

Item No.2

(Court No. 2)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

Original Application No.328/2022

Sanjeev Agrawal

Applicant

Versus

Forest Department, Chhattisgarh & Anr.

Respondents

Date of hearing: 09.05.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: In person

ORDER

1. Mr. Sanjeev Agrawal, RTI Activist, Raipur, Chhattisgarh has filed the present application seeking issuance of directions prohibiting mining activity in Section 254 measuring 144 hectares Balodabazar Vanmandal Baghmarg Gold Block.

2. The applicant has averred that that Vedanta Ltd., has applied to Government of Chhattisgarh for mining through 58 borewells in reserved forest area, measuring 607.944 hectares, of Balodabazar Vanmandal Baghmarg Gold Block under Forest (Conservation) Act 1980. The mining area includes section 254 measuring 144 hectares which is having dense forest with basswood and other medicinal trees/plants and rich wildlife. The Principal Conservator of Forests, Government of Chhattisgarh had vide letter dated 06.10.2017 proposed inclusion of Section 254 in expansion of 22 sections of Devpur area but some Officers of Government

of Chhattisgarh are bent upon favouring the Project Proponent and granting lease to the Project Proponent on the basis of Report of another Committee constituted for this purpose which contradicted and negated earlier report submitted by Senior Officers from the Forest Department that no mining was possible without deforestation in the area.

3. We have heard the applicant and gone through the relevant record.

4. The averments made in the petition raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule-I to the National Green Tribunal Act, 2010 and need due verification and immediate remedial action. Accordingly, we constitute a Joint Committee of representative of Regional Office of MoEF & CC, Nagpur, Principal Secretary, Mines, Government of Chhattisgarh, Principal Chief Conservator of Forest (HOD), Government of Chhattisgarh, State PCB and Collector, Balodabajar and direct the Joint Committee to meet within four weeks and undertake site visits, look into the grievances of the applicant, consider both the reports referred to in the application and make recommendations/take requisite action particularly with respect to the environmental damage caused and restoration of environment by following due process of law. The State PCB will be the Nodal agency for coordination and compliance. Factual and action taken report may be furnished within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List the matter for further consideration on 02.08.2022.

A copy of this order, along with a copy of the complaint, be forwarded to the Regional Office of MoEF & CC, Nagpur, Principal Secretary, Mines, Government of Chhattisgarh, Principal Chief Conservator of Forest (HOD), Government of Chhattisgarh, State PCB and Collector, Balodabajar by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr.Afroz Ahmad, EM

May 9, 2022
Original Application No. 328/2022
AG