

ITEM NO.26

COURT NO.3

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL Diary No. 36306/2023

(Arising out of impugned final judgment and order dated 02-05-2023 in OA No. 817/2022 and 11-08-2023 in RA No. 26/2023 passed by the National Green Tribunal)

NORTHERN COALFIELDS LTD BINA PROJECT

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.181760/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.181755/2023-EX-PARTE STAY and IA No.181762/2023-EXEMPTION FROM FILING O.T. and IA No.181757/2023-CONDONATION OF DELAY IN FILING APPEAL)

Date : 15-09-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s)

Mr. Tushar Mehta, SG
Mr. Ashutosh Thakur, AOR
Mr. Chinmay Kumar, Adv.
Mr. Chandra Pratap, Adv.

For Respondent(s)

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

Delay condoned.

Issue notice, returnable in the month of February 2024.

Notice will be served by all modes, including *dasti*.

The appellant - Northern Coalfields Ltd. (Bina Project) and respondent no. 16 - East Central Railway will furnish/give details, by way of an affidavit, of the alleged purchaser(s) of coal who had dumped the coal in the area/land in question.

The appellant - Northern Coalfields Ltd. (Bina Project) will also file the latest aerial/satellite photographs of the area/land in question along with the aforesaid affidavit.

The pollution level monitoring being done/undertaken by the appellant - Northern Coalfields Ltd. (Bina Project) and the authorities, including the concerned Pollution Control Board, will be placed on record along with the affidavit.

Respondent no. 16 - East Central Railway, in the aforesaid affidavit, will also indicate the steps taken by them to ensure that coal is not stacked around the railway track(s) and that ambient air quality is maintained.

The appellant - Northern Coalfields Ltd. (Bina Project) will deposit Rs.2 crores with the authorities. Subject to the payment and compliance of the aforesaid directions and those in the impugned judgment, there will be stay of operation of the impugned judgment(s) to the extent it directs the appellant - Northern Coalfields Ltd. (Bina Project) to deposit/make payment of Rs.10 crores.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR