

Item No. 02

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

Original Application No. 87/2020 (CZ)

Surendra Kuamr Pandey & Ors.

Applicant (s)

Versus

State of Madhya Pradesh & Ors.

Respondent(s)

Date of hearing: **08.09.2021**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s):

Mr. Ayush Dev Bajpai, Adv.

For Respondent(s):

Mr. Mayank Pandey, Adv.

Ms. Parul Bhadoria, Adv.

Mr. Sachin K. Verma, Adv.

ORDER

1. The issue highlighted in the present application is that the Respondent no.6 has been taking the private land of the farmers on lease and is carrying out excavation of sand from the land belongings to the farmers. This is categorically prohibited in terms of Madhya Pradesh Minor Mineral Rules, 1996 and also in pursuance of the order passed by this Tribunal. For carrying out any kind of excavation over any land, the requirement of obtaining Consent from State Pollution Control Board and Environment Clearance from the State Government Impact Assessment Authority is a mandate, which the Respondent no. 6 is by-passing, by directly excavating minerals from the land of the farmers.

2. Respondent nos. 1, 2 and 6 have filed their reply.
3. Learned counsel appearing for the applicant has sought a short time to file rejoinder.
4. It is argued that the issue raised pertains to the illegal sand mining therefore reply of the State Pollution Control Board is required. The applicant is directed to implead the State Pollution Control Board (being necessary party) and necessary steps be taken within a week. Copy of the application and relevant documents be provided to the learned counsel of the State Pollution Control Board. All the respondents are directed to submit their reply. Rejoinder if any, by any party may be filed before the next date of listing. Pleadings be exchange through available means.

List it on for further hearing on **29st October, 2021.**

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

September 08th, 2021
O.A. No. 87/2020(CZ)
PN