

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

Original Application No. 150/2022/EZ

IN THE MATTER OF:

PI VANRAMCHHUANGI

... APPLICANT

VERSUS

UNION OF INDIA & ORS

... RESPONDENTS

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Next date of hearing: 05.08.2024

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Place: New Delhi

Date: 28.05.2023

*Anando Mukherjee*

**(ANANDO MUKHERJEE)**

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**IN THE MATTER OF: -**

Pi Vamramchhuangi ...Applicants (s)  
Versus  
Union Of India & Ors ...Respondents (s)



**AFFIDAVIT**

I, Smt Ramdinliani, aged about 51 years, D/o P. Beiha (L) presently posted as District Magistrate, Lunglei having address Venglai, Lunglei, do hereby solemnly affirm and state as under:

1. That I am currently posted as District Magistrate in Lunglei District in the State of Mizoram and as such, I am competent to swear and affirm the present affidavit.
2. That the instant affidavit is being filed in compliance of Order dated 09.04.2024 passed by this Hon'ble Tribunal in the captioned matter wherein direction was issued for constitution of a committee to determine the quantum of illegal stone mined for purposes of determination of environmental compensation. It was further directed that the District Magistrate, Lunglei shall be the Nodal Office for all logistic purposes and for filling the report of the Committee on affidavit.

3. That the Committee, as directed, was constituted vide notification dated 16.04.2024 issued by Environment, Forest & Climate Change Department, Government of Mizoram and inspection of six stone quarries was carried on 1<sup>st</sup> May, 2024.
4. That based on inspection carried out, an inspection report has been prepared by the Committee and accordingly, vide the present affidavit, the deponent seeks to place the inspection report before this Hon'ble Tribunal.



*A true copy of the inspection report by the Committee constituted as per direction of this Hon'ble Tribunal is herein annexed and marked as ANNEXURE- A.*

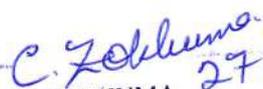
5. That the contents of the present affidavit are true and annexure filed along with the affidavit/report is true and correct copy of its original.

  
**DEPONENT**  
 District Magistrate  
 Lunglei District  
 Mizoram

#### VERIFICATION

I, the deponent above named, do hereby solemnly affirm and verify that what is stated in the foregoing Affidavit is true to the best of my knowledge and belief based on the record of the case and I believe the same to be true.

Verified at Lunglei on this the 27<sup>th</sup> day of May, 2024.

  
 C.ZOKHUMA  
 Advocate & Notary Public  
 Lunglei, Mizoram  
 27/5/2024

  
**DEPONENT**  
 District Magistrate  
 Lunglei District  
 Mizoram



INSPECTION REPORT

3

BY

THE COMMITTEE CONSTITUTED BY THE HON'BLE NGT IN O.A. NO. 150/2022/EZ IN THE MATTER OF PI VANRAMCHHUANGI VS UNION OF INDIA & ORS ON THE 6 (SIX) STONE QUARRIES INSIDE THE TLAWNG HNAR RESERVED FOREST CARRIED OUT ON 1<sup>ST</sup> MAY, 2024

1. **BACKGROUND:** An Original Application (O.A) was filed before the Hon'ble NGT, Eastern Zone with the allegation of various non-forest activities inside the Tlawng Hnar Reserve Forest and the Tlawng Riverine Reserved Forest of the State of Mizoram without following the provisions laid down under the Forest (Conservation) Act, 1980. The said O.A also alleged that illegal stone quarrying is going on within the said Reserve Forest area and Show Cause Notices have been issued by the Divisional Forest Officer, Lunglei Forest Division, Lunglei, Mizoram, to the illegal stone crushers to stop stone quarrying activity inside the Reserve Forest vide his letter dated 12.08.2021.

The Ministry of Environment, Forest & Climate Change (MoEF & CC), Regional Office (RO), Shillong had conducted Site Visit of the areas in question on 20.01.2023 and had indicated six (6) illegal stone quarries inside the Reserved Forest in its Inspection Report. Thereafter, Ministry submitted its Site Inspection Report before the Hon'ble Tribunal in its Affidavit dated 02.06.2023. The Hon'ble Tribunal in its Order dated 03.08.2023, was pleased to direct the State Respondents to reply to the affidavit dated 02.06.2023 filed by the MoEF & CC showing what action has been taken against the violators on the basis of the Inspection Report filed by the MoEF & CC. In compliance, Action Taken Report dated 22.08.2023 was filed by State of Mizoram and the same was taken on record vide the Hon'ble NGT Order dated 24.08.2023.

Thereafter, the Hon'ble Tribunal by its Order dated 09.04.2024, after hearing the submission of the learned counsel was pleased to constitute a Committee comprising of (i) Senior Scientist, Mizoram State Pollution Control Board, (ii) District Magistrate, Lunglei, or his representative not below the rank of the Additional District Magistrate; and (iii) Senior Scientist, Integrated Regional Office, Shillong of Ministry of Environment, Forests and Climate Change.

2. **Mandate of the Committee:** The Hon'ble NGT mandated the Committee as under:
- 'to determine the quantum of illegal stone mined'* for purposes of determination of environmental compensation.
  - The Committee shall visit the site in question and submit its report on affidavit within one month wherein, the District Magistrate, Lunglei, shall be the Nodal Officer for all logistic purposes and for filing the Report of the Committee on affidavit.
3. **Name of officials in the Committee:** The Office of the Deputy Commissioner, Lunglei District, Mizoram, in persuanace of the NGT Order dated 9<sup>th</sup> April, 2024 in O.A. No. 150/2022/EZ in the Matter of PI Vanramchhuangi Vs Union of India & Ors, nominated Shri James Miahlung, Additional Deputy Commissioner to represent the District Magistrate, Lunglei District. The Ministry of Environment, Forest and Climate Change,

Regional Office, Shillong is represented by Dr. H. Tynsong, Scientist 'E', and from the Mizoram Pollution Control Board is represented by Dr. Lalramnghaki Pachuau, Scientist 'C'.

**4. Site inspection:** The Committee conducted an investigation of the 6 (six) illegal stone quarries located within the Tlwang Hnar Reserve Forest in Mizoram on 1<sup>st</sup> May, 2024. The Committee was also joined by officials from the Environment, Forests, and Climate Change Department, Govt. of Mizoram, Lunglei, which included Shri Lalduh Thlana, Divisional Forest Officer, Lunglei, and Shri Vanlalzar Zoliana, Range Officer, Lunglei. Respective mine owners are also present during the site inspection. Copy of officials attended the site inspection is attached as Annexure-I.

The Committee was assisted by the local DFO in locating each of the six (6) illegal stone quarries.

**5. Methodology employed:** The Committee, used GPS to capture the latitude and longitude of each of the six (six) illegal stone quarries, which were then mapped in Google Earth Pro software. The boundary was constructed on the Google Earth Map using the add polygon tool to determine the total area of each mining site. The KML file is exported and converted to shapefile using ArcMap Software, the area is then calculated with the projected coordinate system WGS 1984 UTM Zone 46 N. The area is loaded in Google Earth Pro and a snapshot of the area is taken.

Further, in order to determine the quantum of stone mined from each 6 (six) illegal stone quarries, the Committee employed the Volume Calculation Method ( $\text{Volume} = L \times W \times H$ ; where, L-length, W-width and H-height), as no extracted stones are still available at each mining sites.

Furthermore, to understand how the stone quarry have been started by mine owner inside the Reserve Forest, the Committee asked the mine owners to present all documentation in their possession. The Committee also asked mine owners to furnish information on the start and ends dates of their mining operations.

**6. Observations/findings:** The Committee's observations/findings, based on the mandate issued by the Hon'ble National Green Tribunal in its Order dated 09.04.2024 in O.A. No. 150/2022/EZ in the matter of PI Vanramchhuangi Vs Union of India & Ors and other connected issues, have been recorded hereunder:

**6. i. Report on the Stone Crusher & Stone Quarry of Shri Raymond Zonunsanga:** The Committee started its inspection on the stone crusher and quarry of Shri Raymond Zonunsanga which is located near the District Park, Lunglei. The GPS co-ordinates of the Stone Crusher Unit is N 22°50'55.9" E 092°48'51.7" Elevation: 3607 ft. The crusher is 64 mtrs away from NH-54 and distance from Tlawng RRF is 26.7mtrs (Photo 1). The GPS co-ordinates of the Stone Quarry are N 22°50'53" E 092°48'49". The Stone Quarry is 143.92 mtrs away from NH-54 and distance from Tlawng RRF is 116.71 mtrs (Photo 2). The site is located within the boundary of the Tlawng Hnar Reserved Forest (RF). The Committee observed that both the stone crusher and stone quarry are not in operation and natural growth of vegetation in the periphery of the stone quarry have already started.

The Committee takes measurement of the damaged/broken portion of the mining area belonging to Shri Raymond Zonunsanga (stone quarry) and recorded as under:

- ✓ Length= 13.6 mtrs, Breadth= 7.17 mtrs and Height= 4.25 mtrs
- ✓ Hence the Volume of extracted stoned/mined stone=414.426 m<sup>3</sup> (13.6 × 7.17 × 4.25)

Furthermore, based on field data and analysis utilizing GIS software (ArcMap), the area of the damaged/broken portion of Shri Raymond Zonunsanga mining area has been recorded to be 10331.552 square feet (Figure 1).

**6. ii. Inspection on the Stone Crusher & Stone Quarry of Shri Thanchhuma:** The next inspection was done on the Stone Crusher and Stone Quarry of Shri Thanchhuma which is located adjacent to NH-54. The GPS co-ordinates of the Stone Crusher Unit are N22°51'00.1" E092°48'38.3" Elevation is 3674 ft. The Stone Crusher is located 16 mtrs away from NH-54 and distance from Tlawng RRF is 72.13 mtrs (Photo 3). The GPS co-ordinates of the Stone Quarry are N 22°51'00" E 092°48'38". The Stone Quarry is 38 mtrs away from NH-54 and distance from Tlawng RRF is 86.88 mtrs (Photo 4). The site is located within the boundary of the Tlawng Hnar Reserved Forest (RF). The Committee observed that both the Crusher and Quarry are not in operational and thick growth of natural vegetation in the periphery of the stone quarry had already developed.

The Committee takes measurement of the damaged/broken portion of the mining area belonging to Shri Thanchhuma (stone quarry) and recorded as under:

- ✓ Length= 10.64mtrs, Breadth= 11mtrs and Height= 7.036mtrs
- ✓ Hence the Volume of extracted stoned/mined stone = 823.494m<sup>3</sup> (10.64 × 11 × 7.036)

Furthermore, based on field data and analysis utilizing GIS software (ArcMap), the area of the damaged/broken portion of mine belonging to Shri Thanchhuma has been recorded to be 407.355 square feet (Figure 2).

**6. iii. Inspection on the Stone Crusher & Stone Quarry of Shri Thanmawia Chawngthu:** The next inspection was done on the Stone Crusher and Stone Quarry of Shri Thanmawia Chawngthu which is located around 42 mtrs away from NH-54. The GPS co-ordinates of the Stone Crusher Unit is 22°50'56.3" E 092°48'34.6". The Crusher is 42 mtrs away from NH-54 and distance from Tlawng RRF is 233.8 mtrs (Photo 5). The GPS co-ordinates of the Mining/Stone Quarry are N 22°50'53" E 092°48'37". The Mining/Stone Quarry is 125.5mtrs away from NH-54 and distance from Tlawng RRF is 288 mtrs (Photo 6). The site is located within the boundary of the Tlawng Hnar Reserved Forest (RF). The Committee observed that both the Crusher and Quarry are not in operational and natural growth of vegetation in the periphery of the stone quarry had already started.

The Committee takes measurement of the damaged/broken portion of the mining area belonging to Shri Thanmawia Chawngthu (stone quarry) and recorded as under:

- ✓ Length= 21.95mtrs, Breadth= 13.3mtrs and Height= 5.655mtrs

✓ Hence the Volume of extracted stoned/mined stone =  $1650.892 \text{ m}^3$  ( $21.95 \times 13.3 \times 5.655$ ) **6**

Furthermore, based on field data and analysis utilizing GIS software (ArcMap), the area of the damaged/broken portion of Shri Thanmawia Chawngthu mining area has been recorded to be 8065.479 square feet (Figure 3).

**6. iv. Inspection on the Stone Crusher & Stone Quarry of Shri Malsawma Murray:** The next inspection was done on the stone crusher and quarry of Shri Malsawma Murray which is located inside the encroached Lungpuizawl Village of Tlawng Hnar RF. The GPS co-ordinates of the Stone Crusher is N22°50'50.2" E092°48'24.8". The Crusher is 183.04 mtrs away from NH-54 and distance from Tlawng RRF is 529.7mtrs (Photo 7). The GPS co-ordinates of the Stone Quarry are N 22°50'46.2" E 092°48'28.5". The Stone Quarry is 347.7 mtrs away from NH-54 and distance from Tlawng RRF is 583.17mtrs (Photo 8). The Committee observed that both the Stone Crusher and Stone Quarry are in operation at the time of site visit. The Committee also observed that small mines of about 20 (twenty) in number are operated in this mining area. Local miners belonging to Lungpuizawl village are operating these quarries. Local villagers present during the inspection stated that these stone quarries are the only source of their livelihood. The Committee observed that the mines have been operated at the foot of the hill and the area is very fragile. The Committee opined that if illegal mining operation continues in the area, there is a possibility that the hill may collapsed or caused landslides which may pose serious danger to the villagers living in Lungpuizawl village.

Shri Malsawma Murray, the mine owner was not present at the time of inspection but was represented by one of his representatives. The representative had shown the Committee a copy of letter dated 08.03.1988 issued by the Divisional Forest Officer, Govt. of Mizoram who had issued approval for setting of stone quarry.

The Committee takes measurement of the damaged/broken portion of all the mining areas belonging to Shri Malsawma Murray (stone quarry) and recorded as under:

- ✓ Total length= 21.3mtrs, total breadth= 9.4 mtrs and total height= 7.5 mtrs
- ✓ Hence the Volume of extracted stoned/mined stone =  $1501.65 \text{ m}^3$  ( $21.3 \times 9.4 \times 7.5$ )

Furthermore, based on field data and analysis utilizing GIS software (ArcMap), the total area of the damaged/broken portion of Shri Malsawma Murray mining areas have been recorded to be 60192.277 square feet (Figure 4).

**6. v. Inspection on the Stone Crusher & Stone Quarry of Shri V. Malsawma:** The next inspection was done on the stone quarry of Shri V. Malsawma which is located about 469.37mtrs away from NH54. The Committee observed that no stone crusher has been set up in this mine. The GPS co-ordinates of the Stone Quarry are N 22°50'41.6" E 092°48'19.1" (Photo 9). However, the mine owner claims that his Mining/Stone Quarry falls outside the boundary of the Tlawng Hnar RF.

The Committee takes measurement of the damaged/broken portion of the mining area belonging to Shri Malsawma Murray (stone quarry) and recorded as under:

- ✓ Length= 23.22 mtrs, Breadth= 6.57 mtrs and Height= 3mtrs
- ✓ Hence the Volume of extracted stoned/mined stone =  $457.67\text{m}^3$  ( $23.22 \times 6.57 \times 3$ )

Furthermore, based on field data and analysis utilizing GIS software (ArcMap), the area of the damaged/broken portion of Shri V. Malsawma mining area has been recorded to be 2657.457 square feet (Figure 5).

**6. vi. Inspection on the Stone Crusher & Stone Quarry of Shri V.LALBIAKTLUANGA:**

The last inspection was done on the stone quarry of Shri V. Lalbiakluanga. The Committee observed that no stone crusher has been set up in this mine. However, the Committee 2 (two) stone quarries were operated by the owner referred in this report as Point-1 and Point-2. Point-1 Stone Quarry is located about 467.3 mtrs away from NH54 and the distance from the Tlawng RRF is 805 mtrs. The GPS co-ordinates of Point-1 Stone Quarry are N 22°50'43.4" E 092°48'18.1". (Photo 10) and Point-2 Stone Quarry is located about 365.61mtrs away from NH54 and the distance from the Tlawng RRF is 761.09 mtrs. The GPS co-ordinates of Point-2 Stone Quarry are N 22°50'44.6" E 092°48'19.5" (Photo 11). The Committee observed that only Point-1 mine is in operation.

The Committee takes measurement of the damaged/broken portion of the mining areas belonging to Shri V. Lalbiakluanga (stone quarries) and recorded as under:

Point 1:

- ✓ Length= 16.05mtrs, Breadth= 8.45 mtrs and Height= 4 mtrs
- ✓ Hence the Volume of extracted stoned/mined stone =  $542.49\text{ m}^3$  ( $16.05 \times 8.45 \times 4$ )

Point 2:

- ✓ Length= 23.2 mtrs, Breadth= 7.4 mtrs and Height= 5 mtrs
- ✓ Hence the Volume of extracted stoned/mined stone =  $858.4\text{ m}^3$  ( $23.2 \times 7.4 \times 5$ )
- ✓ Total Volume:  $1,400.89\text{ m}^3$

Furthermore, based on field data and analysis utilizing GIS software (ArcMap), the area of the damaged/broken portion of Shri V. Lalbiakluanga mining area has been recorded to be Point 1= 2940.077 square feet and Point 2 = 1650.203 (Figure 6).

**7. Discussions and examination of documents obtained by Mine Owners for operations of their Stone Quarry and Crusher:**

The Committee questioned the Mine Owners how the mine could have operated inside the Reserved Forest. The Mine Owners informed the Committee that before start of mining activities, they have obtained Land Settlement Certificate (LSC) which has been issued by the Revenue Department, Govt. of Mizoram. Copy of such LSC has also been produced by each Mine Owner to the Committee. The Committee also observed that each mine owners have Mining permit and Blast design permit issued by Directorate of Geology & Mineral Resources. Mine Owners informed the Committee that even the Forest & Environment Department, Govt. of Mizoram, have collected royalty when their mining activity have just started. The summary on the present status of the mine and document obtained by each mine owners is given in Table 1 below:

**Table 1. Name of quarry Owners, documents obtained, date of start of mine and present status**

Sl. No.	Name of Mine Owner	Document obtained	Date of commencement of mining activity	Present status
1.	Mr. Raymond Zonunsanga	i. Mining permits from Directorate of Geology & Mineral Resources which expired in 2017. ii. LSC from Revenue Department(No. 326 of 1990)	2015	Not in operation since 2022
2.	Mr. Thanchhuma	i. Mining permit from Directorate of Geology & Mineral Resources which expired in 2019. ii. LSC from Revenue Department.Agriculture LSC no G-11 of 1989)	2013-14	Not in operation since 2019
3.	Mr. Thanmawia Chawngthu	i. Mining permit Directorate of Geology & Mineral Resources valid till March 2023. Tried to renew but not permitted. ii. LSC from Revenue Department(Agriculture LSC no. 24/G of 1988)	2018-19	Not in operation since 2023
4.	Mr. Malsawma Murray	i. Mining permit obtained from Directorate of Geology & Mineral Resources many years ago which is long expired.	1988	In operation
5.	Mr. V.Malsawma	i. Mining permit from Directorate of Geology & Mineral Resources which expired in 2023. ii. Blast design permit from Geology Department. iii. LSC from Revenue Department(Agriculture LSC no. Lli/G-26 of 2012)	2018	In operation
6.	V. Lalbiakluanga	i. Mining permit from Directorate of Geology & Mineral Resources valid till 31.05. 2024. ii. LSC from Revenue Department(No. 48 of 2020, 137 of 1999 and 47 of 2006) iii. Blast design permit from Geology Department. iv. Explosive license from DC office.	2017	Point 1-In operation Point 2- not in operation.

**8. Acknowledgements:** The Committee thanked the DFO, Lunglei, and his staff for their assistance in measuring the mining area. The Committee also thanked Shri Bantei Pasi Kharkongor, Junior Technical Assistant, MoEF & CC, RO, Shillong, for assisting the Committee with field data computation using GIS software. The Committee also extended gratitude to Shri Gary Majaw, Legal Assistant, MoEF & CC, RO, Shillong, who assisted the Committee in compiling the report.

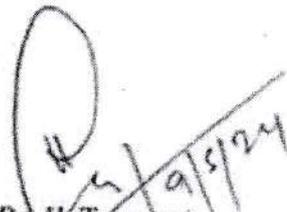
**9. Summary of the Report:** As mandated by the Hon'ble NGT, and based on the survey and analysis mentioned in detail above, the Committee's findings are as follows:

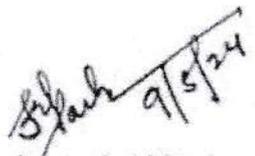
i. The quantum of stone mined and area broken by each stone quarries are as under:

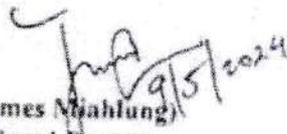
Sl.No.	Name of quarry Owner	Volume of Stone Mined (m <sup>3</sup> )	Broken Area (Sq. ft.)
1.	Mr. Raymond Zonunsanga	414.426	10331.552
2.	Mr. Thanchhuma	823.494	407.355
3.	Mr. Thanmawia Chawngthu	1650.892	8065.479
4.	Mr. Malsawma Murray	1501.65	60192.277
5.	Mr. V.Malsawma	457.67	2657.457
6.	V. Lalbiaktluanga	1400.89	4590.28

ii. All the quarry owners possessed Land Settlement Certificate (LSC) from the Revenue Department of Mizoram. The Directorate of Geology and Mineral Resources has granted mine owners a mining permit as well as a blast design permit.

iii. The Committee observed that small quarry of about 20 (twenty) in number are still operated in mining area by Shri Malsawma Murray. The Committee also observed that the quarries have been operated at foot of the hill and the area is very fragile. The Committee opined that if illegal mining operation continues in the area, there is a possibility that the hill may collapsed or caused landslides which may pose serious danger to villagers lived in Lungpuizawl village. The Committee also discussed the issue with District Magistrate(DM), Lunglei. DM, Lunglei assured that administration will take necessary preventive measures as and when report is received.

  
(Dr. H. Tynsong)  
Scientist 'E'  
MoEF & CC, RO, Shillong

  
(Dr. Lalramaghaki Pachuau)  
Scientist 'C'  
MPCB

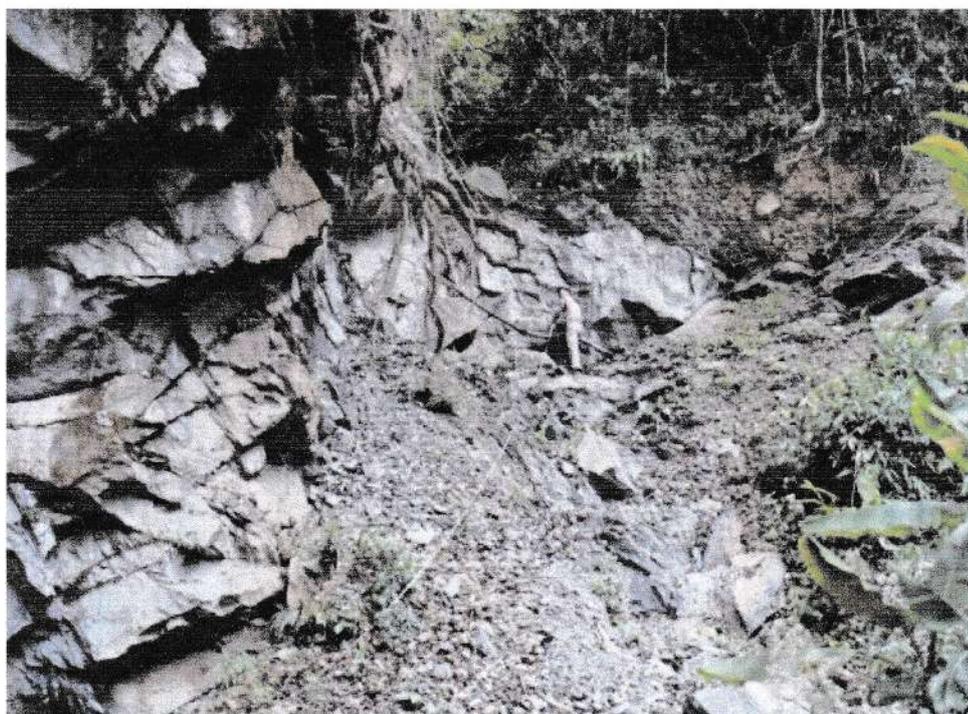
Submitted,  
  
(Shri James Miahlung)  
Additional Deputy  
Commissioner, Lunglei  
District

**Enclosures:**

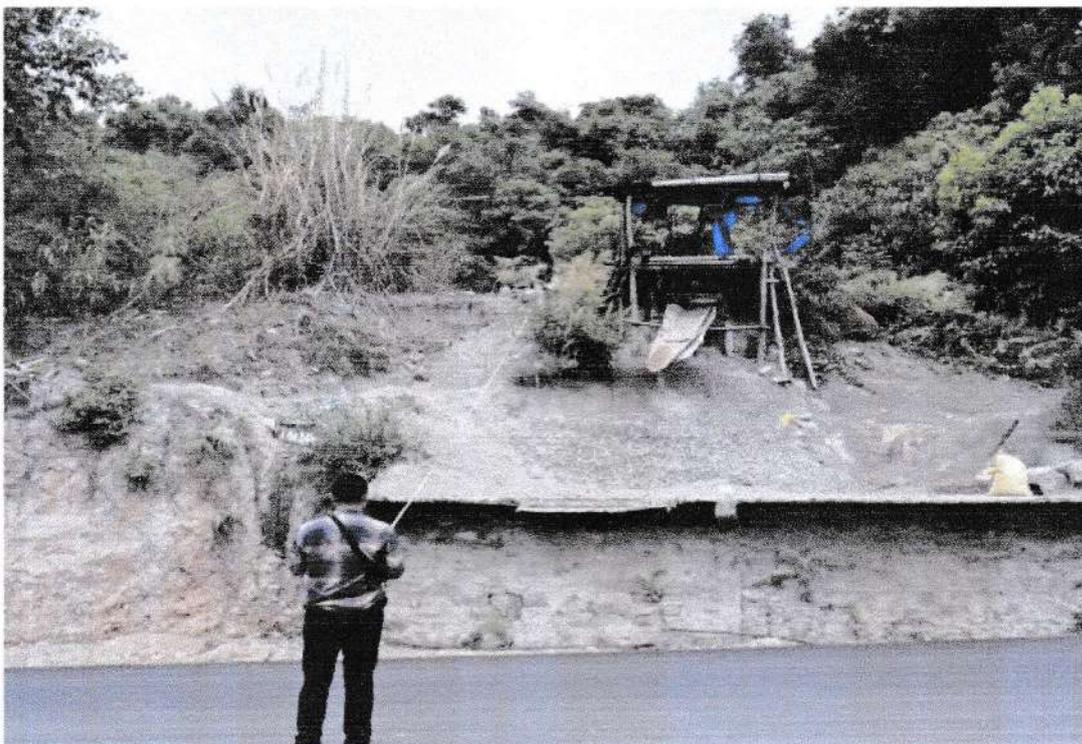
1. Annexure-I
2. Plate-I
3. Plate-II

**PLATE 1: PHOTOS**

**Photo 1. Stone Crusher of Shri Raymond Zonunsanga**



**Photo 2. Stone Quarry of Shri Raymond Zonunsanga**



**Photo 3. Stone Crusher of Shri Thanchhuma**



**Photo 4. Stone Quarry of Shri Thanchhuma**



**Photo 5. Stone Crusher of Shri Thanmawia Chawngthu**





Photo 7. Stone Crusher of Shri Malsawma Murray

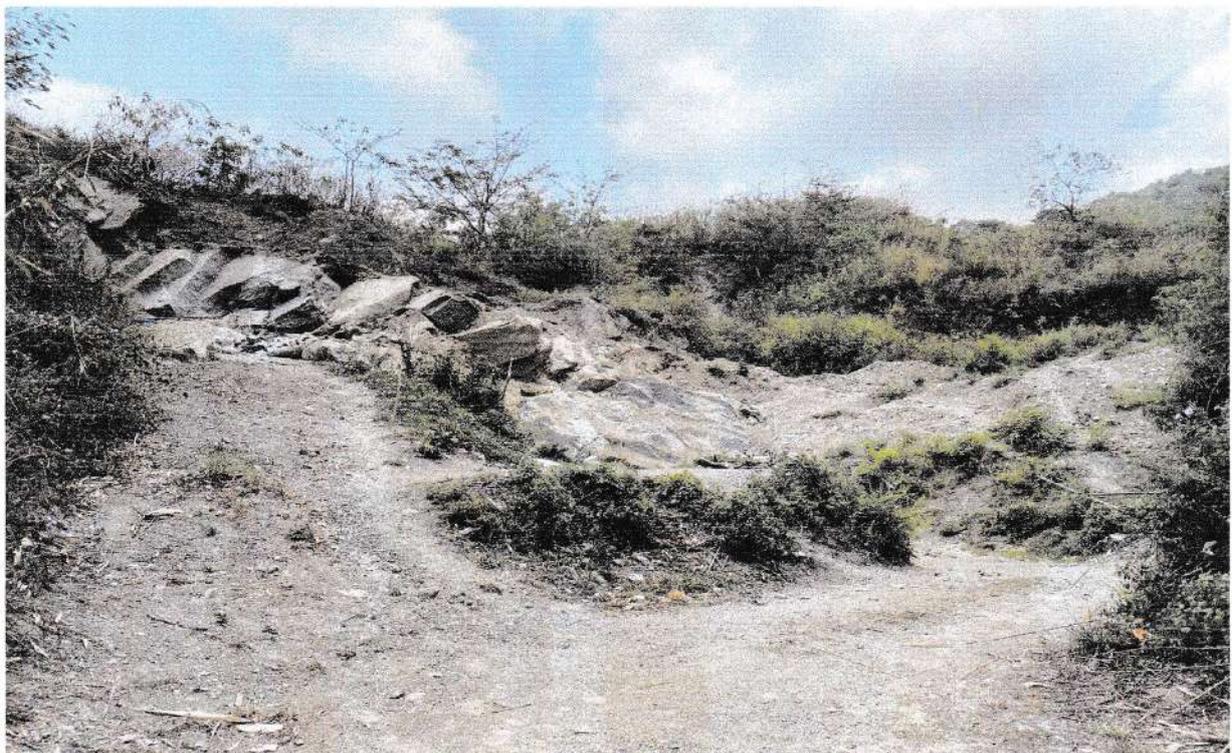


Photo 8: Stone Quarry of Shri Malsawma Murray



**Photo 9: Stone Quarry of Shri V. Malsawma**



**Photo 10, Point 1 Stone Quarry of Shri V.LALBIAKTLUANGA**



**Photo 11: Point 2-Stone Quarry of Shri V. LALBIAKTLUANGA**



*Figure 1. Google Earth Imagery- 2.9.23, of Shri Raymond Zonunsanga Quarry (Area=10331.552 sqft).*

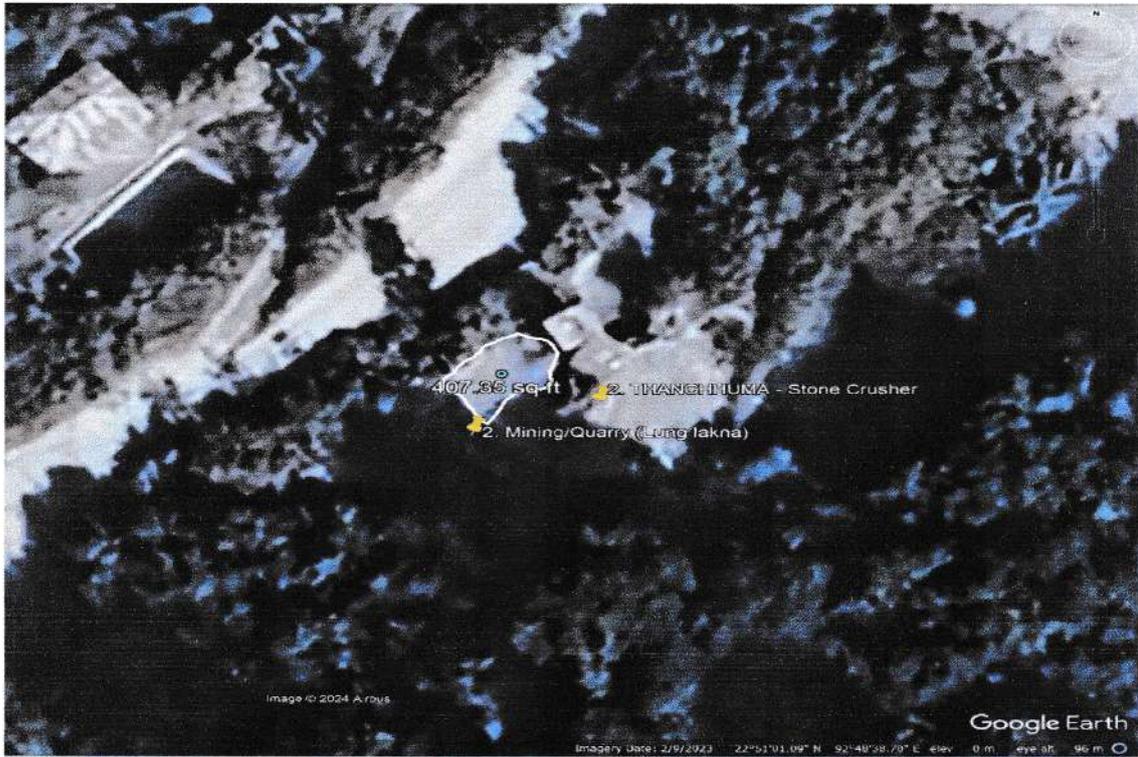


Figure 2 -- Google Earth Imagery – 2.9.23, of Shri Thanchhuma Quarry (Area– 407.355 sqft.)

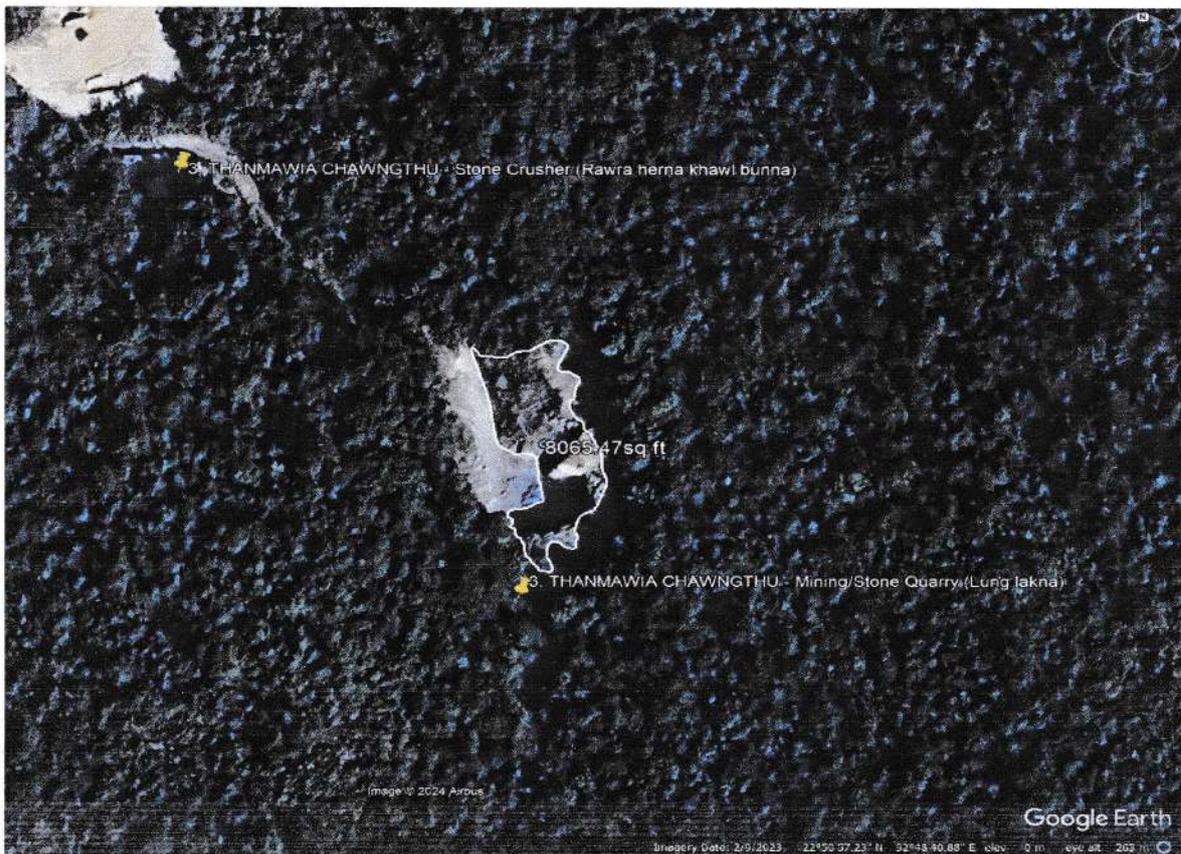


Figure 3: Google Earth Imagery-2.9.23, of Shri Thanmawia Chawngthu Quarry (Area-8065.479 sqft.)

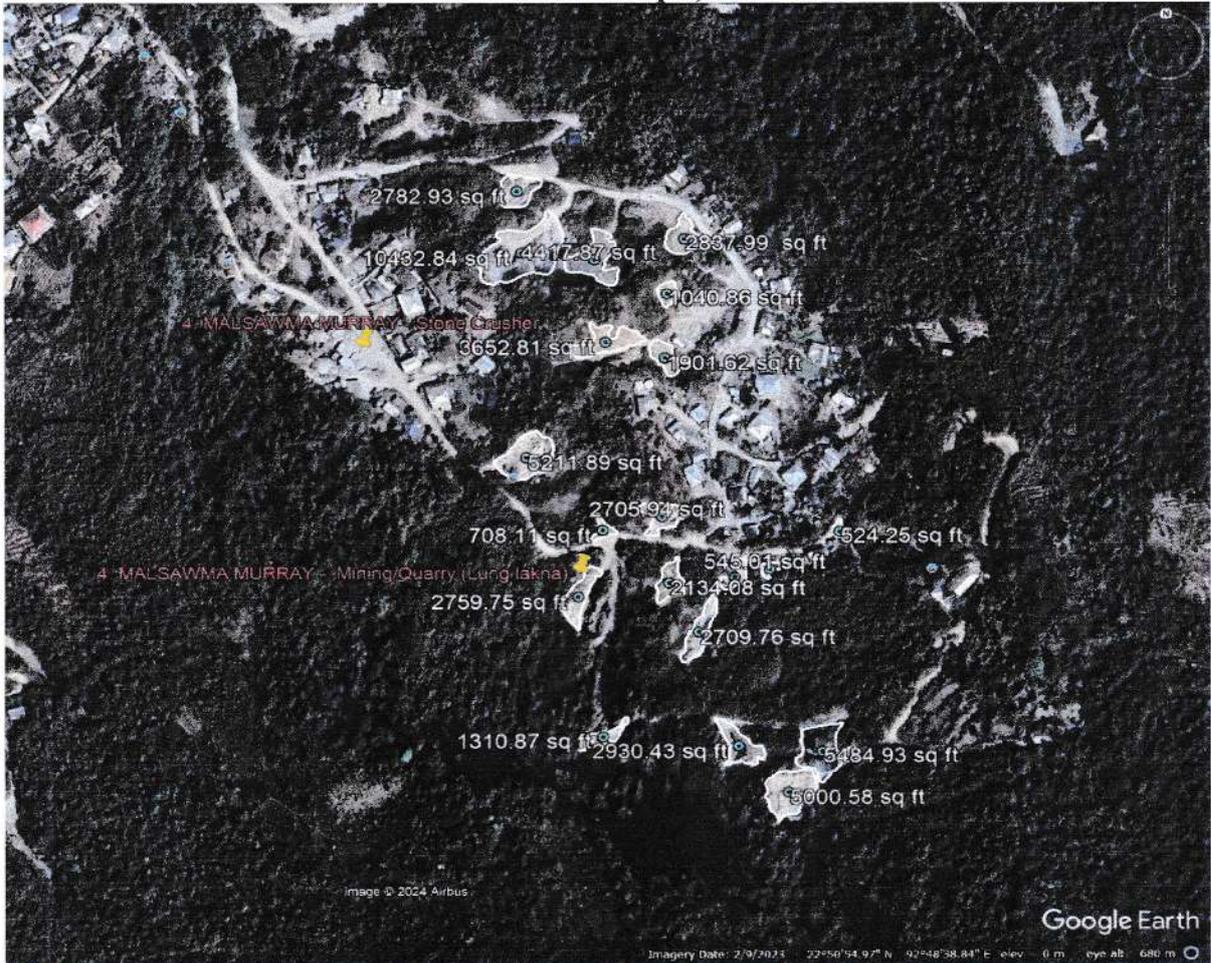


Figure 3: Google Earth Imagery-2.9.23, of Shri Malsawma Murray Mining Quarry (Total area-60192.277 sqft).

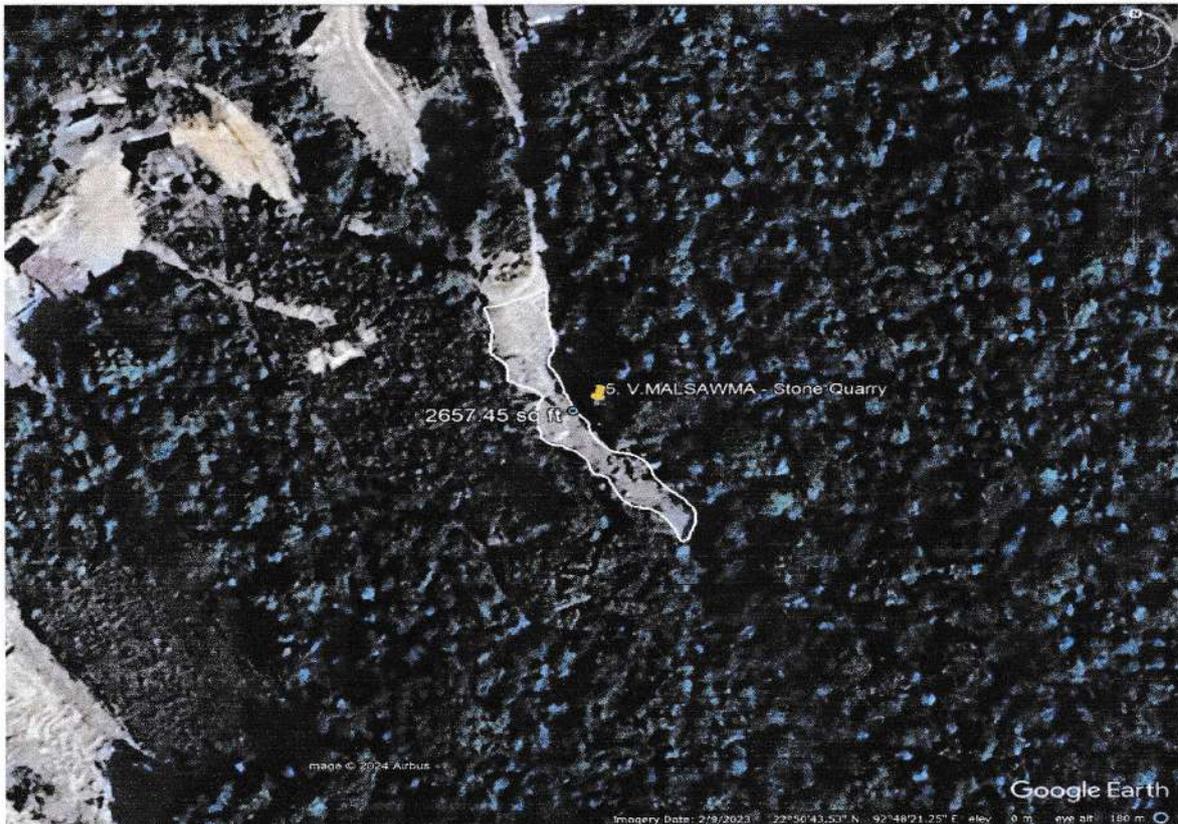


Figure 4: Google Earth Imagery-2.9.23, of Shri V.Malsawma Quarry  
(Area – 2657.457 sqft).

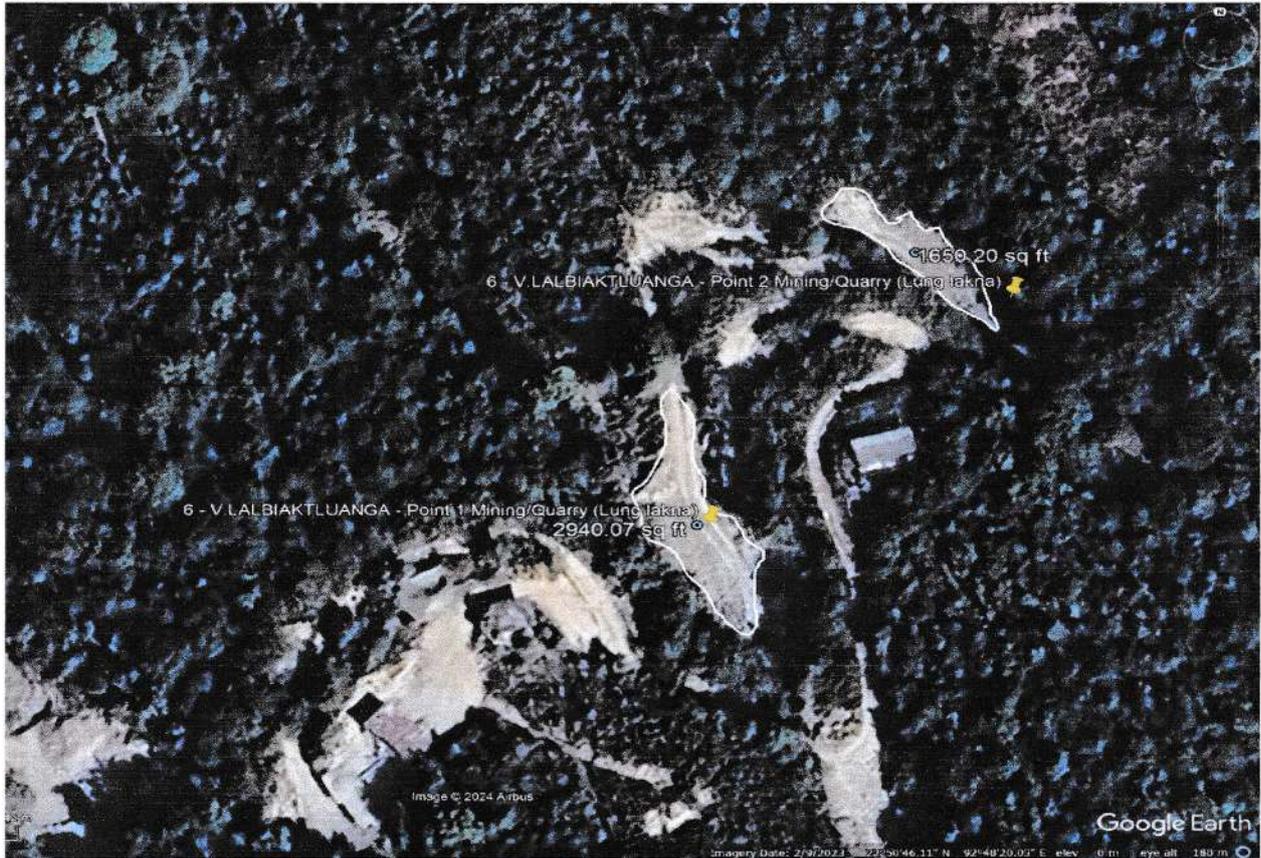


Figure 5 - Google Earth Imagery – 2.9.23, of Shri V.Lalbiaktluanga Point 1 Area –  
2940.077 sqft & Point 2 Area – 1650.203 sq. ft.