

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE
BENCH, PUNE**

APPEAL NO.2/2013 (WZ)

The Gram PanchayatTirode&Anr V/sThe MoEF&Ors.

**CORAM: HON'BLE SHRI JUSTICE V.R. KINGAONKAR, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

**Applicant/ Appellant : S.R.BhosaleAdv for
Nikhil Nayyar Adv.**

Respondent No.2 :D.M.GupteAdv

Respondent No.5 :Preetam N. TakulikarAdv

Respondent No.6 : Abhijeet A. KamatAdv

Date and Remarks	Orders of the Tribunal
Item No.1 September 19, 2013 Order No.2	<p>We have heard the Learned Counsel for the parties. The date was fixed today for hearing of parties and we had directed the parties to complete the pleadings within two (2) weeks, including Rejoinder, if any, and exchange them amongst each other. Authorized officer of MoEF was directed to remain present along with relevant file containing proceeding of meetings, whereunder Environment Clearance (EC) has been revised. The Learned Counsel for the Appellants make a statement that the Respondent Nos.1 to 4 have been duly served and affidavit of service is filed.</p> <p>Mr.Gupte, Learned Counsel, appears for the Respondent No.2 and has filed Reply affidavit. The Reply affidavit, however, does not highlight many important aspects including consent and operational status of mine, data regarding existence of number of mines in the nearby vicinity/area and the report of Respondent No.2, in the context of pollution that may occur due to proposed revised consent to operate of the mine. We also find that after scheduled date of public hearing was changed, the Notice was published in Newspaper only a couple of days prior. The details of steps taken by the Respondent No.2, along with relevant report and data are not kept on record. Consequently, we direct Mr.SuryakantDoke, the Regional Officer of Kolhapur MPCB, to remain present in person for next date along with relevant file, which shall be made available for</p>

perusal of the Tribunal. So also, issue Bailable Warrant to the Director, MoEF Legal Advisor in the MoEF, who is member-Secretary of Expert Appraisal Committing (Mining), who deals with the matters pertaining to Environment Clearance (EC), like present one, in sum of Rs.20,000/to the satisfaction of the arresting Officer, in exercise of our powers and in terms of the provision of Section 19(4) (a) of the National Green Tribunal Act, 2010 read with Order XV I Rule 10(3) and Section 151 of the Code of Civil Procedure, 1908. It shall be made returnable on or before 3rd October, 2013. The Learned Counsel for Appellants to take Warrant for Dasti service through Lodhi road Police Station, New Delhi. In case, the Warrant is duly served, the Appeal will be heard finally on 3rd October, 2013. The Learned Counsel for Respondent Nos. 5 and 6 make a statement that Status Quo will be maintained till the date of hearing. Final hearing is expedited as indicated above, and may, ordinarily be completed on 3rd October, 2013.

Stand over to 3rd October, 2013.

....., **JM**
(V. R. Kingaonkar)

....., **EM**
(Dr. Ajay A. Deshpande)