

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

ORIGINAL APPLICATION NO. 362 OF 2022

IN THE MATTER OF:

Aravalli Bachao Citizens Movement

...Applicant

Versus

Union of India & Ors.

...Respondents

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Through

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ADDITIONAL SUBMISSIONS ON BEHALF OF THE APPLICANT

MOST RESPECTFULLY SHOWETH:

1. That the above titled Application was filed under Section 14 and Section 15 of the National Green Tribunal Act, 2010 highlighting ongoing illegal sand and stone mining taking place in the Aravalli range in the districts of Faridabad, Gurugram and Nuh in the State of Haryana.
2. That the Applicant had filed a Rejoinder dated 27.04.2023 to the Affidavits of Chief Secretary, Haryana (Respondent No. 2) dated 12.04.2023, Mines and Geology Department, Government of Haryana (Respondent No. 3) dated 11.04.2023, Affidavit of Haryana Pollution Control Board (Respondent No. 5) dated 10.03.2023 and Affidavit of Director General of Police, Haryana dated 12.04.2023.
3. That the Applicant seeks liberty to file additional submissions before this Hon'ble Tribunal.

SUBMISSIONS ON BEHALF OF THE APPLICANT:

4. Environmental compensation recovered by the Directorate of Mines and Geology should be utilised for ecological restoration: That an RTI Application (annexed as ANNEXURE A-10 of the Reply by Applicant to Joint Committee Report) was filed to the Directorate of Mines and Geology, Government of Haryana, seeking information on amount of money collected from vehicles impounded for illegal mining in Gurugram, Faridabad and Nuh Districts from January 2010 till 31 May 2022 and money collected by way of fines, penalty and

environmental compensation in cases of illegal mining in Gurugram, Faridabad and Nuh Districts from January 2010 till 31 May 2022. In the Reply to the RTI Application dated 08.08.2022, the authorities informed that total amount for year wise penalty / environmental compensation from 2010 to 2022 is INR 24,96,04,528.

5. That the environmental compensation so recovered should be used by the authorities for ecological restoration of the illegally mined areas.
6. Promotion of Alternative Building Materials: The increasing urbanisation and real estate construction activities have increased the demand for construction materials, which gets fulfilled by illegal mining. Government should promote the use of alternative materials like fly ash bricks and earth bricks so that our hills are not razed to the ground to feed the never ending construction. Use of construction and demolition waste in construction to replace aggregates from crushed virgin stone is recommended by the National Building Code and also by the MoEFCC and MoHUA. The use of virgin aggregates must be discouraged in order to ease the pressures on the Aravalli mountain ecosystem and in their place waste from construction debris and industrial by products such as slag from steel and aluminium must be used as is the practice in states like Orissa and Bihar. It is high time that such things are mainstreamed in Haryana and other Aravalli states so we can protect our hills from being razed to the ground.
7. Ecological Restoration Of Aravalli Areas Degraded By Illegal Mining: That the Applicant organisation asks for the restoration of the Aravalli hills and forests where illegal mining has taken place by giving these areas protected status so that the ecosystem services they provide can be enhanced to protect Delhi-NCR as the region faces the adverse impacts of climate change, water stress and air pollution. Forest restoration of the degraded illegally mined Aravalli areas using

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native species will also contribute to India's Nationally Determined Contributions, and improve Haryana's abysmally low forest cover which is currently a meagre 3.6% of the geographical area (FSI, 2021), and well below the national average of 20%.

8. Plan for Ecological Restoration of Illegally Mined Aravalli Areas in Haryana given by Leading Conservationists of India: Many Aravalli hills in Gurugram, Nuh and Faridabad have been broken and destroyed beyond repair. The belt where illegal mining in the Aravallis has been taking place after the Supreme Court ban on mining is extremely degraded and needs an ecological restoration plan. Aravalli Bachao Citizens Movement has consulted with experts in the field of conservation and ecology namely Dr. Ghazala Shahabuddin, Neha Sinha, Dr Pia Sethi, Dr Rajendra Singh and Prerna Bindra regarding the steps that should be taken for ecological restoration and conservation of the illegally mined and severely degraded Aravalli areas:
 - a) The entire stretch of the Aravallis in Haryana should be declared as a "Protected Area" and then opened for nature, wildlife tourism of existing native flora and fauna. Alternatively, a network of "Strictly Protected Zones and Community Reserves / Biodiversity Heritage Sites" can also be considered to conserve the Aravalli forests & hills, where local rural communities along with the Forest Department can hold rights to tourism and restricted forest use. Tourism Department should have no role in this area. It has to be with Forest Department and local panchayats.
 - b) Aravalli hills and forests offer a great experience of trekking, hiking, cycling, adventure activities and nature-based sport like rock climbing, camping in the wilderness etc, guided birdwatching trips, wildlife tourism, nature walks and healing forest spaces to help people unwind from the hustle-bustle of

busy life in the cities and from their daily work routine. These activities can help to develop nature tourism in the Aravallis that will allow city folks to experience the natural environment and wilderness without damaging it or disturbing its habitats by converting it into a zoo and doing too much construction and bringing unwanted real estate development in the Aravallis. Also, nature tourism will benefit the villagers by contributing positively to the local economy through home stays and villagers being employed as guides and for many other things. Sustained revenue can be generated in this model at lower investment. Haryana government can showcase this as a case study in conservation and restoration.

c) Strict guidelines should be developed for water usage. Monitoring of Aravalli aquifers and groundwater tables must be done.

d) A protection plan must be put into place. Sufficient number of forest guards or any such appropriate authority along with community guards should be the primary defence to protect the wildlife of the region. This must be supplemented with Advanced Drone Technology as a monitoring tool to regulate and control illegal encroachments, mining and other non-forest activities in this area.

e) Position the Aravallis as nature and wilderness zones to attract high value nature-based tourism. Many countries such as Japan, South Korea and Finland have created "healing spaces" by leveraging their forests and natural habitats. Below link gives details on how South Korea has used its natural habitat to create healing forests throughout the country.
<https://healingforest.org/2020/10/21/forest-bathing-secrets/>

Aravallis in Haryana can be used as a range dotted with "healing spaces" and forest immersion experiences where

overloaded minds and overworked bodies can come and find mental peace, solace and good health. Creating these “healing spaces” will boost local employment, help sustain biodiversity around the area and benefit the state economy in a sustainable way. This can be done by developing concept of ‘Learning from Nature’ by:

- Organising healing forest walks, nature meditations and forest art workshops.
 - Organising sessions where elders and locals share forest wisdom.
 - Doing action projects that give back to nature.
 - Setting up forest schools and nature camps for children to learn from the wild.
 - Nature-based tourism and guided bird watching trips.
- f) Implement ecological restoration (through an agency/organisation with proven track records) in a smaller area i.e. about 10-25% of the total area in phase one. Adapt and sustain to restore ecosystem services and make the model self-sustaining, cost neutral and then revenue generating. Then, scale and replicate to the full area.
- g) Form a Committee to design and oversee the implementation of a conservation plan for this region consisting of atleast 50% representatives from citizens’ movements, local rural communities and noted experts in the field of conservation, rewilding, wildlife, hydrology, waste management, etc. along with forest department and other government officials. National Green Tribunal should approve the conservation plan and also nominate experts to be part of the Committee.
9. That this Hon’ble Tribunal may be pleased to take into consideration the above submissions made by the Applicant along with the Rejoinder dated 27.04.2023 for adjudication of the above titled Application.