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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

OA No. 306 of 2022

HARBANS SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS.

.....RESPONDENT

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New Delhi

Dated: 02.05.2023

Respondent No. 9

Through Counsel

(M.F. KHAN & B. KRISHNA)
Advocate for Respondent No. 09
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OA No. 306 of 2022

HARBANS SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS.

.....RESPONDENT

Additional Affidavit On Behalf Of
Respondent No. 9 I.E. M/S Saharanpur
Mines And Management Services Pvt. Ltd.

RESPECTFULLY SOWETH:

1. That on the last date of hearing i.e. 26.04.2023 , this Hon'ble Tribunal had directed respondent No. 9 to provide information regarding: a. Nature of land under Mandewala and Jaidhar mining blocks; b. Proposed method of Mining; c. Mode and manner of reclamation of land after extraction of minerals; d. Safeguards for the purpose of protection of lands adjoining the mining block.
2. That in pursuance of the directions issued by this Hon'ble Tribunal, it is submitted as follows:
 - i) That as per mining plan (Annexure R-9/6), Jaidhar and Mandewala mining blocks have been classified as "*outside riverbed blocks*". The land comprised in the aforesaid blocks is agricultural land.
 - ii) That as per mining plan (Annexure R-9/6), Jaidhar mining block is located at Village Jaidhar, District Yamunanagar with a total area of 25.60 hectares. The details of the Khasra numbers are also provided in the mining plan.

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- iii) That as per mining plan (Annexure R-9/6), Mandewala mining block is located at Village Mandewala, District Yamunanagar with a total area of 15 hectares. The details of the Khasra numbers are also provided in the mining plan.
- iv) That as per the mining plan (Annexure R-9/6), the mining operations are to be conducted on a pre-determined area of the mining block at a given point of time. In view thereof, after determining the specific portion of the mining block for the purpose of extraction of minerals, agreement is to be executed with the owner of the particular piece of land for the purpose of payment of compensation which is decided by way of mutual settlement. After payment of compensation as per agreed terms and conditions, area shall be used for the purpose of extraction of minerals.
- v) That respondent No. 9 shall conduct mining operations after executing agreement for compensation with the concerned land owners.
- vi) That as per the mining plan (Annexure R-9/6), the mining shall be carried out by open cast semi-mechanized method. The average permitted depth of mineral is around 9 meters. Out of which there is overburden of about 1 meter thick soil and remaining 8 meter depth is of mineral i.e. boulder, gravel and sand. The mining shall be conducted hectare wise by way of bench formation. The top layer of around one meter depth shall be removed through excavators which will be stacked nearby for back filling. This shall leave a bench of one meter depth and atleast 20 meter wide. The minerals below this bench shall be extracted. The removal of soil precedes the winning of sand. Once a pre-determined area has been exhausted, the land shall be given back to the land owners for their use which is mainly agriculture. In this way, the use of the land shall remain the same after the extraction of minerals.

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- vii) That the reclamation of mined out area is provided under the Environment Management Plan appended with the mining plan (Annexure R-9/6). It has been stated as follows: *In case of outside riverbed mining, top soil will be removed in advance of the actual mining and will be stacked in a temporary stack yard. The same will be utilized for reclamation once the mining of minerals in ½ hectare area is over. This practice of continuous and simultaneous reclamation shall be continued during the mining operations. About 10,000 cubic meters of soil will be needed for each hectare area mind outside the riverbed. The yearly generation of over burden will be 28,750 cubic meters. This over burden will be used for reclamation. When working in each hectare area is completed, the same will be reclaimed simultaneously. Working in the next hectare area will be shifted only after reclamation of the mined out one hectare area. This practice will be continued simultaneously.*
- viii) That it shall be imperative to state that Mines and Mineral Development Restoration and Rehabilitation Fund has been established as per Haryana State Mining Rules, 2012. One of the purpose of the fund is to provide funding of the restoration or reclamation or rehabilitation works in the sites affected by mining operations.
- ix) That as per the terms and conditions of the mining contract as well as the mandate of Haryana State Mining Rules, 2012, respondent No. 9 shall deposit an amount equal to 10 % of the contract money towards the fund by way of installments.
- x) That for the purpose of safeguarding the lands adjoining the mining area, the mining plan (Annexure R-9/6) provides for “*restricted safety zone*” of 7.5 meters from the boundary of the mining block. The total land in the restricted safety zone shall be 2.56 hectares for Jaidhar mining block and 0.75 hectares for Mandewala mining

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block. The area available for mining at Jaidhar mining block shall be 23.04 hectares out of 25.60 hectares; and the area available for mining at Mandewala mining block shall be 14.25 hectares out of 15 hectares.

3. That respondent No. 9 shall conduct the mining operations strictly in accordance with the respective mining plans and shall abide by all the terms and conditions of the mining contract as well as the applicable laws.

It is therefore, most respectfully prayed that the original application may kindly be dismissed.

New Delhi

Dated: 02.05.2023

Respondent No. 9

Through Counsel



(M.F. KHAN & B. KRISHNA)
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

OA No. 306 of 2022

Harbans Singh vs. State of Haryana and others

AFFIDAVIT

I, Sushil Kumar son of Sh. Rajbir Singh resident of Village Gangapur, Tehsil Barara, District Yamunanagar, Haryana, do, hereby solemnly affirm and state as under:

1. That the deponent is the Authorized Representative of respondent No. 9 in above-mentioned case and as such is fully acquainted with the facts and circumstances of the case.
2. That the deponent is filing an accompanying additional affidavit which has been prepared as per the instructions of the deponent.
3. That the facts stated in the accompanying additional affidavit are true as per personal knowledge and belief of the deponent. No part of the above affidavit is false and nothing material has been concealed therefrom.

Sushil Kumar
DEPONENT

Verification:

I, the above named deponent verify that the facts stated in the above affidavit are true to my personal knowledge and belief.

Verified at CHANDIGARH on 2/5/2023.

Sushil Kumar
DEPONENT

THE CONTENTS OF THE AFFIDAVIT HAVE BEEN READ AND EXPLAINED BY THE DEPONENT AFTER WHICH HE HAS SIGNED THE SAME DEPONENT HAS SIGNED IN HINDIPALASBI ROLL THUMB MARKER



ATTESTED AS IDENTIFIED

RAJNI
NOTARY, Chandigarh

[Signature] 2-5-23

Identified the deponent
who has signed thumb
marker in my presence
Signature