

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

**Original Application No. 17/2015
And
M.A. No. 54/2015**

Mohamd Asif Vs. State of U.P. & Ors.

**CORAM: HON'BLE JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE MR. B.S. SAJWAN, EXPERT MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present: Applicant/Appellant(s) : Appearance not given

	Date and Remarks	Orders of the Tribunal
	Item No. 1 January, 27 2015	<p>We have heard the Learned Counsel appearing for the Applicant. Admit. Issue Notice to the respondents by Registered Post/Acknowledgment due and Dasti as well. Notice returnable by the next date of hearing.</p> <p>The Applicant has also prayed for an interim Order against Respondent No. 1 to 5 to stop mining/ quarrying of earth forthwith. The Learned Counsel appearing for the Applicant would contend that the soil throughout the district being removed indiscriminately without obtaining EC either from MoEF or any permission from Pollution Control Board or any permission from any competent authority. He also relied upon many photographs and newspaper reports to show that large quantity of earth soil especially upper portion of the earth are removed and according to the applicant these removed soil are sold to brick kiln owners and considering the above facts and taking note of the fact that the top soil is the most fertile one and removal of the soil will affect the environment, we are of the view that passing of interim order is in favour of protecting the environment and accordingly, we direct that no person shall be permitted to mine or quarry the earth</p>

without permission in any part of the district Bijnor without obtaining a proper permission or EC from the MoEF or SEIAA in the State level or approval of any other competent authority until further orders.

We also direct respondent no. 4 to file status report of the happening in this regard in the entire district before this Tribunal by the next date of hearing.

We also make it clear the respondent no. 4 shall see that the order is scrupulously followed by all the concerned parties in the district.

Stand over to 20th February, 2015.

....., JM
(Dr. P. Jyothimani)

....., EM
(B.S. Sajwan)

....., EM
(Ranjan Chatterjee)

