

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE
BENCH, PUNE**

Application No. 30/2016 (WZ)

In the matter of :-

Anwar Jamadar Vrs. Collector, Kolhapur & Ors.

**CORAM : HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. AJAY A. DESHPANDE, EXPERT MEMBER**

**Present: Applicant/Appellant : Mr. Asim Sarode & Associates, Adv.
 Respondent No.1,4 & 6 : Mr. Pushkar Sapre, Adv.
 Respondent No.2 : Mr. Vilas A. Jadhav, Adv.
 Respondent- : Mr. Vijay S. Buran,
 : Mining Inspector.**

Date and Remarks	Orders of the Tribunal
Item No.11 21st March, 2017 Order No.13	<p>The replies have been filed by Respondent Nos.1 to 4, 6 and 7.</p> <p>The Application raises question about illegal sand mining carried out without E.C. and or with use of suction pumps at Survey Nos.138, 267 of village Gourwad, Taluk Shirol, District Kolhapur.</p> <p>As regards sand mining done pursuant to EC, there arises a question "whether a condition allowing the use of suction pump of sand mining at the discretion of the State Government could have been incorporated in the EC, and if yes, whether the additional District Collector, Kolhapur had personally inspected the site and ascertained "the exceptional circumstances requiring the use of suction pump <u>in public interest</u>". According to Mr. Vijay Buran, Mining Inspector, the Additional Collector, Kolhapur had issued permissions for use of suction pump for sand excavation, we direct production of such permissions granted, if any, before us.</p> <p>Respondent No.3-SEIAA to make submissions regarding the merit of the EC granted in the present case vide EC dated 1st December 2015 annexure 'B' to the affidavit in reply of the Respondent No.1-Collector, Kolhapur, Respondent No.4-District Mining Officer, District Kolhapur.</p>

Item No.11
21st March, 2017
Order No.13

Interim order to continue.

List the case on 12th April, 2017.

....., **JM**
(Justice U.D. Salvi)

....., **EM**
(Dr. Ajay Deshpande)

ajp

