

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

OA No. 362/2022

IN THE MATTER OF:

Aravalli Bachao Citizens Movement

Applicant

Versus

Union of India & Ors

Respondents

INDEX

S.No.	Particulars	Date	Page
1.	Affidavit of Mukul Kumar, (IAS) Director, Mines and Geology, Department of Haryana, in Compliance of Order Dated 23.05.2022	08.10.2022	1 -4

Place: Panchkula

Dated: 8/10/2022

Mukul Kumar

DEPONENT

Mukul Kumar, (IAS)

Director,

Mines and Geology, Department, Haryana

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**AFFIDAVIT OF MUKUL KUMAR, (IAS) DIRECTOR, MINES AND
GEOLOGY, DEPARTMENT OF HARYANA, IN COMPLIANCE OF
ORDER DATED 23.05.2022**

RESPECTFULLY SHOWETH:

1. I, the above named deponent do hereby solemnly affirm and declare as under:-
2. That it is submitted that above captioned application is fixed for hearing on 10.10.2022. Earlier, the application came up for hearing before the Hon'ble Tribunal on 23.05.2022 and the Director, Mines and Geology Department, Haryana was directed to submit affidavit on following aspects:



- (a) How many complaints were received on web portal or by post or otherwise regarding illegal mining in the area during last 5 years;
- (b) What action was taken on such complaints, in how many cases FIRs were registered, in how many cases challans (chargesheets) under Section 173 (2) of the Code of Criminal Procedure, 1973/complaints under Section 22 of the Mines and Mineral (Development and Regulation) Act, 1957 were filed and in how

Mukul Kumar

many cases complaints were closed/no action was taken;

- (c) In how many cases vehicles were impounded and in how many cases the vehicles were confiscated or released after payment of the amount in accordance with orders dated 05.09.2018 and 26.02.2021 passed by this Tribunal in O.A No. 44/2016 titled as Mushtakeem v/s MoEF&CC & Ors, and O.A No. 360/2015 titled as National Green Tribunal Bar Association vs. Virender Singh (State of Gujarat) respectively;
- (d) In how many cases proceedings for recovery of penalty and environmental compensation were initiated; and
- (e) What steps were taken for environmental restoration in the areas of illegal mining.”

3. That with regard to the details required to be submitted by the Mines and Geology Department, it is prudent to clarify that mining Matter relating to mining in Aravalli hill areas in the districts of Faridabad, Gurgaon (now Gurugram) and Mewat (now Nuh) is pending before this Hon'ble Court for adjudication in the I.A No. 1785 of 2001 in W.P.(C) 4677 of 1985 – M.C. Mehta Vs. Union of India & Ors. and other connected matters. In view of the litigation in above cases, the mining in the hilly areas in the districts of Faridabad, Gurugram (earlier Gurgaon) and (earlier Mewat) is lying closed since long.

4. That a joint committee inspected the sites on 15.07.2022 and 06.08.2022 and is separately filing its report before this Hon'ble Tribunal through HSPCB.



Mukul Kumar

5. That in compliance of order of this Hon'ble Tribunal, point wise reply is submitted as under:

- (a) That in total 368 complaints were received on web portal or by post or otherwise regarding illegal mining during last five years in the office of Mining Officer, Gurugram, Faridabad and Nuh.
- (b) That after compilation of data received from office of Mining Officer, Gurugram, Faridabad and Nuh, out of total 368 complaints, 109 converted into FIRs and fine has been recovered in 48 cases, whereas, no illegal mining was found in 65 cases and in remaining cases though complaints were forwarded to the concerned police stations regarding illegal mining, but complaints could not be converted into FIR.
- (c&d) That as regard number of vehicles impounded and confiscated or released after payment of the amount in accordance with orders dated 05.09.2018 and 26.02.2021 passed by this Tribunal in O.A No. 44/2016 titled as Mushtakeem v/s MoEF&CC& Ors, and O.A No. 360/2015 titled as National Green Tribunal Bar Association vs. Virender Singh (State of Gujarat) it is submitted that from August, 2019 onwards total 2110 vehicles were impounded, out of which 838 vehicles were released after recovery of Rs. 24,74,37,329/- [Rs. Twenty Four Crores Seventy Four Lakhs Thirty Seven Thousand Three Hundred Twenty Nine only] as environmental compensation as per orders of this Hon'ble Tribune passed in above said cases. It is worth stating here that the cases as above includes the cases where mineral laden vehicles coming from the adjoining state of Rajasthan without valid transit pass/ bill. Out of 2110 vehicles impounded, 881 number of vehicles got



Mukesh Kumar

released on supredari after recovery of Rs. 11,54,10,000/- [Rs. Eleven Crores Fifty Lakhs Ten Thousand only] as fine for environmental compensation as well as penalty, royalty and price of mineral. These cases of superdari includes the cases where applications were filed by the Mining officers for seeking orders of the Hon'ble Court/s to get the vehicle confiscated where owners were not coming forward to deposit the amount and number of vehicles were increasing beyond the capacity of space available. It may be added here that 391 number of vehicles are still lying impounded and would be dealt as per law.

6. It is worthwhile to mention here that the present affidavit is being submitted before this Hon'ble Tribunal with the submission that same may kindly be taken on record for consideration.

Place: Panchkula
Dated: 8/10/2022

Verification:

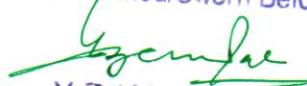
Verified that the contents of Para No. 1 to 6 of the present affidavit are true and correct to my knowledge having been derived from official reports and no part of it is false and nothing material has been concealed therein.

Place: Panchkula
Dated: 8/10/2022

Mukul Kumar .
DEPONENT

Mukul Kumar .
DEPONENT

Solemnly Affirmed/ Sworn Before Me


Y.P. MAHAJAN
NOTARY PUBLIC
(087)

08 OCT 2022