

IN THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH

NEW DELHI

ORIGINAL APPLICATION NO. 723 OF 2023

IN THE MATTER OF:

Jan Kalyan Bhoomi Mukhti Foundation ... Applicant

VERSUS

Ministry of Coal & Ors. ... Respondents

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1.	Reply on behalf of the Applicant to the IA No. ____ of 2024 filed by the Respondent along with an Affidavit.	

DATE: May 24, 2024

PLACE: NEW DELHI

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**REPLY ON BEHALF OF THE APPLICANT/JAN KALYAN BHOOMI
MUKHTI FOUNDATION TO THE INTERIM APPLICATION FILED BY
RESPONDENT FOR VACATION OF STAY**

1. The present reply is being filed on behalf of the Applicant in response to the interim application filed by Central Coalfields Limited ("**Respondent No. 3**") for vacation of stay, granted on 05th December 2023 in favour of the Applicant.
2. It is humbly submitted that the learned tribunal was pleased to pass an interim order in the IA No. 849 of 2023 filed by the Applicant for maintaining the *status quo* in the Original Application No. 723 of 2023.
3. It is humbly submitted that the stay order was passed by the Ld. Tribunal keeping in mind that irreparable/irreversible loss shall be caused to the environment if the Respondents fail to honour the environmental norms and guidelines as stipulated under the Act for preservation of forest and wildlife.
4. It is humbly submitted that the *status quo* needs to be maintained till the final disposal of the Original Application as the involvement of private entity in mining activities will led to exploitation of

environment/ forest along with danger of life to flora and fauna. Further, the Applicant submits that till the time an expert committee is formed *status quo* needs to be mandatorily maintained for protection of environment.

5. It is humbly submitted that the Revenue sharing model of the Respondent primarily focuses on the commercial aspect of mining, and it does not give any protection to the environment or flora and fauna of the habitat. In furtherance to this the people residing in nearby areas need to be relocated before the operations of the mine commence. Therefore, in the lights of the submissions made herein and the Original Application it is prayed that the stay granted should not be vacated, and that the *status quo* should be maintained for the protection of environment till the final disposal of Original Application.



APPLICANT

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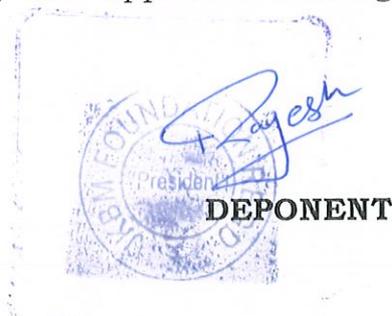
Ministry of Coal & Ors.

... Respondents

AFFIDAVIT

I, Rajesh Kumar son of Dhyan Singh, aged about 48 years, Trustee of the Applicant, having its registered office at 316/A, Lado Sarai, New M.B. Road, South Delhi, Delhi- 110030, do hereby solemnly affirm and state as hereunder:

1. That I am the trustee of the Applicant organization herein and as such I am fully conversant with the facts and circumstances of the instant case and therefore, competent and authorized to swear and affirm this affidavit by the Applicant organization vide Board Resolution dated 2 December 2023.
2. That I have read and understood the contents of the Application and say that what is stated therein is true to the best of my knowledge and belief, based on the records maintained by the Applicant nothing material has been concealed therefrom.

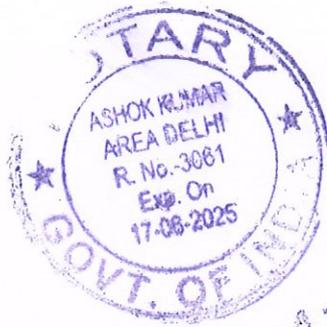


VERIFICATION:

I, the deponent abovenamed do hereby verify that the contents of foregoing affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Verified at New Delhi on this the 24th day of May 2024.

I Identify the deponent who has signed in my presence



DEPONENT

ATTESTED
[Signature]
NOTARY PUBLIC, DELHI
24 MAY 2024

11A DEVIKA TOWER
NEHRU PLACE, NEW DELHI-19