	Oracio or the Indunar		
Item No. 18	The Learned counsel appearing for the private responden		
September 13, 2017	as well as the State Government submit that they have no		
ss & sn	objections to the suggestions made by the learned amicus		
VIII	curie. However, the Learned counsel appearing for the		
5	State submits that filling up and construction of wall for		
1 4 3	the purpose of protecting flow of the river is the		
	responsibility of the company, and not that of the State		
200	Government.		
-2.0	Having heard the Learned counsels appearing for		
	the parties, on the aspects, we direct that the senior most		
	officer of mining department be present before the		
	Tribunal and answer the following:-		
	1. Whether the private respondent had carried out any		
	mining activity after the year of 1995, either legally		
	or illegally, in the area which is the subject matter of		
	the present application. What action was taken by		
	the State Government to ensure that there was no		
	mining in the area, legally or illegally, against the		

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			private respondent.
	Item No. 18	2.	If the mining had been carried out by private
	September 13, 2017		respondent, whether it had caused any damage to
	SS & SN		the ecology and bio-diversity of flood plain of the
			river and/or to the adjacent area of the river thereto,
			then what action has been taken by the State
			Government against the private party.
			List this matter on 20th September, 2017.
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