

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE PUNE

ORIGINAL APPLICATION NO : 97/23

APPLICANT : KAILASH CHIMA CHAKOR

VS

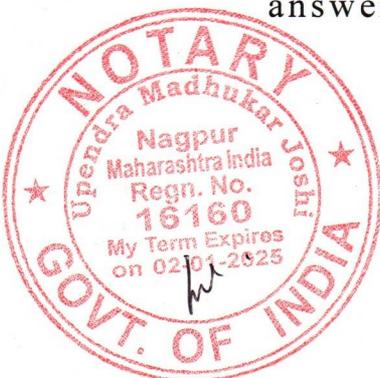
RESPONDENTS : STATE OF MAHARASHTRA &
Ors.

REPLY ON BEHALF OF THE RESPONDENT
NO.7

MOST RESPECTFULLY SHOWETH,

The Respondent No.7 in the instant matter
most humbly submits ;

That the answering respondent has been arrayed
merely as a proforma party, with no relief
whatsoever claimed or sought against the
answering Respondent. Likewise, the petitioner
does not make any reference/allegation against the
answering Respondent of any kind.



2. That the Ministry of Mines administers the Mines and Minerals (Development and Regulation) Act, 1957 [hereinafter referred to as 'MMDR Act'] and the rules made thereunder. Section 3(e) of the MMDR Act, defines "*minor mineral*" as follows:

"3(e) "*minor minerals*" means building stones, gravel, ordinary clay, ordinary sand other than sand used for prescribed purposes, and any other mineral which the Central Government may, by notification in the Official Gazette, declare to be a minor mineral"

Mineral that forms the subject matter of the instant OA is stone which is a minor mineral as is manifest from the definition stated above.

3. That as per Section 15(1) of the MMDR Act, State Government are empowered to make rules for regulating the grant of quarry leases, mining leases or other mineral concessions in respect of minor minerals and for purposes connected therewith.



4. That the issues raised by the petitioner is totally under the domain of the State Government and none of the provisions of the MMDR Act and rules framed there under have been challenged nor any prayer made against Ministry of Mines.

5. In view of the above averments, it is respectfully submitted that the answering Respondent no. 7, has no comments to offer in the current issue and is only a proforma party.

6. It is humbly prayed that the answering Respondent no. 7, not being a necessary party and may kindly be deleted from the array of parties.

Pune :

Dated : 20/02/2024

For Ministry of Mines

(Respondent No. 7)

उपखान निरीक्षक
Deputy Controller Of Mines
नागपूर क्षेत्रीय कार्यालय
Nagpur Regional Office
भारतीय खान ब्युरो
Indians Bureau of Mines

File of the
Counsel for Respondent No. 7

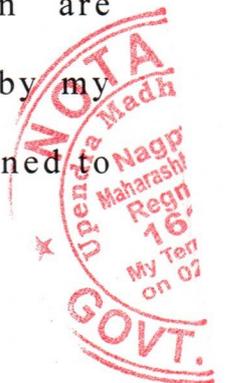


Solemn Affirmation

I Gumnaram S/o Bhagwanram Thapar , Aged about 49 yrs, Occu : Service , R/o Type-5, Qtr No. 39, CPWD colony Seminary Hills, Nagpur do hereby take oath and state on solemn affirmation:

That I am working as a Dy Controller of Mines , with the Indian Bureau of Mines (Ministry of Mines), the Respondent No.7 herein. I am conversant with the facts of the present case and therefore able to depose the same.

I say that the Counsel as per my instructions has drafted the above Reply. I have gone through the contents of the above said Reply and understood the same. I say that the contents of the Reply are true to my knowledge and as per the records of the Authority which I believe to be true. As far as the legal submissions herein are concerned the same are correct as advised by my counsel. The contents of the Reply are explained to



me in vernacular which I found to be correct.
Hence, signed and verified at Nagpur on this 20th
day of February , 2024.

Deponent
उपखान नियंत्रक

Deputy Controller Of Mines
नागपूर क्षेत्रीय कार्यालय
Nagpur Regional Office
भारतीय खान ब्युरो
Indians Bureau of Mines

I know & Identify the Deponent

(Atul J Pathak)
Advocate

Sworn before me on this 20th
day of Feb. 2024 at Nagpur by
Shri/Smt./Ku. Gumnaram B. Thapar
R/o Nagpur who has been identified
by Shri/Smt. Atul J. Pathak
Advocate, Nagpur.

Yashwantrao
20/02/2024.

NOTARY
GOVT. OF INDIA
Nagpur (M.S.) INDIA

