



मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड,
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क्रमांक 1095 /विधि/NGT(CZ)/प्रनिबो/19, भोपाल,दिनांक 28 AUG 2019
प्रति,

✓ क्षेत्रीय अधिकारी,
क्षेत्रीय कार्यालय,
म.प्र.प्रदूषण नियंत्रण बोर्ड,
भोपाल/सागर ।

विषय:- माननीय राष्ट्रीय हरित अधिकरण भोपाल बेंच द्वारा प्रकरण क्रमांक 17/2019 में दिनांक 23.05.19 तथा प्रकरण क्रमांक 39/2019 में दिनांक 08.08.19 को पारित आदेश के अनुपालन बाबत ।

उपरोक्त विषयान्तर्गत माननीय राष्ट्रीय हरित अधिकरण, भोपाल बेंच द्वारा प्रकरणों में पारित आदेश निम्नानुसार है :-

- अ- प्रकरण क्रमांक 17/2019(CZ) (विकास ओझा विरुद्ध खनिज संसाधन विभाग व अन्य) में दिनांक 23.05.2019 को पारित आदेश "After considering the facts and circumstances, the grievance raised and the relief sought by the applicant, we deem it proper to order that till the next date the authorities concerned are directed to stop the working of the stockyards of the private parties namely respondents nos. 6 to 38.
- ब- प्रकरण क्रमांक 39/2019(CZ) (मनोज पटेल विरुद्ध मध्यप्रदेश शासन व अन्य) में दिनांक 08.08.2019 को पारित आदेश " As regards the request for interim order is concerned, we permit the applicant to serve the copies of the application and annexures along with the copy of the order passed today upon the State Pollution Control Board and against whom interim order is sought. However, we further direct that as far as the respondent no. 8 to 18 are concerned, if they do not have the consent to operate as indicated in annexure P-6 at Page-69 filed today, the concerned Pollution Control Board shall take steps to ensure that their mining activity is restrained.

अतः उपरोक्त आदेशों के अनुपालन हेतु आपको निर्देशित किया जाता है कि आप सीहोर, होशंगाबाद व छतरपुर जिले के कलेक्टर से समन्वय कर सुनिश्चित करें कि समस्त रेत स्टाकयार्ड बोर्ड से सम्मति प्राप्त कर ही संचालित हों ।

संलग्न :- उपरोक्तानुसार

(आर.एस.कोरी)
सदस्य सचिव

प्रतिलिपि :-

- 1 समस्त जिला कलेक्टरों की ओर कृपया सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।
- 2 समस्त क्षेत्रीय अधिकारी,क्षेत्रीय कार्यालय,मध्यप्रदेश प्रदूषण नियंत्रण बोर्ड की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु । कृपया एनजीटी के उपरोक्त आदेश का अनुपालन आप भी अपने कार्यक्षेत्र में सुनिश्चित करें ।

Item No. 02 (Through VC)

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

Original Application No. 17/2019 (CZ)
(I.A. No. 25/2019)

Vikas Ojha Applicant(s)

Versus

Mineral Resource Department & Ors. Respondent(s)

Date of hearing: 23.05.2019

CORAM:

**HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s) Mr. Sanjay Upadhyay, Mr. Nishant Awana and Mr. Salik Shafique, Advocates

For Respondent(s) Ms. Parul Bhadoria, Advocate for Mr. Sachin K. Verma, Advocate for R-1 to 3
Ms. Parul Bhadoria, Advocate for R-5

ORDER

Heard the Learned Counsel for the applicant.

At the outset, we direct the Learned Counsel for the applicant to implead all the parties, mentioned in annexure P/5 as respondent no.6 onwards and an amended cause title be placed on record within one week. Thereafter notice be issued to all the respondents by registered post/acknowledgment due and dasti as well.

Notice made returnable within four weeks.

The Learned Counsels appearing on behalf of respondent nos. 1, 2, 3 and 5 accept notice and waive service.

After considering the facts and circumstances, the grievance raised and the relief sought by the applicant, we deem it proper to order that till the next date the authorities concerned are directed to stop the working of the stockyards of the private parties namely respondents nos. 6 to 38.

List the matter on 11th July, 2019.

Raghuvendra S. Rathore, JM

Dr. Satyawan Singh Garbyal, EM

May 23, 2019

jg



Item No. 01

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(Through Video Conferencing)**

Original Application No. 39/2019 (CZ)
(I.A. No. 66/2019)

Manoj Patel

Applicant(s)

Versus

State of Madhya Pradesh & Ors

Respondent(s)

Date of hearing: 08.08.2019

**CORAM : HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s): Mr. Sanjay Upadhyay, Mr. Nishwant Awana and Mr. Salik Shatique, Advocates

For Respondent (s):

ORDER

1. Heard Shri Sanjay Upadhyay learned Counsel for the Applicant regarding admission. Satisfied the matter requires consideration. The application is admitted. However, we direct the State of Madhya Pradesh and in particular the Respondent no. 2- Mineral Resource Department to file a detailed counter to the application bringing out the number of stack yards and furnish details of the owners/operators.
2. We further permit the applicant to submit a petition to the State of Madhya Pradesh for seeking incorporation of conditions like obtaining consent to operate from the State Pollution Control Board etc., for sand mining and such other conditions which the applicant feels will be essential and necessary in the circumstances to protect the ecology and the exploitation of sand / stocks without following the mining

rules or the directions issued by the Ministry of Environment, Forests and Climate Change.

3. While passing the order, we take notice of the fact that an application in Original Application no. 17/2019 (CZ) with I.A No. 25/2019 was heard by the bench of the Tribunal and vide order dated 23.05.2019 notice has been ordered returnable by four weeks to the respondents who are also the respondents and to be impleaded. In this case also State of Madhya Pradesh, Mineral Resource Department, Director of Geology and the State Pollution Control Board are in the party array. Hence, we direct both cases be heard together after later stage.
4. The Notice is ordered returnable by six weeks from now and the respondents mentioned in the foregoing paragraph shall file their counter reply within four weeks after serving copy on the counsel for the applicant. We also order notice to the rest of the respondents. Returnable by on the same day.
5. As regards the request for interim order is concerned, we permit the applicant to serve the copies of the application and annexures along with the copy of the order passed today upon the State Pollution Control Board and against whom interim order is sought. However, we further direct that as far as the respondent no. 8 to 18 are concerned, if they do not have the consent to operate as indicated in annexure P-6 at Page-69 filed today, the concerned Pollution Control Board shall take steps to ensure that their mining activity is restrained.
6. List for further proceedings on 12th September, 2019.

Dr. Jawad Rahim, JM