

**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: 14.09.2022

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

Applicant: Mr. Akshhat Agrawal son of the applicant.

Respondents: Mr. Mahesh Kumar, Advocate for State of Chhattisgarh

Mr. Rakesh Chaturvedi, PCCF (HoFF) and Mr. Jai Prakash, Director, Directorate of Geology and Mining Government of Chhattisgarh through VC.

Dr. Kavita Bhardwaj, Interim Head Exploration, Vedanta through VC.

**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, Chhattisgarh.

2. The applicant has averred that Vedanta Ltd., has applied to Government of Chhattisgarh for mining gold 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. Vide order dated 09.05.2022, this Tribunal constituted a Joint Committee comprising of Regional Office of MoEF & CC, Nagpur, Principal Secretary, Mines, Government of Chhattisgarh, Principal Chief Conservator of Forest (HOFF), Government of Chhattisgarh, State PCB and Collector, Balodabajar and directed the same to submit factual and action taken report within two months.

4. The report of the Joint Committee has been filed vide email dated 29.07.2022.

5. Vide order dated 02.08.2022 notices were ordered to be issued to respondents and presence of the Director, Directorate of Geology and Mining and Principal Chief Conservator of Forests, (HoFF), Government of Chhattisgarh was ordered.

6. Mr. Mahesh Kumar, Advocate has appeared for the State of Chhattisgarh and seeks time to file reply/response on behalf of State of Chhattisgarh. The same may be filed within one month by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

7. In compliance with order dated 02.08.2022, Mr. Rakesh Chaturvedi, PCCF (HoFF), Government of Chhattisgarh and Dr. Kavita Bhardwaj,

Interim Head Exploration, Vedanta have appeared before this Tribunal through VC. On interaction with them, they have reiterated that prospecting/exploration activity will not cause any environmental impacts.

8. In view of the peculiar facts and circumstances of the case particularly that an earlier Committee of the Officers of the Forest Department as well as one of the Members of the Joint Committee constituted by this Tribunal expressed their disagreement to the proposed prospecting/exploration activity, we consider it appropriate to have an Impact Assessment Report regarding impact of prospecting/exploration activity on the forest biodiversity, ecosystem, wildlife movement/ habitats etc. of the region from the State Forest Research Institute (SFRI), Jabalpur.

9. The Principal Chief Conservator of Forests (HoFF), Government of Chhattisgarh is directed to take requisite steps for engagement of the SFRI. The requisite expenses in this regard shall be borne by the State of Chhattisgarh.

10. SFRI shall make impact assessment by making such surveys/inspections as considered necessary and file its Report within six weeks by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

11. List for further consideration on 16.11.2022.

12. A copy of this order be sent to State Forest Research Institute (SFRI), Jabalpur for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 14, 2022  
AG