

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

**Original Application No. 363 of 2015
(M.A. No. 378 of 2017)**

And

Original Application No. 366 of 2015

And

Original Application No. 367 of 2015

And

**Original Application No. 368 of 2015
(M.A. No. 229 of 2017)**

IN THE MATTER OF :-

National Green Tribunal Bar Association

Vs.

Dr. Sarvabhoom Bagali (State of Karnataka)

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present:

Applicant:	Mr. Raj Panjwani, Sr. Adv. with Mr. Aagney Sail, Advs. Mr. Pinaki Mishra, Sr. Adv., Mr. Mahadeo Chaudhari and Ms. Anagha A. Desai, Advs. in M.A.
Respondent No. 5:	Mr. Shakunt Saumitra, Adv.
Respondent No. 10:	Mr. A.C. Pradhan, Sr. Adv. and Mr. Rahul Baid, Adv. Mr. Devraj Ashok, Adv. for State of Karnataka Mr. Mukesh Verma, Adv. and Mr. Bikash Kumar Sinha, Adv. Mr. Kamal Kumar Pandey, Adv. Mr. Guru Krishna Kumar, Sr. Adv., Ms. Sneha Iyer, Mr. Rajesh Inamdar and Mr. Devadatt Kamat, Advs. Mr. Salman Khurshid, Sr. Adv., Ms. Sneha Iyer, Mr. Rajesh Inamdar, Ms. Arza Rehman, Mr. Vikram Aditya Singh and Mr. Devadatt Kamat, Advs. Mr. Preshit Surshe, Adv. with Mr. Pravin Derere, Addl. Collector and Mr. Patole for State of Maharashtra

Date and Remarks	Orders of the Tribunal
Item No. 16 to 19 April 11, 2017 ss	The Additional Collector, Sholapur is present in person. He submits that report of the Local Commissioner is correct. He states that there were two parties namely Shri Laxmi Enterprises, Kurghat proprietor of Mr. Shivanand Patil and Yashwant Engineering, Chinchoti proprietor of Mr. Bhagwat Chougule who were doing illegal mining at Kurghot and Shirdon. These two parties have obtained Environmental Clearance from State

	<p>Item No. 16 to 19</p> <p>April 11, 2017</p> <p>ss</p>	<p>Environment Impact Assessment Authority. However, they have not obtained consent of the Board for carrying on the mining activity. They also had no permission from the Collector for carrying on river mining activity by suction pump. These parties were granted permission to extract sand, in January, 2017. However on inspection they were found to be carrying on river mining through suction pump which was not permissible. Thereafter, their properties were seized and an FIR was registered against them. The machinery was seized on 17th March, 2017. In case of Yashwants Engineering Government has forfeited Rs. 2 Crore while in the case of Shri Laxmi Enterprises Rs. 1 Crore has been forfeited and the permit has been cancelled. The other two places where the Local Commissioner had gone are Chinchapur and Takali. He further states that suction mining activities has been banned in the entire district of Sholapur.</p> <p>The Additional Collector, S.P., Sholapur, Mining Officer, Sholapur and Member Secretary of SEIAA shall be present in person, on the next date of hearing.</p> <p>The above two parties as well as all the above persons who were in the past carrying on sand extraction activity by suction pump in the river shall be issued Notice by the Collector. Their service will be ensured and they shall be present before the Tribunal on the next date of hearing.</p> <p>List these matters on 19th April, 2017.</p> <p><u>M.A. No. 419 of 2017, M.A. No. 420 of 2017, M.A. No. 421 of 2017 and M.A. No. 422 of 2017</u></p> <p>All these Applications are allowed to the extent</p>
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<p>Item No. 16 to 19</p> <p>April 11, 2017</p> <p>ss</p>	<p>where they pray for impleadment. The Applicants would have the right to intervention and address the Tribunal at the time of final disposal. No other relief prayed for in these Applications is allowed at this stage. However, if they wish to have any relief to be entertained, they shall be dealt with the main Judgment.</p> <p>Subject to these directions, M.A. No. 419 of 2017, M.A. No. 420 of 2017, M.A. No. 421 of 2017 and M.A. No. 422 of 2017 are accordingly disposed of.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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