

**VI NORTHCAP UNIVERSITY NATIONAL MOOT COURT  
COMPETITION, 2019**

**CLARIFICATIONS**

S.NO	QUERY	CLARIFICATION
1.	Whether all the SLP has already been accepted. If not then whether we have to raise maintainability issue or not?	There is only one SLP and all the application have been accepted by the Supreme Court.
2.	Whether all the vehicle and machinery of the corporation has been seized?	The query stands resolved and needs no further clarifications.
3.	Which state the district of Kampukh is located in?	The City of Khampukh is situated in the State of Kolam.
4.	The fine imposed on the Goodwill Mining Corporation by the National Green Tribunal: is it in the nature of damages as it has been imposed for restoration of environment?	The fine was imposed by the High Court and not by NGT.
5.	The unilateral cancellation of mining lease contended in Supreme Court: has it already been done?	The matter is pending before the Supreme Court.
6.	The interim application MCRC No. 443/2018 (referred in Para number 9) filed by the Goodwill Mining Corporation has already been decided by an interim order and the case is not pending. So why it has been clubbed with the other petitions?	Only Interim order has been passed and not the final judgement.
7.	In Paragraph no. 10 of the moot proposition, it has been said that the Nature Protectors Club has filed an application for cancellation of all mining lease. So, it refers to all mining lease or mining lease related to sand mining only?	The moot problem is in the context of sand mining only.
8.	No writ petition can be filed against an interim order of National; Green Tribunal. So, how can Goodwill Mining Corporation file a writ petition against the interim order of National Green Tribunal?	It was an SLP which was filed against High Court's interim order. Rest stands clear and needs no further clarification.
9.	Whether the SLP has been already allowed or already accepted?	SLP has been accepted.

10.	Whether Section 482 of Cr.P.C is in furtherance of quashing the order of Magistrate?	Section 482 of Cr.P.C is in furtherance of quashing both, the order of Magistrate and direction given by NGT.
11.	What does geography pari materia to India means? If it means the state in India are similar, then Can you specify which State's, Minor mineral rules?	State of Kolam is governed by the laws and Sand Mining Policy of Madhya Pradesh. State of Galtok is Governed by the laws and Sand Mining Policy of State of Gujrat.
12.	Who are the authorities which have conducted surprise inspection as mentioned in Para 7?	The surprise inspection was carried out in the compliance of order of the Central Zonal Bench of National Green Tribunal to seize vehicles involved in illegal mining.
13.	Is the order passed by CNGT seizing vehicles of goodwill corporation is the same order which is directed in the sub-judice matter of Radheshyam v. State Original Application No.441/2018?	No, it is not the same order.
14.	The seizure made by the authorities are under which Act/ code, provision i.e. Cr.P.C or some other statute?	The surprise inspection was carried out in the compliance of order of the Central Zonal Bench of National Green Tribunal to seize vehicles involved in illegal mining and the function of executive is not material.
15.	Whether the Nature Protector Club has filed the Original Application Number 82/2019 on behalf of public?	Yes, it was filed on behalf of the Public.

16.	<p>In paragraph 1. of the moot proposition, its stated that Republic of Indica has geography and law Pari Materia that of Republic of India. Accordingly, it is also mentioned that State of Kolam and State of Galtok are also situated In Republic of Indica. Therefore, it's implicit from the following statements that both Kolam and Galtok are influenced by geography and laws Pari Materia to Republic of India. Hence, it requires clarification to determine which states does Kolam and Galtok represent so as to interpret the sand mining policies, SEIAA and Minor mineral concession rules which are affected by specific states of Republic of India?</p>	<p>State of Kolam is governed by the laws and Sand Mining Policy of Madhya Pradesh. State of Galtok is Governed by the laws and Sand Mining Policy of State of Gujrat.</p>
17.	<p>In Paragraph 7. It is stated that – “The trucks and machineries owned by Goodwill Mining Corp. were accordingly seized and taken into custody by authorities of State of Kohlam”. It requires clarification whether it were the same trucks and machinery which were found without valid permit in transit from city of Calta to Khetu or were these the trucks and machineries found in the mining area for which Goodwill Mining Corp. has obtained the valid lease for its operations?</p>	<p>Yes, these are the same trucks which were operating beyond their license of operation.</p>
18.	<p>In paragraph 8. Of the moot proposition it is mentioned that, Radheshyam v. State (a sub-judice matter) National Green Tribunal passed a very significant interim decision which has wide ranging consequences regarding environmental protection. Thus, it requires clarification as to what is the citation of the following case. Also It's not clear which bench of National Green Tribunal has passed the said interim order in Paragraph?</p>	<p>The first query regarding the citation of the case, the case is limited to the moot proposition only. The second query regarding the bench, it was the Central Zonal Bench of NGT.</p>
19.	<p>In Paragraph 11. A commission was constituted by National Green Tribunal to file a report as to the true status of mining activities near the City of Khetu. It requires clarification to ascertain under directions of which bench of National Green Tribunal said committee was constituted as It provides insight and interpretation of nature of mining activities particularly of Goodwill Mining Corp.?</p>	<p>The constitution of the commission was done by the Central Zonal Bench of NGT.</p>

20.	Doubt regarding memorial as in case of SLP, the parties name is NPC v. GMC & others. and in case of Writ petition, it is GMC v NPC & others. Wanted to inquire as to can the arguments from NPC (petitioner in SLP) be included in memorial on behalf of petitioner and all the arguments from GMC's side (petitioner in Writ petition) in memorial on behalf of respondent?	The clubbing of all matters is done with a petition filed by GMC, therefore the company shall remain as petitioner.
21.	We have a doubt regarding the stage of Special Leave Petition. Is the final disposal in the admission stage or is it in the final hearing?	It is in the final hearing.