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NGT orders a PVT company to pay environmental compensation of Rs. 20 crore



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The National Green Tribunal has ordered a private company to pay environmental compensation of Rs 20 crore to the State pollution control board (SPCB). The company had flouted rules for illegal extraction of soil, moorum earth and other minor minerals while completing a railway project. The company was laying the earth bed of the Angul-Duburi-Sukinda Railway line. The tribunal has directed them to deposit the fine to the SPCB within two months.

This decision was given by a five-member bench headed by Chairperson Justice Adarsh Kumar Goel after an application filed by Sasee Bhoosan Patnaik, who is from Keonjhar. Sankar Prasad, the advocate for the applicant, submitted that the company has been extracting soil, morrum earth and other minor minerals without conducting a proper environmental assessment. The concerned area is a forest area, and no permission or clearance has been taken according to the Forest (Conservation) Act, 1980.

The tribunal set up a special committee to look into these allegations, which were later found to be true. The committee levied environmental compensation amount Rs 46 Lakh and Rs 66.58 Lakh through two approaches.

In its judgment, the tribunal stated that "On data available before this tribunal, it is clear that value of mined material is more than Rs 20 crore. The royalty collected itself is more than Rs 3 crore, which is said to be 10% of the value of the mined material (over 18,00,000 cubic metres). Thus, the minimum value of mined material can safely be taken to be Rs 20 crore."

To finalise the quantum of compensation, the court suggested setting up of a joint committee consisting of the Central pollution control board, SPCB, State environment Impact Assessment Authority and District Magistrate, Dhenkal. The SPCB will be the nodal agency for conditional and compliance.

The committee is also bestowed with the task of creating a restoration plan for utilising the amount collected to keep in mind the area's district environment plan. The committee shall appoint the agency it may deem fit to execute the plan.

While disposing of the matter, the tribunal said that the committee may report the status of action taken until July 31 2022, with the registrar of the Kolkata bench by Aug 16 2022.



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