

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH

New Delhi

Original Application No. 609/2022

Dr. Subhash Kumar

..... Applicant

Versus

State of Jharkhand & others

..... Respondents

Reply on behalf of M/s Hardag
Stone Mines ex-lessee Om
Prakash Bhagat in response to
order dated 18.01.2023 of the
National Green Tribunal, Principal
Bench, New Delhi received
through Notice No. 328/M dated
28.02.2023 of Deputy

07 JUN 2023



Commissioner cum District
Magistrate, Ranchi

1. That the ex-proprietor of M/s Hardag Stone Mines namely Om Prakash Bhagat has received a notice from Deputy Commissioner cum District Magistrate, Ranchi vide notice No. 328/M dated 28.02.2023 regarding order dated 18.01.2023 of National Green Tribunal Principal Bench, New Delhi.
2. That Om Prakash Bhagat S/o Late Jagadish Prasad Bhagat , Behind Ranchi College, Sarna Toli, Ranchi held a renewed stone mining lease in Mauza Hardag, Plot No. 1430 (P) , Area 2.15 Acres for a period of 10 years with effect from 15.04.2013. The first mining lease of stone minor mineral over this area was granted to Arun Roy sometime in the year 1999 and Om Prakash Bhagat had acquired this lease by way of transfer from erstwhile lessee Mrs Sunita Roy wife of Late Arun Roy.
3. That the mining operations over this area has been permanently closed since 15.04.2023.

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4. That since the aforesaid mining lease in favour of Om Prakash Bhagat has expired on 15.04.2023 , the Noticee has already handed over possession of this mining lease to State Government through District Mining Officer, Ranchi on 10.05.2023.

A photocopy possession letter dated 27.04.2023/10.05.2023 is annexed herewith and marked as **Annexure-A** to this reply.

5. Hon'ble National Green Tribunal, Principal Bench is further prayed to transfer this proceeding to Eastern Zone, Kolkata for onward proceedings, if so required, in terms with similarly situated order passed by The Supreme Court of India on 18.10.2022 in S.L.P (Civil) No. 17931/2022 in the matter of The National Green Tribunal & Anr Vrs The Goa Foundation & Ors.

A web copy of order dated 18.10.2022 passed by Hon'ble Supreme Court of India in

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S.L.P.(Civil) No. 17931/2022 is
annexed herewith and marked as
Annexure-B series.

And for this act of kindness Om
Prakash Bhagat ex-lessee shall ever pray.

Filed by Om Prakash Bhagat ex-lessee
Behind Ranchi College, House No. 46/S, Dev Kunj
Sarna Toli, Hatma, Ranchi, Jharkhand-834008

Om Prakash Bhagat
.....

E mail – devashishkumar99@gmail.com

Mobile-94313 50075





AFFIDAVIT

I, Om Prakash Bhagat aged about 63 years S/o Late Jagadish Prasad Bhagat resident of Behind Ranchi College, House No. 46/S, Dev Kunj, Sarna Toli, Hatma P.O. Ranchi University, P.S. Lalpur, District-Ranchi PIN-834008, do hereby solemnly affirm and state as follows:-

1. That I was the lessee of Hardag Stone Mines mines in Mauza Hardag, Plot No. 1430 (P), Area 2.15 Acres for a period of 10 years with effect from 15.04.2013 the possession of which was handed over to District Mining Officer, Ranchi on 10.05.2023 and as such I am well acquainted with the facts and circumstances of the case till then.
2. That I am citizen of India.
3. That I have read the contents of this affidavit and have fully understood the same.
4. That the factual statements made in the reply are true to the best of my knowledge, information and derived from the relevant records of the case and rest are by way of my humble submissions before NGT.
5. That the annexure are photocopies / true copies of their respective originals.
6. That this affidavit is being signed, sworn and verified by me on this day the 07 of June, 2023 at Ranchi.

Om Prakash Bhagat



Signature attested on
Identification of Lawyer

Annex 402 - A

21/5/2023

सेवा में,

जिला खनन पदाधिकारी, राँची।

विषय : श्री ओम् प्रकाश भगत के पक्ष में मौजा-हरदाग के प्लॉट नं० 1430 अंश, रकबा-2.15 एकड़ क्षेत्र पत्थर खनन पट्टा की अवधि समाप्ति उपरोक्त क्षेत्राधिकार सरकार को वापस सौंपने के संबंध में।

महाशय,

उपर्युक्त विषयक पत्थर खनन पट्टा की अवधि दिनांक 15.04.2023 को समाप्त हो गयी है। इस समाप्त खनन पट्टा क्षेत्र का क्षेत्राधिकार सरकार को वापस सौंपता हूँ।

Om Prakash
10/05/2023

विश्वासभाजन

Om Prakash Bhagat
27/4/2023
ओम प्रकाश भगत



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ITEM NO.43

COURT NO.8

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 17931/2022

(Arising out of impugned final judgment and order dated 21-09-2022 in PILWP No. 4/2022 passed by the High Court Of Judicature At Bombay At Goa)

THE NATIONAL GREEN TRIBUNAL & ANR.

Petitioner(s)

VERSUS

THE GOA FOUNDATION & ORS.

Respondent(s)

(IA No.152085/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.152086/2022-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 152085/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 155828/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 152086/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 18-10-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s)

Mr. Dushyant Dave, Sr. Adv.
Mr. Arvind P. Datar, Sr. Adv.
Mr. Santosh Krishnan, AOR

For Respondent(s)

Ms. Indira Jai Singh, Sr. Adv.
Ms. Narma Alvares, Adv.
Mr. Paras Nath Singh, Adv.
Mr. Rohin Bhatt, Adv.
Ms. Nupur Kumar, AOR
Mr. Om Dcosta, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Validity unknown
Digitally signed by
SNEHA
Date: 2022.10.20
19:16:21
Reason

Leave granted.

By way of ad-interim order, we stay the directions



mentioned in paragraph 56 of the impugned order.

However, we clarify that since two Members (One Judicial and one Expert Member) are very much available for Western Zone Bench, all matters pertaining to Western Zone, Pune, including the matters arising out the States of Maharashtra and Goa will be heard only by Pune Bench sitting at Pune.

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)



07 JUN 2023