

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL  
BENCH, BHOPAL**

**Original Application No. 40/2014 (THC) CZ**  
**Lakhan Singh Dhurve Vs. State of M.P. & 4 Ors.**

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER**  
**HON'BLE MR. P.S.RAO, EXPERT MEMBER**

**PRESENT : Applicant : None.**  
**Respondent No. 1 : Shri Sachin K.Verma, Advocate**  
**Respondent No. 4 : Ms. Parul Bhadoria, Advocate for**  
**Shri Purushaindra Kaurav, Advocate**

<b>Date and Remarks</b>	<b>Order of the Tribunal</b>
<b>Item No. 6</b> <b>11<sup>th</sup> March, 2015</b>	<p>Despite clear directions given earlier, Learned Counsel for the State has not been able to provide the required information with regard to :</p> <ol style="list-style-type: none"><li>(1) Whether land for industrial use can be allotted out of the <i>charagah</i> land?</li><li>(2) Who is the competent authority for making such allotment, if such allotment is permissible?</li><li>(3) The extent of land that may be allotted out of the available <i>charagah</i> land within the jurisdiction of the village.</li><li>(4) What is the total <i>charagah</i> land available for the cattle population of the village / Gram Panchayat. Whether these issues were considered at all by the competent authority while making the allotment and while granting the No Objection Certificate for setting up the crushing unit / mining operation in the present case.</li><li>(5) As a result of such allotment whether there would be any short fall in the availability of fodder for the local cattle population? What is the extent and number of local cattle</li></ol>

population dependent on the available *charagah* land as also the availability of drinking water for the local cattle.

The Learned Counsel for the state shall furnish the above information. Learned Counsel for the Respondent No. 5 prays that he may be allowed time to take instructions whether the Respondent No. 5 would be willing to make some contribution towards creation of a fodder bank and making availability of fodder as well as drinking water for the local cattle population. All this has become necessary as we find that the Applicant has raised the aforesaid issue in the application to which no specific replies have been filed by the Respondents. As a result of the allotment of the land to the Respondent No.5 from the available *charagah* land which would enable the local species of vegetation to come up including trees, etc. allowing mining and setting up of crusher would indeed raise environmental issues. As also the issue relating to cattle population and raising question of compensation to the local persons as a result of such activity.

In the meanwhile the District Collector shall direct the SDO, Umaria as well as the concerned Tehsildar to carry out an inspection and submit a report whether as a result of the permission granted for mining in village, any adverse impact has been caused to the local residents and their dwellings.

List the matter on **24<sup>th</sup> March, 2015**. On the said date the Collector shall depute the SDO as well as the Tehsildar to appear before

the Tribunal.

.....,JM  
**(DALIP SINGH)**

.....,EM  
**(P.S.RAO)**

