BEFORE THE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI.

OA NO.169 OF 2020

IN THE MATTER OF:

Kuldeep Singh ...Applicant.

Versus

State of Haryana and Ors. ...Respondents.

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FILED BY:-

Karanvir Singh Khehar and Sunita Sharma
Advocates for Respondent No.6
Chamber 202, C.K. Daphtary Block
Tilak Lane, Supreme Court
Email: sunitasharma361@gmail.com
Mob No.9646400000, 9811602201.

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 169/2020

IN THE MATTER OF:

Kuldeep Singh ..Applicant

Versus

State of Haryana and others ...Respondents

AFFIDAVIT

I, Wazir Singh Kuhar, S/o Sh. Lachman Singh, aged about 62 years, R/o House No.54, Urban Estate-II, Hisar, Haryana presently at New Delhi, do hereby solemnly affirm and state as under:-

1. That I am one of the partners in Goverdhan Mines & Minerals as such I am conversant with the facts and circumstances of the case as such I am competent to swear this affidavit.
2. That this Hon'ble Tribunal was pleased to constitute 8 members Committee headed by Justice Pritam Pal, former Judge of Punjab and Haryana High Court and comprising Ms. Urvashi Gulati former Chief Secretary, Haryana, Regional Officer, MoEF&CC, Chandigarh, nominees of CPCB, Indian Institute of Soil and Water Conservation, Research Centre, Chandigarh, Haryana State PCB, SEIAA Haryana and District Magistrate, Bhiwani. The CPCB and State PCB were to act as nodal agency for coordination and compliance. It was directed that the first meeting of the Committee may be convened within two weeks. The Committee may peruse the record, undertake visit to the site (by such of the members as may be decided by the Chairman) and conduct other proceedings online. The Committee may interact with the stakeholders and take assistance from any other individual/institution. The Committee may also study the satellite

NOTARY K. BANDANA Delhi Regd. No. 19718 Date of Expiry 26.02.2025 GOVT. OF INDIA

imagery maps, in coordination with the concerned authorities. The report of the Committee may be furnished within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF with a copy to the Chief Secretary, Haryana for remedial action in the light of the said report following due process of law.

3. It is stated that Committee has submitted its Report on 25.03.2022 and Deponent is filing his reply to the said report. It is stated that deponent has been carrying out mining as per the norms and Letter of Intent was issued in favour of deponent on 11.10.2018 in respect of minor mineral in Dadar Mines having tentative area of 48.87 hectares pursuant to e-auction held on 04.01.2018 and 05.01.2018 and in compliance with orders dated 14.8.2018 passed by Hon'ble High Court of Punjab and Haryana at Chandigarh in CWP No.18712/ 2018 and lease deed was executed on 18.02.2019 and before lease was granted in favour of respondent Dadar Mines were being operated by M/s Sunder Marketing Associates and HSIIDC.

4. It is stated that mining lease of M/s Sunder Marketing Associates was cancelled on 06.08.2018 by Director Mines and Geology Haryana, Chandigarh and it was specifically recorded in the order that M/s Sunder Marketing Associates had excavated access quantity of 15,84,848 MT stone which was @ Rs.230/- per MT and the total cost was Rs.36,45,15,040/- and directed them to deposit the said amount within a period of 15 days with the Mining Officer, Bhiwani.

5. It is submitted that by way of present affidavit respondent is filing reply to the report submitted by 8 member joint committee constituted by this Hon'ble Tribunal. The reply to the report along with annexure

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is being filed as ANNEXURE R-2 and deponent craves leave to refer to the video clippings at the time of hearing.

DEPONENT

VERIFICATION:-

Verified at Delhi on this 14 MAY 2022 May,2022 that the contents of this affidavit are true and correct to the best of my knowledge based on the records kept and maintained in the usual course and legal pleas contained therein are based upon information received and believed to be correct.

DEPONENT

IDENTIFIED

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K. BANDANA
Delhi
Regd. No. 19718
Date of Expiry
26.02.2025
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14 MAY 2022

ATTESTED

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4

M/s. Govardhan Mines & Minerals

Site: Dadam Mine, Dadam (Tosham)

Regd. Office: Near Hisar Naka, Khanak (Tosham)

Email ID: govardhanminesminerals@gmail.com **Contact: 9992100001**

To,

Ref:-CMC/2022/819 Dated: 25.03.2022

Sub:- Reply/ Justification of Final Report of Eight members Joint Committees, Constitute by National Green Tribunal, Under the Chairmanship of Justice Pritam Pal, Former Judge of Punjab and Haryana High Court with regards to illegal mining area in forest area, Mining area and unscientific mining in mining area by M/S Goverdhan Mines & Minerals, Tosham, District Bhawani in compliance to order dated 20.07.2021 & 18.01.2022 in O.A No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & others.

Sir,

In context of the overall conclusion drawn by the joint committee considering the facts and circumstances, we are submitting herewith the point wise justification & reply as under:-

5.1	**Illegal mining in forest area (non minable area) in 300 m2 area in Dadam mines hills, village Dadam.**
	In 2007-2008 the said area was part of lease area and mining done in this part is done by previous lease holder. On 23.12.2019 a FIR 587 regarding illegal mining is lodged in forest area and case has been filed against third party by Forest department. There is no irregularity pending against M/s Govardhan Mines and Minerals. The matter is subjudice and pending in Tosham court.

As mentioned in Final report PP has accepted their fault but actually we have not accepted our fault instead submitted our defence in consolidated reply submission to NGT which is reproduced as under:-

M/s Govardhan Mines & Minerals have received permission of diversion of 0.504 hectares of forest land vide proposal FP/GR/Approach/39072/2019 received on 25-10-2019. MOEF sought clarification on approach road & shape of approved Road, as the road was non-linear. **Copy of said letter of MOEF& CC objection is enclosed (as Annexure No:-1). Reply to this query** was filed by us through explanation **dated 18/7/2019.** Copy of same **enclosed (as Annexure No:-2).** Vide this it was explained in para 1..." *the approach road is for entry into mining area. The road is non-liner due to the fact that lease area is also irregular and there are ups and downs in the area required. The land is not plane land. So kindly treat the proposal as Linear.* **Approval for the same has been received dated 25.09.2019 (copy of Approval enclosed as Annexure:-3)**

The road was to be used for transportation of material through trucks from mining lease area.Till date the road has not been constructed and thus not used for transportation.

To make the route feasible for smooth transportation of material it was necessary to level the given area by cutting and filling. By keeping this fact in mind & to bring approved route/road on ground, we started this work during day time following said map (showing coordinates) of entire approved route provided by forest department. This could be only done during day time as there were pits existing on the side of the route/road prior to 25/02/2019. As the approved route was uneven (as clarified by our reply dated 18.07.2019 given in response of objection raised by forest department.) levelling of route was required with the help of Machines and wherever required cutting and filling to maintain the width of 6m following the alignment of given coordinates but as coordinates were not provided in close proximity delineating the exact range(from left to right) and width between B& C pillars they unknowingly deviated a little bit from the alignment by the workers being not technically aware.

A day later to the start of construction of approved route unknown persons were caught with machines & trucks at night time intending illegal mining as reported in

	FIR. Since that time to till date M/S Goverdhan Mines & Minerals stopped the construction of route as the area was disputed due to FIR. Further we hereby clarify that FIR regarding illegal mining has been filled against the person caught on spot not against M/s Goverdhan Mines & Minerals.**(Evidenced in Copy Final Report in FIR 587 is enclosed herewith as Annexure No:-4)** or any other associated with M/s Goverdhan Mines & Minerals. In continuation to our reply we are also enclosing herewith a **copy of Order with CIS No. CRM/08/2019 (Enclosed as Annexure No:-5)** in FIR No 587 dated 23-12-2019. In the said order there is report dated 3/01/2020 of Local Commissioner appointed by Hon'ble Court. In said **report of local commissioner (Enclosed as Annexure No:-6)** it has been mentioned that there was no stones in dumpers/truck seized by the police. The trucks were released by the Honourable court on the above order. In the area in which the proposed route was allotted was earlier mined by previous leaseholders during 2008-09 who were doing mining work in that period. Further presence of drill hole apart from approved rout i.e between AB& BC are concerned with previous lease holders.(**Vedio & photographic record** is enclosed herewith as **Annexure No:- 7)** clarifying the said 300sqm area Mining was done by previous lease holder not by M/s Goverdhan Mines & Minerals.) No illegal Mining has been done by M/s Goverdhan Mines in Forest Area. **We have not committed any fault as we were only trying to level our approved pathway and above all the case has been filed against third party not against M/s Goverdhan Mines and Minerals. The said case is pending in court thus considering the legal status of the matter we request you to leave the decision on Hon'ble Court. So that fair & unbiased decision shall be made.**
5.2	**Illegal abstraction of groundwater in Dadam Mining area**
	Based on the data/information, the Joint Committee concludes the issue as under: **The water accumulated in mining pit having depth of 109 m is seepage from the cracks and fissures of the quartzite rock of Aravali system and no ground water abstraction in mining area has been made.**

	Refer Submission of Assistant Geologist, Ground Water Cell Point no. 2.2.3 of Page no 5 of Final report dated 25.03.2022. Page Enclosed as **Annexure:-8** Also refer the Survey & investigation report of CGWB, Chandigarh dated 5.02.21 already submitted to NGT. Enclosed as **Annexure:-9**
5.3	**Unscientific mining in mining area by the project proponent**
	We hereby convey you that we have already submitted all relevant documents to joint Committee reproduced as under:- The **Director General of Mines safety, Ghaziabad conducted inspection of Dadam Mines on 28-12-2020** (Enclosed as **Annexure No:-10).** This inspection was conducted on the letter of Mining Officer Bhiwani in which he raised issue of Unscientific mining by leaseholder. The Report of the DGMS covers all the aspects in this matter. While doing mining we take care of **formation of benches (Photograph of benches enclosed herewith as Annexure No:-11)** Further additional document sought in meeting dated 4.09.2021 at Haryana Pollution control board, Panchkula regarding the Justification of bench height in reply we submitted the **circular 71/1973 of DGMS Enclosed here as Annexure-12** wherein it is mentioned at 2(a)"The height of the benches in overburden ore body or other rock formation shall not be more than the digging height of the machine used for digging , excavation or removal" it is further submitted that the Excavator machinery we are using here have a boom height of 9 mtrs **& Copy of Chapter-XI (Mine Working) of The Metalliferous Mines, Regulation 1961-DGMS.Enclosed as Annexure-13.** But committee have not considered our submissions and Now blamed violation coating the report of DGMS dated 2.03.2022. **Annexure:-14** It is pertinent to mention here that since 31.12.2020 to 1.01.2022 mine was completely non-operational for about 2 months i.e just before the accident due to pollution raise in NCR region. We have hardly worked for 7,8 Months due to Covid constraints. Thus we here want to submit that how it is possible to have differential submissions for same pit after working of just 7,8 months. Precisely in report dated 31.12.2020 everything was up to mark in specific pit & other area whereas in report submitted after accident everything is categorized as violation.

	This matter needs to be reviewed before concluding final decision.
5.4	**Illegal mining in forest area (non mineable area) in 0.8 hectare area in Dadam mining hills in village Dadam, Tehsil Tosham.**
	The consolidated reply submitted to Committee is reproduced as under:- "No encroachment on forest area has been made by M/S Govardhan Mines & Minerals. It is clearly evident with the Google Image of period 2016 to Jan 2019 showing position of mined area near Pillar B&C. Further KML file has been sought in meeting dated 4.09.2021 at Haryana Pollution control board, Panchkula **(Enclosed as Annexure- 15)** Again the matter has been discussed in meeting dated 11.02.2022 & we were asked to submit **the imagery date from 2016 to 2019 specifically of 22.05.2016, 9.01.2019 & 8.02.2019 (Enclose as Annexure- 16)** Wherein it is clearly evident that illegal mining of 0.8 ha. was already done before the start of Mining operation by M/S Goverdhan Mines & Minerals. **Report of DFO dated 21/12/2020 (Enclosed as Annexure-17)** establishing the same." Later on Dr. Sultan Singh, Principal Scientist, HARSAC submitted detailed report Dated 17.03.2022 on high resolution satellite imageries for Dadam Stone mines in this issues. Presuming that HARSAC might have submitted their report. We requested the committee to provide us the report submitted by HARSAC & allow us to present our defense in the matter if in case there are any discrepancies at our end before the release of final report to Hon'ble National Green Tribunal, New Delhi. Request Letter dated 21.03.2022 is enclosed herewith as **Annexure:-18**. But we haven't received any positive response/ opportunity to address our concerns. Final report has been released date 25.03.2022. After reading the final report we have observed that the complete copy of HARSAC report is not given in Final Report. We requested for the same via mail dated 31.03.2022.Copy of Mail is Enclosed as **Annexure:-19.** But till date we haven't received the complete copy of HARSAC report.

	Further In view of the Final report we would like to submit that As per the report of HARSAC it is observed that 0.097 ha of mining area increased within and outside the boundary of 0.8 ha. area. The said report is established by analyzing the imagery of date 16th feb 2020 whereas the previous data analyzed is of 8th feb 2019, Stating the fact that incremental area is observed is between 8th feb 2019 to 16th feb 2020. It needs to be considered here that we have started mining operation from 25th feb 2019 and last data analyzed on 8th feb 2019, having a difference of 17 days. So, here is a sign of interrogation that **how the committee have establishing the fact that this increment in area is being done from 25.02.2019 to 16.02.2020 not between 8.02.2019 to 25.02.2019.** **As there has been illegal mining in period where no lessee existed so this fact needs to be considered before drawing any decisive conclusion.** It is also respectfully submitted that according to our knowledge and understanding **accuracy of date of satellite imagery is considered as +/- 3 pixels where the pixel relates to resolution of the satellite/ drone images. It may translate in to 1.5 meters if resolution in 0.50m and 0.3m linear meter if resolution in 0.10m and likewise.** This will have huge bearing on area calculations on the basis of photo image analysis. We have already requested the committee to consider this fact on dated 27.03.2022. Copy of mail Enclosed As **Annexure:-20** If the accuracy constraint of satellite imagery is acknowledged than the area alleged over GMM i.e 0.097ha can be concluded & considered negligible.
5.5	**Illegal mining in Dadam mining area done up to depth of 109 m**
	The consolidated reply submitted to Committee is reproduced as under:- "The mining in Pit No.-18 is not done beyond 109m till date. The **Inspection report of Dadam mines conducted by officers of mining department on 4-11-2020** (Enclosed as **Annexure No: - 21**) at point 2 mentions that maximum depth of the pit was found at 109 meters. The PP has started mining operations on 25/2/2019 only and before that the mining was done by M/s Sunder Marketing associates. Earlier before the said lease holder the mines were in operation from 1990 onwards also. This fact can also be verified from Mining Department. In addition to above we are

furnishing following documents/ evidence which show that the said mining area was already deep more than 109 meters prior to 25/2/2019.

i) We have submitted a **Pen drive having video** (Enclosed as **Annexure No:-22) of condition of mining area before start of mining operation** by M/s Govardhan Mines and Minerals. Also enclosed are **photographs of the area** (Enclosed as **Annexure No:-23)** taken from video in the pendrive. The photographs show the exact condition of lease area before start of mining by M/s Govardhan Mines and Minerals. These were taken before Feb. 2019. From the video probable depth of mine area of alleged pit prior to 25.02.2019 can be estimated to be close to 110m deep. The same gives a clear cut estimate about depth of mine.

ii) Shri Rakesh Dalal who is complainant in O.A No.-132 of 2020 before Hon'ble NGT have also filed a writ petition (PIL) of 9002 of 2018 Before Hon'ble Punjab and Haryana Court which was dismissed. At page **56 of paper book of CWP** (Enclosed as **Annexure No:-24)** it has been stated that mining has been done beyond 100 meters. This was on the basis of **Survey report got conducted thoroughly by M/s Shivom Engineers Associates Pvt. Ltd. Dated 28-8-2017** (report & Topographical Map Enclosed as **Annexure No:-25)**. In the said survey report it was reported by the Surveyor that mine depth at places is more than 100 meters as the top mRL is 230 & lowest mRL is 129 thus establishing the depth of 101m.

Further it is required to mention here that after this survey previous lease holder has been permitted by Honourable Supreme Court to work till 30/11/2017. During this period of 3 months extensive mining has been done extracting huge quantity of mineral. Thus extending the depth of mining in said pit to 109m.

As the matter discussed in meeting dated 4.09.2021 at Haryana Pollution Control Board, Panchkula we were asked to clarify & submit the receiving, if in case M/S Goverdhan Mines & Minerals have submitted this Survey report to Mining Department. In this context we submitted our clarification that this Survey has been conducted by Shivom Engineers Associates Pvt. Ltd not by M/s Goverdhan Mines & Minerals. As M/s Goverdhan Mines & Minerals has allegation of doing mining at the depth of 109metres by NGT, we have used this document for our defence as it has

been submitted before court by the same petitioner Mr. Rakesh Dalal in 2018 & aforesaid Survey has been conducted on dated 28.8.2017 which is clearly before the sanction of lease to M/s Goverdhan Mines & Minerals.

Further certified Copy of Paper Book of CWP (PIL) No. 9002 of 2018 in case of Rakesh Dalal versus State of Haryana & others was sought in meeting held at Haryana Pollution Control Board, Panchkula on dated 4.09.2021, to establish the factuality of our submission wherein a Digital Survey Report of Dadam Stone Mines conducted by Shivom Engineers Associates Pvt. Ltd was Submitted as a supporting Document in Sr.No. 42 & 43 from page no 562 to 568 of Paper Book. Certified copy is duly submitted to Committee.

Later on Dr. Sultan Singh, Principal Scientist, HARSAC submitted detailed report Dated 17.03.2022 on high resolution satellite imageries for Dadam Stone mines in this issues.

Presuming that HARSAC might have submitted their report. We requested the committee to provide us the report submitted by HARSAC & allow us to present our defense in the matter if in case there are any discrepancies at our end before the release of final report to Hon'ble National Green Tribunal, New Delhi. Request Letter dated 21.03.2022 is enclosed. But we haven't received any positive response/ opportunity to address our concerns.

The main source/ data against allegation of mining up to depth of 109 meters are :-

i) Conclusion made by HARSAC on the basis of satellite images which reflect that M/s Goverdhan Mines & Minerals has done mining upto depth of 80 meters on average and at one point at 15 meters excess.

ii) An inspection report dated 12-2-2020 of mining department show that in southern side of lease mining upto 109 m has been done in one part and Assistant Mining Engineer directed to stop mining in area where depth was around 300 feet.

On the above points of allegations we submit as under:-

As stated in HARSAC report **Table -8 (*Refer Annexure-14 of Final Report) Annexure:26*** the max elevation in 2017 is 97m where as it is 109m in 2020 & 110m in 2022. As reported by HARSAC the average variation in the bottom undulation & correction factor of DGPS of said depth of 109m in 2020 should be considered 97m. It is pertinent to mention here that the depth estimated in 2022 is also done with

DGPS thus same variation should be applied to the report of 2022.

Thus difference established comparing these data is only 1m which can be considered negligible due to variation in bottom undulations. Thus it can be safely concluded on the basis of both the reports that the mining have been done prior to the lease being allotted to us between 97m to 109m.

Also it is clearly mentioned in detailed deliberation given by HARSAC ***(in page no 225 Annexure-14 of Final report of joint committee)*** that **"The average elevation between the year 2019 -2022 cannot be commented because of unavailability of the elevation data for year 2019".**

In view of above, it is humbly prayed that there is no illegal mining or mining in contravention of mining plan or EC etc. If there is any difference, then it may be due to error of judgement. ***(Refer detail deliberation of HARSAC in final Report dated 25.03.2022).***

It is also respectfully submitted that according to our knowledge and understanding **accuracy of date of satellite imagery is considered as +/- 3 pixels where the pixel relates to resolution of the satellite/ drone images. It may translate in to 1.5 meters if resolution in 0.50m and 0.3m linear meter if resolution in 0.10m and likewise. Whereas the most relevant report of M/s Shivom Engineer's dated 28.08.2017 being done with Total station having an accuracy of +/- 1mm.** This report deserves credibility. This will have huge bearing on area/depth calculations on the basis of photo image analysis. We have already requested the committee to consider this fact on dated 27.03.2022.

Further As stated by us in our reply to show cause notice dated 26/6/2020 that position of the pit was the same as allotted to us by mining department vide LOI dated 11-10-2018.

On each and every point of show cause notice we filed satisfactory reply along with evidence.

It is admitted to the extent that the show cause notice dated 26.06.2020/5.10.2020 was received by M/s Goverdhan Mines & Minerals, since the reply submitted by us was found satisfactory on all point therefore no further action is required especially when approximately two years have lapsed.

However during this period an original application no 132 of 2020 was filed by one Sh. Rakesh Dalal in NGT new Delhi in which various allegations were leveled

against Govardhan Mines and Minerals. The basis of complaint in NGT was that Sh. Rakesh Dalal has filed CWP 9002 of 2017 in Hon'ble Punjab and Haryana High Court against M/S Sunder marketing associate (who was operating the mine at that time). The Hon'ble high court dismissed the said petition with the liberty to petitioner to approach appropriate authority for his grievance. So he filed the almost same petition against M/s Govardhan Mines and Minerals who was then holder of Dadam lease. When NGT took cognizance of matter then we came to notice from paper book of said petition that a survey of lease area was got conducted by other person. The survey was done in 28.08.2017 and after that M/S Sunder marketing associate worked upto Nov. 2017. During that period as per survey depth of mine was more than 100 meters in that part of the lease area.

During enquiries by Committee appointed by Hon'ble NGT we submitted our reply by enclosing certified copies of survey report as well as paper book of petition in CWP 9002 of 2017. We categorically submitted that survey was conducted before the existence of Govardhan Mines as lease holder. This documents is a part of petitions lying in Hon'ble High Court records.

In its detail deliberation report HARSAC confirm the fact the figure of 109m should consider the as 97 m.

Further the detailed deliberation of said point has been received from HARSAC wherein it has been mentioned that the depth is derived from the Digital Terrain Model (DTM) based-on Drone image of 24 Nov. 2017. Since the elevation/depth coverage data is available for the year 2017 this can only be a reliable output. The elevation and depth for after the year 2017 as taken from various sources is neither reliable nor comparable because of single location for the bottom depth data. Hence HRSAC cannot comment on others single point location datasets related to the elevation and depth beyond the year 2017. Though, on the request of the mining department, HARSAC has assessed point data for the year 2020/2021 presuming similar variations in the bottom undulations but **it is not comparable with the year 2017. (Refer detail deliberation of HARSAC of final report of Joint Committee dated 25.03.2022) Annexure:-26**

If the variations in the bottom undulations is added and subtracted from this, the range of depth obtained varied from 69 m to 91 m with an **average of 80 m which is under**

the acceptable tolerance to the permissible depth of 78 m as per the mining plan. (Refer Annexure 14 of Final report of Joint Committee dated 25.03.2022)

Further if we shall observe Table 8 (in page 225 of final report of Joint committee) the average elevation difference top to bottom for year 2017 is 86 m & Maximum Depth calculated is 97 m both are above 78m. **Thus it can be clearly inferred that if water table is at 78 m that it was already breached in 2017. So, We have not violated any such condition.**

In addition we would like to submit here that as per the EC obtained on said mining plan maximum depth of mining has been taken above water table. But it is pertinent to mention here that the report dated 3.11.2020 of Ground water cell ***(Refer point no. 2.2.3 on page no 5 of Final Report of Joint Committee dated 25.03.2022 in Annexure:-26*** have established the fact that the water table has not been encountered up to the depth of 109m (or say 97m as per the report of HARSAC) and the water accumulated in the mining pit is seepage from the cracks & fissures of the quartzite rock of Aravalli system.

It is also an observation that after Nov 2017 data of Nov 2020 has been used which clearly mark the sign of interrogation as how can it be established that the incremental depth if so, is after the inception of mining by M/S Goverdhan Mines & Minerals i.e between 25.02.2019 to Nov 2020 not before i.e between Nov 2017 to 25.02.2020.

Thus, we would like to submit here that conclusion made by joint committee in said matter that illegal mining in 15m (93m –78m) more than the permissible depth of 78 m on the basis of approved mining plan is based on incomplete information as the surface plan submitted along with mining has not been considered wherein depth of said pit at the time of inception is 99m approx., Further HARSAC has conclude the depth of 97m. We may request you consider the same as it is an important evidence to establish the depth of said pit in inception. **(Surface Plan approved with Mining Plan is enclosed).Annexure:-27**

Further we have observed that while prima facie communication of DC with HARSAC regarding mining depth estimation with satellite imagery via mail date 11.02.2021 submission made by Principal Scientist HARSAC reproduced as "**the mining depth cannot be estimated from the satellite data.** However the Digital Surface Model (DSM) generated as a product from ultra-resolution drone data can be used to some extent to find the depth. But **this is a research perspective and has**

	tolerance associated with it. (Mail (Annexure-29) is extracted from Action taken report of ADC Dated 16.07.2021). Annexure:-28. **Final report of joint committee has held us responsible for illegal mining in depth upto 80 meters on average and 15 meters on one point without considering our concrete documentary evidence** i) Which is from third party **(Report of Shivom Engineers Pvt.Ltd.),** having no influence from us, before the period of lease of GMM and that is also technical as well as scientific evidence. ii) Information in **surface plan submitted along with mining at the time of inception** has not been considered wherein depth of said pit at the time of inception is 99m approx. iii) **Tolerance and limitations of satellite data** as itself explained in HARSAC report. **Thus the natural justice has been denied to us by not considering these facts. Thus we request your kind honor to include these submissions in our reply also.**
5.6	**Abandoned/ damaged Dadam distributary/minor constructed in the Department of Irrigation.**
	In this context committee has considered the satellite imagery study and concluded that in the year, 2017, no mining was observed in the distributary but it was converted into pathway and there was a damage of 55m length along the Dadam Distributary due to development of path as visible on 2017 image and it has also been mentioned that 558593.91 ft^3 (15830 m^3) overburden is extracted from the distributary. Further we would like to submit that M/s Goverdhan Mines & Mineral stated mining operation dated 25.02.2020. So, the accountability of mentioned extracted overburden is of previous lease holder.
5.7	**Procurement of groundwater from private agency by M/s Govardhan Mines and Minerals for suppression of dust and plantation of trees in Dadam stone mining area.**
	Instructed regional department to ask agency to apply for NOC.
5.8	**Implementation of mining closure plan by the predecessor of the project proponent i.e. M/s Sunder Marketing Associates.**

	The said matter is under consideration of Hon'ble High court in CWP no. 26094 of 2017. Thus Joint Committee concludes that the Department of Mines & Geology may finalize the issue in light of court orders relating to compensation to private land owners.
5.9	**Closing of deep mining pit as per order dated 5.8.2020 of Department of Mines and Geology.**
	Refer Point No.- 5.1
5.10	**Steps taken by M/s Govardhan Mines and Minerals to control dust generated during drilling and other mining operations.**
	Report has acknowledged our efforts to control dust generated during drilling and other mining operation.

BRIEF SUMMARY OF DOCUMENTS ANNEXED AS PER ISSUES RAISED BY RESPONDENT NO.6

Sr. No.	Issues Raised	Supporting Documents	Annexure No.	Note
5.1	Illegal mining in forest area (Non minable area in 300m2 area in Dadam mines hills, village Dadam	Copy of letter dated 11.07.2019 of objection raised by MOEF & CC	Annexure-R-2/1	
		Reply of objection raised dated 18.07.2019	Annexure-R-2/2	
		Letter dated 25.09.2019 Approval & acceptance of route in Forest	Annexure-2/3	
		Final Report in FIR 587 dated 30.10.2020	Annexure-2/4	
		Copy of Order dated 06.01.2020 with CIS No. CRM/08/2019	Annexure-2/5	
		Report of Local Commissioner dated 03.01.2020 along with photographs	Annexure-2/6	
		Video recording/photograph showing existing view of already mined area in approved route	Annexure-2/7	Video is provided in pendrive.
5.2	Illegal abstraction of groundwater in Dadam Mining area	Ground Water cell Report point no. 2.2.3 of Page no. 5 of Final report dated 25.03.2022	Annexure-2/8	Refer point no. 2.2.3 on page no. 5 Annexure-26
		Survey & investigation report of CGWP, Chandigarh 05.02.2021	Annexure-2/9	
5.3	Unscientific mining in mining area by the project proponent	Director General (Mines & Safety) Ghaziabad conducted inspection of Dadam Mines on 28.12.2020	Annexure-2/10	
		Photograhphs of Benches	Annexure-2/11	
		Reply submitted the circular 71/1973 of DGMS	Annexure-2/12	
		Copy of Chapter-XI (Mine Working) of The Metalliferous Mines, Regulation 1961-DGMS	Annexure-2/13	
		Report of DGMS dated 02.03.2022	Annexure-2/14	
5.4	Illegal mining in forest area (non mineable area) in 0.8 hectare area in Dadam mining hills in village Dadam, Tehsil Tosham	KML showing position of Mining area from 2016-2019	Annexure-2/15	KML is provided in pendrive.
		The imagery dated from 2016-2019 specifically of 22.05.2016, 09.01.2019 & 08.02.2019	Annexure-2/16	
		Report of DFO dated 21.12.2020	Annexure-2/17	
		Final Report of NGT request	Annexure-2/18	

		letter 19.03.2022		
		Request for the complete copy of HARSAC Final Report via mail dated 31.03.2022	Annexure-2/19	
		Request Mail to Consider accuracy facts on dated 27.03.2022 " Copy of mail	Annexure-2/20	
5.5	Illegal mining in Dadam mining area done upto depth of 109 m	Inspection report of Dadam Mines conducted by officers of mining department on 04.11.2020	Annexure-2/21	
		Video in Pendrive showing condition & depth of said pit before the ownership of M/s GMM	Annexure-2/22	Video is provided in pendrive.
		Photographs taken of said pit before the ownership of M/s GMM	Annexure-2/23	
		Clarification regarding the existing depth at page 56 of Paper Book in the case of CWP 9002 of 2018 of Rakesh Dalal V/s Haryana State	Annexure-2/24	
		Survey report conducted thoroughly by M/S Shivom Engineers associated Pvt. Ltd. Dated 28.08.2017 along with Topographical Map	Annexure-2/25	
		Final report of Joint Committee dated 25.03.2022	Annexure-2/26	
		HARSAC Report Table-8	NA	Refer Annexure-14 of Annexure-26
		Ground Water Report cell of Final Report of Joint Committee dated 25.03.2022)	NA	Refer point no. 2.2.3 on page no. 5 Annexure-26
		Surface Plan approved with Mining Plan	Annexure-2/27	
		Mail of HARSAC to DC regarding mining depth estimation is research perspective and has tolerance associated with.	Annexure-2/28	Annexed in action taken report of ADC dated 16.07.2021 (as Annexure-29)
5.6	Abandoned/ damaged Dadam distributory/ minor	NA		

	constructed in the Department of Irrigation.			
5.7	Procurement of groundwater from private agency by M/s Govardhan Mines and Minerals for suppression of dust and plantation of trees in Dadam stone mining	NA		
5.8	Implementation of mining closure plan by the predecessor of the project proponent i.e. M/s Sunder Marketing Associates.	NA		
5.9	Closing of deep mining pit as per order dated 05.08.2020 of Department of Mines and Geology.	NA		
5.10	Steps taken by M/s Govardhan Mines and Minerals to control dust generated during drilling and other mining operations.	NA		

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Annexure R-2/1

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT FOREST & CLIMATE CHANGE NORTHERN REGIONAL OFFICE, CHANDIGARH

No. 9HRED60/2019-CHA Dated 11.07.2019

To,

The Forest Officer (FO) and

Subject: Diversion of 0.504 Hac of forest land for access mining area bearing Khasra No.132 in favour of M/s Governdhan Mines and Minerals at Village Dadam, under Forest Division and District Bhiwani, Haryana (online proposal no. HP/HR.Appraoch/ 3007272019)

Reference: Nodal Officer and conservator of forest ref 88.15/1196/approach 39072/2019 Dated 02.07.2019

Sir,

I have been directed to state as under regarding the above-mentioned in which as per Section 2 of the Forest Conservation Regulation, 1980 forest land measuring 0.504 Hec. has been demanded.

2.

i) In the online proposal, the category of proposal has been given as "Approach Road" however the shape of

the proposal has been indicated as "Non-Linear____, Please clarify.

ii) GE image shows many approaches to the mining lease. It is not understood why this additional approach road is felt necessary by the user agency state government.

iii) There is some confusion regarding the legal status of the Land. At some places it is mentioned as Aravali Plantation while as in some places it is given as Protected Forest.

iv) Copy of the approved mining plan is not uploaded and provided alongwith the proposal

v) NOC from Haryana Pollution Control Board.

vi) The area of diversion of Forest land is for 0.504 ha. However, in the site inspection report of the DFO, there is a mention of 0.075 ha of forest land.

vii) Environment clearance has been granted by the Ministry for 55.50 ha. of Government land. In the EC it has been mentioned that the project proponent

has reported that there is no forest land involved in this project. This needs to be clarified since there is no specific document mentioning the legal status of the land already under mining activity.

viii) EG granted by the Ministry is for M/s KJSL Sunder (JV) Pitampura, New Delhi while the owner of the mining lease is M/s Goverdhan Mines and Minerals. Hissar. Please clarify.

ix) State Govt. to clarify whether the mine area of proposal is the same mines for which EC was granted by MoEF &CC, New Delhi on 03.07.2019.

3. pl give the abovementioned information within 30 days of receipt of this letter and if information is not received in 30 days then this proposal may be treated as cancelled.

Sd/-

K.Z. Dhuria

Assistant Forest Commissioner, (Central)

True copy

7/11/2019 WhatsApp Annexure R-2/1

Divar Forest Land - Min Env.jpeg

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भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
क्षेत्रीय कार्यालय, चंडीगढ़ / Northern Regional Office, Chandigarh

फाइल संख्या 9-HR8060/2019-CHA

दिनांक: 11.07.2019

सेवा में,

नोडल अधिकारी (वन) एवं वन संरक्षक
क्षेत्रीय प्रभाग पंचकुला वन संरक्षक,
सी. डब्लू. सी. भवन, सेक्टर 6,
पंचकुला (हरियाणा)

विषय: Diversion of 0.504 ha of forest land for access to mining area bearing khasra No. 132 in favour of M/s Gowardhan Mines and Minerals at village Thakran, under Forest Division and District Dhirwal, Haryana. (online proposal no. FP/HR/Approach/39072/2019)

संदर्भ: 1. नोडल अधिकारी एवं वन संरक्षक के पत्र संख्या प्रभा/नो अधि/15/11/एफ, दिनांक 02.07.2019.

महोदय,

मुझे आपको यथा अनुरोध विषय में सम्बन्धित पत्रोक्ति एवं भी और बिताने का निर्देश हुआ है, जिसमें वन (संरक्षण) अधिनियम, 1980 की धारा-2 के अनुसार गैर वानिकी उद्देश्य के लिए 0.504 ha वन भूमि की मांग की गई है।

2. प्रस्ताव से सम्बन्धित निम्नलिखित जानकारी भेजने का कष्ट करें:-

i) In the online proposal, the category of proposal has been given as "Approach Road" however the shape of the proposal has been indicated as "Non-Linear". Please clarify.

ii) GE image shows many approaches to the mining lease. It is not understood why this additional approach road is felt necessary by the user agency/ state government.

iii) There is some confusion regarding the legal status of the land. At some places it is mentioned as Aravali Plantation while as in some places it is given as Protected Forest.

iv) Copy of the approved mining plan is not uploaded and provided along with the proposal.

v) NOC from Haryana Pollution Control Board.

vi) The area of diversion of forest land is for 0.504 ha. However, in the site inspection repot of the DFO, there is a mention of 0.075 ha of forest land.

vii) Environmental Clearance has been granted by the Ministry for 55.50 ha of Government land. In the EC it has been mentioned that the project proponent has reported that there is no forest land involved in this project. This needs to be clarified since there is no specific document mentioning the legal status of the land already under mining activity.

viii) EC granted by the Ministry is for M/s KJSL Sunder(JV) Pitampura, New Delhi while the owner of the mining lease is M/s gowardhan Mines and Minerals, Hissar. Please clarify.

ix) State Govt. to clarify whether the mine area of this proposal is the same palace for which EC was granted by MoEF&CC, New Delhi on 03.07.2019?

3. उपरोक्त जानकारी इस पत्र के जारी होने के पश्चात 30 दिनों के भीतर प्रस्तुत करें जिसके प्रस्तुत न करने की स्थिति में प्रस्ताव में इस मंत्रालय को यह निर्णय ले लेना है।

(के. के. दुबे)
उप-महा महानिदेशक (क्षेत्रीय)

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ANNEXURE R/2

24

M/s. Govardhan Mines & Minerals

Project Site : Dadam Mine, Dadam (Tosham)
Regd. Office : 51, Urban Estate II, Hisar - 125001
Email ID: govardhanmines@gmail.com Contact: 9992100001

To

The District Forest Officer,
Bhiwani.

Sir,

Sub:- Diversion of forest land for access into mining area bearing Khasra no 132 in favour of M/S Govardhan Mines and Minerals at Village Dadam, under Forest Division and District Bhiwani Haryana (Online proposal no. FP/HR/Approach/39072/2019-reg-

***

Kindly refer to letter no.9-HRV060/2019-CHA dated 11-7-2019 on the above dated subject. The Lease of Dadam Mines was given in auction to M/s KJSL-Sunder (JV) in Dec. 2013 by Haryana Govt. The said Joint Venture was given Environment Clearance by MOEF vide order dated 3rd July 2015. However the lease of Dadam was transferred to Sunder Marketing by Haryana Govt. Thus EC was transferred by MOEF to Sunder Marketing Associate vide letter dated 28 Oct. 2015. The lease was of 55.50 hectaresarea. Copy of EC's enclosed. Later on lease of said concern was cancelled by Haryana Govt. and order of cancellation of lease was upheld by Hon'ble High Court as well as Supreme Court. Then lease of Dadam mines was allotted in open auction to M/s Govardhan Mines and Minerals having area of 48.87 Hectares. Copies of both EC are enclosed. For point ix) it is pointed out that mine is same for which EC was granted on 3-7-2015 and not on 3-7-2019 (as written in letter) In this background our explanation/ reply in respect of various points are as under:-

1. The approach road is for entry into mining area. The road is non linear due to the fact that the lease area is also irregular and there are ups and downs in the area required . The land is not plane land. So kindly treat the proposal as approach road which is in fact linear.

2. It is submitted that the mining lease allotted to applicant firm is surrounded by agricultural land owned by private persons. These persons do not allow entry of our vehicles\machinery, etc. in mining area. These persons are creating problems regarding various roads leading to mining area through their lands. Thus this approach road is necessary by the firm. This land is owned by Gram Panchayat Dadam and The Panchayat has also given NOC for use of this land.

3. Relate to Forest Departments./

4& 5. Copy of approved mining plan and NOC from Pollution C. B. Haryana are enclosed.

6. Relate to Forest department.

7. On this point it is submitted that that Hon'ble Punjab and Haryana High Court vide order in CWP-28378-2018(O&M) allowed the applicant firm to commence mining operations on the basis of Environment Clearance granted to previous leaseholder i.e. M/S KJSL-Sunder (JV) . The Director Mining & Geology vide letter Memo no. DMG/HY/ML/DADAM/2018/6009 dated 21-12-2018 granted us permission to commence mining operations on the basis of CWP-28378-2018 of Hon' ble Punjab & Haryana High Court. Mining was allowed in area of 48.87 hectares. The original EC was granted in favour of M/S KJSL-Sunder (JV). The Lease of Dadam Mines comprising area of 55.5 hectares was transferred by Haryana Govt. in favour of M/S Sunder Marketing Associates New Delhi. Subsequently the EC was transferred in favour of M/s Sunder Marketing Associate. The lease of this concern was later on cancelled by Haryana Govt. Auction was held on 4-5/1/2018 and M/S Govardhan Mines and Minerals was issued letter of Intent for this mining lease comprising area of 48.87 hectares. Thus M/s Govardhan Mines and Minerals is carrying out mining activity in its allotted lease area.

8. This point has been explained above. Hon'ble Punjab & Haryana High court has granted permission to M/s Govardhan Mines and Minerals to commence mining on the EC of previous leaseholder i.e. M/s KJSL- Sunder (JV) Pitampura, New Delhi.

9. It is submitted that the lease area of 48.87 hectares is included in lease area of earlier lease holder i.e. M/s KJSL- Sunder (JV) (the lease was transferred in favour of M/s Sunder Marketing Associates New Delhi by Haryana Govt.) for which EC was obtained by them. The Director Mining & Geology has also allowed us to do mining work in only area assigned to M/s Govardhan Mines and Minerals i.e 48.87 hectares.

You are there for requested to grant us permission for use of above mentioned Land.

Thanks & Regards

From Govardhan Mines and Minerals

For Govardhan Mines & Minerals

Partner

Partner

Received by

ANN. R/213

26

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
Northern Regional Office, Chandigarh

File No. 8-382/2019-CRO

दिनांक: 5 सितम्बर, 2019

प्रेषक,

अतिरिक्त मुख्य सचिव (वन),
हरियाणा सरकार,
हरितायन निदेशालय,
चण्डीगढ़-160001

विषय: Diversion of 0.504 ha of forestland in favour of M/s Govardhan Mines and Minerals for access to mining area bearing Khasra No. 132 in favour of M/s Govardhan Mines and Minerals at Village Dadam, under forest division and District Bhiwani, Haryana (Online proposal no. FP/HR/Approach/39072/2019) regarding.

संदर्भ: प्रधान मुख्य वन संरक्षक के पत्र क्रमांक प्रशा-डी-तीन-8845/1196 दिनांक 02.07.2019

महोदय,

कृपया उपर्युक्त विषय से संबंधित पत्र का अवलोकन करें जिसमें वन (संरक्षण) अधिनियम, 1980 की धारा-2 के अधीन केन्द्रीय सरकार की अनुमति मांगी गई है। इस कार्यालय में इस संबंध पत्र संख्या क्रमांक 19.08.2019 द्वारा सैद्धांतिक स्वीकृति प्रदान की गई थी, जिस की अनुपालना मुख्य वन संरक्षक के पत्र संख्या प्रशा-डी-तीन-8845/2199 दिनांक 13.09.2019 द्वारा प्राप्त होने के उपरांत केंद्र सरकार उपर्युक्त विषय हेतु 0.504 हेक्टेयर वन भूमि के उपयोग के लिए स्वीकृति निम्नलिखित शर्तों को पूरी करने पर प्रदान करती है।

i. वन भूमि की विधिक परिस्थिति बदली नहीं जाएगी।
ii. प्रस्ताव के अनुसार कोई भी वृक्ष नहीं काटा जाएगा।
iii. प्रतिपूर्ति पौधारोपण प्रस्ताव के अनुसार Hasanpur Mr. ED 0 to fall LAR/ads Tehsil/Range Loharu and District Bhiwani, में पयोक्ता एजेंसी से प्राप्त 2,39,658/- रुपये *(Rupees Nine lakh thirty nine thousand six hundred & fifty eight Only)* की राशि से 1000 पौधे लगाकर किया जायेगा।
iv. प्रतिपूर्ति पौधारोपण कब पर के जारी होने की तिथि से एक वर्ष के अन्दर ही जाना चाहिए।
v. The User Agency shall get/transfer the EC issued by competent authority in his name as observed by Hon'ble Punjab & Haryana High Court in CWP 28378-2018 in its order dated 04.12.2018 and in CWP 7349-CWP-2019 dated 16.05.2019.
vi. The approval is subject to the condition that no plantation has been undertaken on forest land proposed for diversion under Aravali project by utilizing foreign funds.
vii. वन भूमि का प्रयोग प्रस्ताव में वर्णित परियोजना के अलावा किसी अन्य उद्देश्य के लिये नहीं किया जायेगा।
viii. वन कार्य की NPV की राशि बढ़ाने जानेवी तो उस बढ़ी हुई NPV की राशि को जमा करने के लिए प्रयोक्ता एजेंसी बाध्य होगी।
ix. साथ लगते वन और वन भूमि को किसी तरह का कोई नुकसान नहीं पहुंचाया जायेगा और साथ लगते हुए वन और वन भूमि को बचाने के लिये सभी प्रयत्न किये जायेंगे।
x. परियोजनाकरण के लिए प्रस्तावित वन भूमि को केंद्रीय सरकार की पूर्व अनुमति के बिना किसी भी परिस्थिति में किसी अन्य एजेंसी, विभाग या आदि विशेष को हस्तांतरित नहीं किया जायेगा।
xi. केन्द्रीय सरकार की अनुमति के बिना प्रस्ताव की में बदलाव आदि की अनुमति नहीं जायेगा।

बहुमंजिला भवन, सेक्टर-31ए, चण्डीगढ़-160030 / Bay No. 2-31, Sector-31A, Chandigarh-160030
दूरभाष/Tel No: 0172-2651051 Fax No: 0172-2651133 E-mail: [illegible]

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xii. [illegible] पर्यावरण (सुरक्षा) अधिनियम 1986, के अनुसार [illegible] अनुपालन करना होगा।

xiii. [illegible] आधार किया जायेगा।

xiv. [illegible] द्वारा वह अथवा कार्य स्थल का पर्यावरण, सुरक्षा तथा [illegible] के लिए समय - समय पर [illegible] होगी।

xv. यदि कोई अन्य [illegible] पाया जाता है अथवा [illegible] आदि पर प्रकाश डाला जाता है तो [illegible] अनुसार उचित प्रशिक्षण दर्शाते हुए उसका [illegible] होगा।

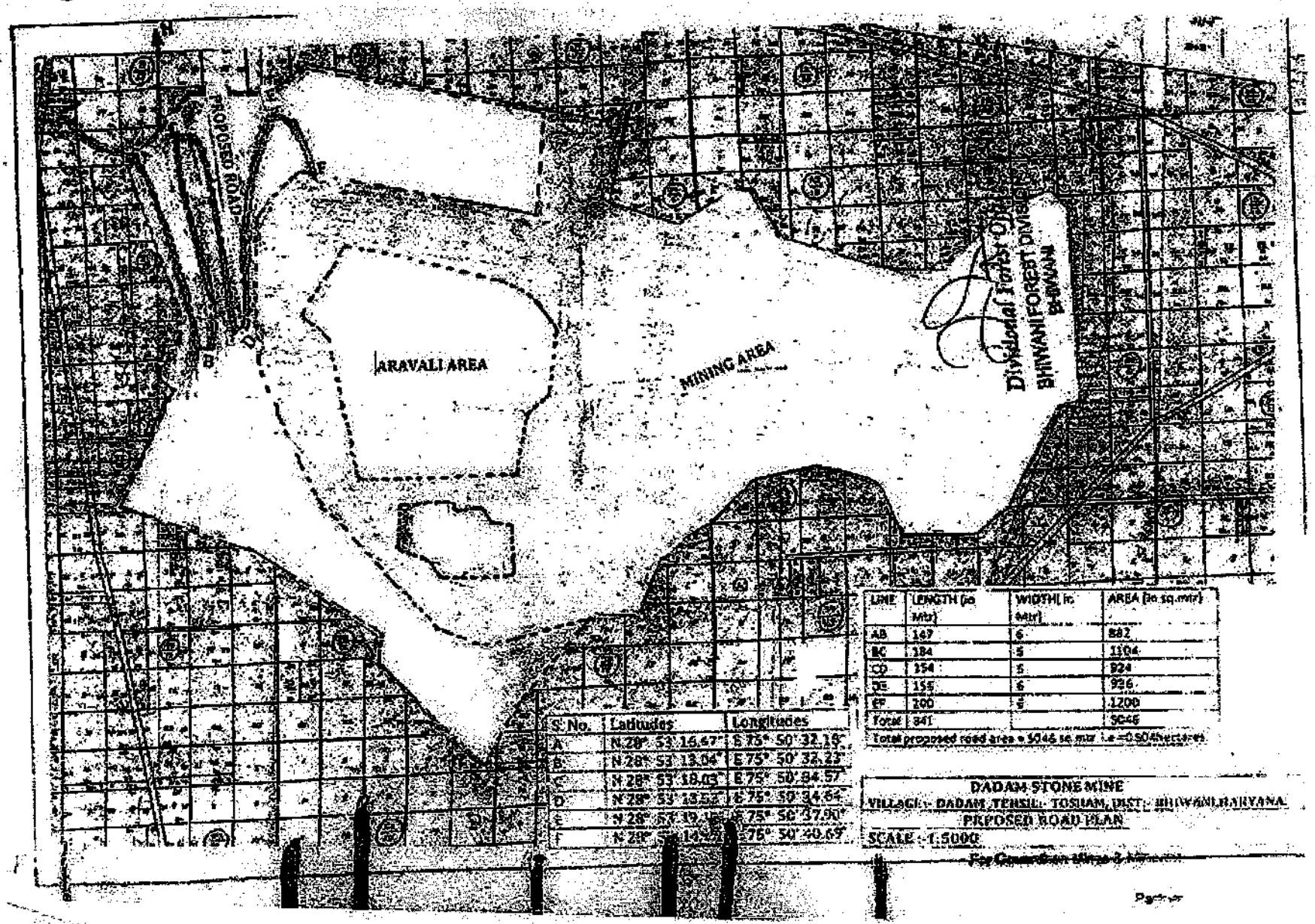
3. [illegible] पर पाया है यदि आवेदक सही है कि किसी भी तथ्य को छिपाया नहीं गया है। [illegible] निरस्त कर दी जाएगी।

भवदीय,

(एस. [illegible])
उप-वन महानिदेशक (क्षेत्रीय)

प्रतिलिपि:-

1. अपर वन महानिदेशक (आर), पर्यावरण वन एवं जलवायु परिवर्तन ,मंत्रालय, इन्दरा पर्यावरण भवन, जोर बाग, अलीगंज, नई दिल्ली।
2. प्रधान मुख्य वन संरक्षण, हरियाणा सरकार, C-18, वन भवन सैक्टर 6, पंचकुला हरियाणा।
3. Nodal Officer-cum-APCCF (FC), Government of Haryana, Forest Department, Sector-6, Van Bhawan, Panchkula, Haryana. 134099.
4. Divisional Forest Officer, Forest Division & District Bhiwani, Haryana.
5. M/s Govardhan Mines and Minerals, H.No. 51, U.E-II, Hisar, Haryana.



S. No.	Latitudes	Longitudes
A	N 28° 53' 16.47"	E 75° 50' 32.19"
B	N 28° 53' 13.04"	E 75° 50' 32.23"
C	N 28° 53' 18.03"	E 75° 50' 34.57"
D	N 28° 53' 18.52"	E 75° 50' 34.64"
E	N 28° 53' 19.16"	E 75° 50' 37.90"
F	N 28° 53' 14.[illegible]	E 75° 50' 40.69"

LINE	LENGTH (in Mtr)	WIDTH (in Mtr)	AREA (in sq.mtr)
AB	147	6	882
BC	184	6	1104
CD	154	6	924
DE	155	6	936
EF	200	6	1200
Total	841		5046

Total proposed road area = 5046 sq.mtr i.e = 0.504hectares

DADAM STONE MINE
VILLAGE :- DADAM, TEHSIL:- TOSHAM, DIST:- BHIWANI, HARYANA
PROPOSED ROAD PLAN
SCALE :- 1:5000

For Cheminova Minerals Pvt. Ltd.

Partner

28



29

ANX-R/8/4

30

FINAL FORM / REPORT
अंतिम फार्म/रिपोर्ट
(Under Section 173 Cr.P.C.)
(दण्ड प्रक्रिया संहिता की धारा 173 के अन्तर्गत)

IN THE COURT OF SH. JOGENDER SINGH SDJM TOSHAM (के न्यायालय में)

1. District (जिला): BHIWANI P.S. (थाना): TOSHAM Year (वर्ष): 2019

FIR No. (प्र.सू.रि. सं.): 0597 Date (दिनांक): 23/12/2019

2. Final Report / Charge Sheet No. (अंतिम रिपोर्ट/आरोप पत्र संख्या.):
01

3. Date (दिनांक): 31/10/2020

4.

S.No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)
2	IPC 1860	379

5. Type of Final Form/Report (अंतिम फार्म/रिपोर्ट का प्रकार): CHARGE SHEET

6. If FR Unoccurred (यदि अंतिम रिपोर्ट अघटित):

7. If Charge sheet (यदि आरोप पत्र वर्णित किया): Original

8. Name of I.O. at the time of charge sheet/ आरोप पत्र वर्णित करते समय जाँच अधिकारी का नाम): rajbir

Rank (पद): Asst SI (Assistant Sub Inspector) No. (सं.): 332RW [redacted]

31

9. (a)(क) Name of complainant / informant (शिकायतकर्ता/इत्तिला देने वाले का नाम): जयप्र

(b)(ख) Father's/Husband's Name (पिता/पति का नाम):

10. Details of Properties/Articles/Documents recovered/seized during investigation and relied up
(जाँच के दौरान बरामद/जब्त सम्पत्ति/वस्तु/दस्तावेज का विवरण जिन्हें आधार बनाया गया हो):

S. No. क्र.सं.	Property description सम्पत्ति का विवरण	Estimated value (in Rs.) अनुमानित मूल्य (रु.में)	P.S. Property Register No. थाना सम्पत्ति रजिस्टर सं.	From whom/ where recovered or seized कहाँ/किससे जब्त अथवा बरामद की गई	Disposal निराकरण
1	OTHERS				

11. Particulars of accused persons charge-sheeted (आरोप पत्र दाखिल अभियुक्तों का विवरण):

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	IPC 1860	379
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)

(xvi) Details of bailors / sureties (जमानतियों का ब्योरा):

Name (नाम):

Father's/Husband's Name(पिता/पति का नाम):

Occupation (व्यवसाय):

Address
(पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification
(पहचान):

Date of Birth (जन्म तिथि): UID Number (यूआईडी सं.):

Any Other ID
Proof (अन्य
प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (प्रकरण के संदर्भ सहित, पिछले हुई सजा का विवरण):

S. No. (क्र.सं.)	FIR No. (प्र.सू.रि. सं.)	State (राज्य)	District (जिला)	Police Station(थाना)	Description of Case (मामले का विवरण)	Details of conviction / Acquittal

S. No. (क्र.सं.): 1

(i) Name (नाम): सुनिल पांडे

Whether Verified (क्या सत्यापित है?): Yes

(ii) Father's Name (पिताका नाम): कृष्ण पांडे

(iii) Date/ Year of birth (जन्मतिथि/वर्ष):

(iv) Sex (लिंग): Male

(v) Nationality (राष्ट्रियता): INDIA

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग): SCHEDULED CASTE

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	नन्दन PS DHUMRA, DISTT. BAKSAR,BIHAR,INDIA
2	Permenent Address	नन्दन PS DHUMRA, DISTT. BAKSAR,BIHAR,INDIA

Whether verified (क्या सत्यापित है?): Yes

(xi) Regular Criminal No. (if known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि): 23/12/2019

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(xv) Particulars (आपितिजनक एवं बरामदगी):

विवरण)

34

(xviii) Status of the accused (अभियुक्त की स्थिति): FORWARDED TO COURT

35

S. No. (क्र.सं.): 2

(i) Name (नाम): सतीश

Whether Verified (क्या सत्यापित है): Yes

(ii) Father's Name (पिताका नाम): ईश्वर

(iii) Date/ Year of birth (जन्मतिथि/वर्ष):

(iv) Sex (लिंग): Male

(v) Nationality (राष्ट्रियता): INDIA

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	बलवासा,TOSHAM,BHIWANI,HARYANA,INDIA
2	Permanent Address	बलवासा,TOSHAM,BHIWANI,HARYANA,INDIA

Whether verified (क्या सत्यापित है): Yes

(xi) Regular Criminal No. (If known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि): 23/12/2019

(xiii) Date of release on bail (जमानत पर छोड़े जाने की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(xv) Under Acts & Sections (अधिनियम एवं धाराएं):

(xviii) Status of the [illegible] FORWARDED TO COURT

Plaintiff

36

S. No. (क्र.सं.): 3

(i) Name (नाम): गुरराज सिंह

Whether Verified (क्या सत्यापित है?): Yes

(ii) Father's Name (पिताका नाम): बलविन्द्र सिंह

(iii) Date/ Year of birth (जन्मतिथि/वर्ष):

(iv) Sex (लिंग): Male

(v) Nationality (राष्ट्रियता): INDIA

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	लख्नातपा,PS PIKHI-VAND,TARN TARAN,PUNJAB,INDIA
2	Permanent Address	लख्नातपा,PS PIKHI-VAND,TARN TARAN,PUNJAB,INDIA

Whether verified (क्या सत्यापित है?): Yes

(xi) Regular Criminal No. (If known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि): 23/12/2019

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(xv) Under Acts & Sections (अधिनियम एवं धाराएँ):

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	IPC 1860	379
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)

(xvi) Details of bailors / sureties (जमानतियों का ब्योरा):

Name (नाम):

Father's/Husband's Name(पिता/पति का नाम):

Occupation (व्यवसाय):

Address
(पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification
(पहचान):

Date of Birth (जन्म तिथि): UID Number (यूआईडी सं.):

Any Other ID
Proof (अन्य
प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)

(xvii) Previous convictions, with case references (सामने के संदर्भ सहित पहले हुई सजा का विवरण):

S. No. (क्र.सं.)	FIR No. (प्र.सू.रि. सं.)	State (राज्य)	District (जिला)	Police Station(थाना)	[redacted]ption of (सामने का	Details of conviction / Acquittal (सजा/दोषमुक्ति का

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	IPC 1860	379
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)

(xvi) Details of bailers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name(पिता/पति का नाम):

Occupation (व्यवसाय):

Address
(पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification
(पहचान):

Date of Birth (जन्म तिथि): UID Number (यूआईडी सं.):

Any Other ID
Proof (अन्य
प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सज़ा का विवरण):

S. No. (क्र.सं.)	FIR No. (प्र.सू.रि. सं.)	State (राज्य)	District (जिला)	Police Station(थाना)	Description of Case (मामले का विवरण)	Details of conviction / Acquittal (सजा/अभियुक्त का

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S. No. (क्र.सं.): 4

(i) Name (नाम): सुनिल कुमार

Whether Verified (क्या सत्यापित है?): Yes

(ii) Father's Name (पिताका नाम): रामपाल

(iv) Sex (लिंग): Male

(iii) Date/ Year of birth (जन्मतिथि/वर्ष):

(v) Nationality (राष्ट्रियता): INDIA

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग): OTHER BACKWARD CLASSES (OBC)

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	झुन्झानी,PS BAGGAR,JHUNJHUNU,RAJASTHAN,INDIA
2	Permanent Address	झुन्झानी,PS BAGGAR,JHUNJHUNU,RAJASTHAN,INDIA

Whether verified (क्या सत्यापित है?): Yes

(xi) Regular Criminal No. (If known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि): 10/01/2020

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

Form 41

(xviii) Status of the accused [illegible] if THEY FORWARDED TO COURT

42

(xv) Under Acts & Sections (अधिनियम एवं धाराएँ):

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	IIPC 1860	379
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)

(xvi) Details of bailers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name(पिता/पति का नाम):

Occupation (व्यवसाय):

Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification (पहचान):

Date of Birth (जन्म तिथि): UID Number (यूआईडी सं.):

Any Other ID Proof (अन्य प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सजा का विवरण):

S No. (क्र सं.)	FIR No. (प्र.सू.रि. सं.)	State (राज्य)	District (जिला)	Police Station(थाना)	Description of Case (मामले का	Details of conviction /

43

(xviii) Status of the [redacted] FORWARDED TO COURT

44

S. No. (क्र.सं.): 5

(i) Name (नाम): रणधीर

Whether Verified (क्या सत्यापित है?): Yes

(ii) Father's Name (पिताका नाम): शिशपाल

(iii) Date/ Year of birth (जन्मतिथि/वर्ष):

(iv) Sex (लिंग): Male

(v) Nationality (राष्ट्रियता): INDIA

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग): SCHEDULED CASTE

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	ढाणी टूट,PS BHUNA,FATEHABAD,HARYANA,INDIA
2	Permanent Address	ढाणी टूट, PS BHUNA,FATEHABAD,HARYANA,INDIA

Whether verified (क्या सत्यापित है?): Yes

(xi) Regular Criminal No. (If known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि): 23/12/2019

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(xv) Under Acts & Sections (अधिनियम एवं धाराएं):

(xviii) Status of the accused (अभियुक्त की स्थिति): FORWARDED TO COURT

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	IPC 1860	379
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)

(xvi) Details of bailers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name(पिता/पति का नाम):

Occupation (व्यवसाय):

Address
(पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification
(पहचान):

Date of Birth (जन्म तिथि): UID Number (यूआईडी सं.):

Any Other ID
Proof (अन्य
प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (संदर्भ सहित, पहले हुई सजा का विवरण):

S. No. (क्र.सं.)	FIR No. (प्र.सू.रि. सं.)	State (राज्य)	District (जिला)	Police Station(थाना)	Description of Case (मामले का विवरण)	Details of conviction / Acquittal (सजा/दोषमुक्ति का

47

12. Particulars of accused persons - not charge sheeted (suspect) (आरोप पत्र दाखिल न किए गए (संदिग्ध) अभियुक्तों का विवरण):

13. Particulars of witnesses to be examined (पूछताछ किए जाने वाले गवाहों का विवरण):
गवाह सुचि साथी सफ निशल यालन है ।

14. If FR is false (F.R. false), indicate action taken or proposed to be taken u/s 182/211 I.P.C (यदि अन्तिम रिपोर्ट झूठी है तो भा.द.सं. की धारा 182/211 के अन्तर्गत की गई अथवा प्रस्तावित कार्रवाई का विवरण):

15. Result of Laboratory analysis (प्रयोगशाला में किए गए विश्लेषण का परिणाम):

16. Brief facts of the case (मामले से संबंधित संक्षिप्त तथ्य):

श्री मान् जी,

हालात मुकदमा इस प्रकार है कि दिनाक 23.12.19 को एक पत्र क्रमाक 512 दिनाँक 23.12.19 FOREST DEPARTMENT GOVT. OF HARYANA O/o RANGE FOREST OFFICE , TOSHAM थाना मे प्राप्त हुआ जो इस प्रकार से है सेवा मे ,प्रबन्धक पुलिस थाना तोशाम । विषय- डाडम पहाड मे अरावली क्षेत्र मे खनन व पत्थर चोरी बारे रिपोर्ट करना । उपरोक्त विषय के सम्बन्ध मे आपको सुचित किया जाता है कि दिनाँक 22/12/2019 को श्री रविन्द्र यादव व0 र0 ईन्चार्ज सरल बीट का दुरभाष रात को लगभग 9 बजे प्राप्त हुआ उस द्वारा बताया गया कि डाडम पहाड मे अवैध खनन हो रहा है तो निम्नहस्ताक्षरी द्वारा तुरन्त श्री महेन्द्र सिह वन दरोगा ईन्चार्ज सरल ब्लोक, श्री राज कुमार रक्षक ईन्चार्ज ढाणी माहू बीट ,श्री रविन्द्र यादव वन रक्षक ईन्चार्ज सरल बीट व थाना तोशाम से पुलिस कर्मचारियो के साथ मौके पर पहूचा तो ट्रक Truck जिसका पंजीकरण सख्या एच0आर061सी0 4044 पत्थरो भरा खडा छोडकर ड्राईवर भाग गया और एच0आर061डी0 1411 व एच0आर061डी 6014 पोपलैड व ड्रील मशीन जिनकी सहायता से अरावली वन क्षेत्र मे अवैध खनन किया जा रहा था छोड कर भाग गये । मौका पर एक आदमी पकडा गया उसने नाम बताने से इनकार कर दिया । रिपोर्ट आपकी सेवा मे FIR दर्ज करने हेतु प्रेषित है वन राजिक अधिकारी तोशाम SD JAI PARKASH 23/12/2019 MOB. 98136866550 अर्ज थाना हस्ब दरखास्त के मजबून से मामला सुरत जुर्म अेर धारा 379 IPC 211 OF MINES AND MINERALS DEVELOPMENT AND REFULATION ACT 1957 का सरजद होना पाया जाने पर मुकदमा नम्बर 587 दिनाँक 23.12.19 धारा 379 IPC 211 OF MINES AND MINERALS DEVELOPMENT AND REFULATION ACT 1957 थाना तोशाम मे दर्ज रजिस्टर किया जाकर मुकदमा हजा की तफतीश ASI दलबीर 04 दवारा अमल मे लाई जा रही है। मुकदमा हजा मे घटनास्थल का मौका मुलाहजा व बरामद गवाहन लिखे गये जो मौका पर मुकदमा मुद्दई अरण्यकाश वन राजिक अधिकारी ने व उसके साथ किये

अमल
दलबीर

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सुनिल पुत्र रणधान, 1. क्याम पुरी. इन्सीडेन्ट गाड़ी नं0 HR 61D 1411-4 पेज, इन्सीडेन्ट फोटो प्रति गाड़ी नं0 HR 61C 4044-1, वा इन्सीडेन्ट गाड़ी नं0 HR 61D 1411-1, विस पीएसिंग स्थान फोटो कापी-1, इन्सपेक्शन रिपोर्ट साईस इंजीनियर फोटो कापी- 6 पेज, रुस साईलिंग एक्ट सत्यापित पुदा-2 पेज, मजा स्लीप-1

17. Relar Notice served (जारी किए नोटिस): No Date(दिनांक):
(Acknowledgement to be placed)(पावती नत्थी करें):

18. Despatched on (प्रेषण की तिथि):

19. No. of enclosures (संलग्नकों की संख्या): 0

20. List of enclosures, As annexed (संलग्नकों की सूची):

Forwarded by Officer In charge
प्रभारी अधिकारी द्वारा अग्रेषित

Name (नाम): SANDEEP

Rank (पद): I (Inspector)

No. (सं.): H170

Signature of Investigating Officer submitting final report/charge sheet
अंतिम रिपोर्ट/आरोप पत्र दायर करने वाले जाँच अधिकारी के हस्ताक्षर

Name (नाम): rajbir

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No. (सं.): 332BWN

कर्मचारियो ने पोपलैंड के हैल्पर आरोपी सुनील चौधे पुत्र कृष्णा चौधे वासी नन्दन थाना दुमराव जिला बक्सर बिहार को पेश किया जिसकी सहायक उप नि. दलबीर ने मुकदमा हजा बारे पुछताछ की गई जो पुछताछ के बाद आरोपी सुनील चौधे पुत्र कृष्णा चौधे वासी नन्दन थाना दुमराव के खिलाफ सबुत काबिले गिरफतारी साफ मिलने पर गुजरने पर मुकदमा हजा में नियमानुसार गिरफ्तार किया गया। जो आरोपी का फर्द इन्कसाफ लिखा गया। आरोपी सुनील उपरोक्त ने मुलमिक फर्द इन्कसाफ आरोपी प्रतिबंधित खोज अड्डम में इस्तमाल पत्थरो सहित से उनके ट्रक्टरो के छिनाने और पोपलैंड के ड्राइवर के बारे में पता पतन सिंह तथा मुकदमा हजा में आरोपी से और गहनता से पुछताछ करनी है। जो आरोपी सुनील चौधे का एक दिन रिमान्ड हिरासत पुलिस हासिल किया गया। दिनांक 23/12/19 को आरोपियान संदीप पुत्र ईश्वर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी नखनातपा जिला तरनतारन पंजाब व रणधीर पुत्र शिवपाल वासी ढाणी डुल्ट के खिलाफ सबुत काबिले गिरफतारी गुजरने पर निशानानुसार गिरफ्तार किया गया हाईवा 5मफरो व पोपलैन्ड को कब्जा पुलिस में लिया गया नक्शा मोका जाय बरामदगी तैयार किया गया, फर्द इन्कसाफ लिखा गया। दिनांक 24/12/19 को आरोपियान संदीप पुत्र ईश्वर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी नखनातपा जिला तरनताल पंजाब व रणधीर पुत्र शिवपाल वासी ढाणी डुल्ट को पेश अदालत किया गया जो आरोपी संदीप पुत्र ईश्वर वासी बागनवाला का माननीय अदालत से एक दिन का पुलिस हिरासत रिमान्ड लिया गया जो आरोपी सन्दीप को दिनांक पुलिस हिरासत रिमान्ड खत्म होने पर दिनांक 25/12/19 को पेश अदालत किया गया जिसको बन्द जिला जेल सिवानी करवाया गया। जो दिनांक 27.12.2019 को संयुक्त निरक्षण रिपोर्ट व पहाड़ में रास्ता बनाने की परमिशन व मप को वन विभाग से प्राप्त किया गया वा दिनांक 04.01.2020 को ASI दलबीर सिंह ने आरोपियान द्वारा अरवली क्षेत्र में अवैध खनन किया जा रहा था ट्रको से खाली करके मौका पर छोड़ गये है उसको बजरिया फर्द कब्जा पुलिस में लिया गया वा फोटो व CD तैयार करवाई गई वा एक्सपर्ट रिपोर्ट सहायक माईनिंग इंजिनियरिंग रिपोर्ट प्राप्त की गई वा गाडी HR 61A 1148 की वजन करवाकर पर्ची हासिल की गई वा अशोक कुमार व विवेक कुमार अशोका फोटो स्टुडियो से 658 के सिटिफिकेट से हासिल किये गये। पोपलैन्ड मशीन को भी कब्जा पुलिस में लिया गया जो दिनांक 10/01/2020 को आरोपी पोपलैन्ड चालक सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा में पुछताछ की गई बाद पुछताछ आरोपी को सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा विधानुसार गिरफ्तार किया गया जिसका दौरान गिरफ्तारी फर्द इन्कशाफ अलग से लिखा गया। जो पोपलैन्ड की मशीन की खरीद बिल की फोटो प्रति व चालक सुनील का DL फर्द कब्जा पुलिस में लिया गया। बाद आरोपी सुनील कुमार उपरोक्त का मैडीकल परीक्षण करवाकर बन्द हवालात थाना करवाया गया जो आरोपी सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को दिनांक 11.01.2020 को पेश अदालत किया गया जो आरोपी को जिला जेल सिवानी बंद करवाया गया। अब मुकदमा हजा में आरोपियान सुनिल चौधे पुत्र कृष्ण गाव नन्दन थाना दुमरा जिल बक्सर बिहार, रणधीर पुत्र शीशपाल वासी ढाणी डुल्ट जिला फतहाबाद, सुनील कुमार पुत्र श्योपाल वासी ईन्डाली थाना बगड जिला झुझनु, सन्दीप पुत्र ईश्वर सिंह वासी बागनवाला जिला सिवानी, गुरबाज सिंह पुत्र बलविन्द्र वासी नखनातपा जिला तरनतारन पंजाब के खिलाफ सबुत काबिले चालान साफ मिसल पर गुजरने पर मुकदमा हजा चालान तैयार करके न्यायालय में दिया जा रहा है वा मुकदमा हजा में आरोपी सुनीला पुत्र बलवान वासी डाइम की गिरफतारी बकाया है जिससे ड्रिल मशीन बरामद करनी है बाद गिरफतारी मुकदमा हजा में आरोपी सुनिल पुत्र बलवान वासी डाइम के खिलाफ तलमा चालन 173B CrPC में दिया जायगा। माननीय अदालत से निवेदन है दौरान समायत गवाहन को बजरिया सम्मन तलब फरमाकर मुकदमा हजा की समायत फरमाई जावे।

तफशिल कागजात- चालान फार्म- , असल तहरीर-1 अपराध विवरण फार्म-2, गिरफतारी फार्म-5, फर्द इन्कसाफ-5, फर्द मकबुजगी गाडीया मय असल RC मय बिना फोटो प्रति-2, फर्द मकबुजगी DL वा पोपलैंड मशीन बम बिल-1, फर्द मकबुजगी पोपलैन्ड-1, फर्द मकबुजगी संयुक्त निरक्षण रिपोर्ट व रास्ता बनाने की परमिशन व मैप-1, संयुक्त निरक्षण रिपोर्ट-1, फर्द मकबुजगी गोवर्धन माईनस के लिज एरिया का मैप-1, लिज एरिया का मैप-9 पेज, वन विभाग रिपोर्ट-1, फर्द मकबुजगी संयुक्त निरिक्षण रिपोर्ट व एजीमेन्ट की कापी-1, संयुक्त निरिक्षण रिपोर्ट-2,एव भारत सरकार मय नक्शा-2+1, व गोवर्धन माईनस की फोटो कापी-27 पेज, फर्द बरामदगी पत्थर-1, फर्द मकबुजगी फोटो वा CD-1, फर्द मकबुजगी एक्सपर्ट रिपोर्ट कागजात-1, फर्द मकबुजगी खाली गाडी वजन HR 61A 1148 व पर्ची पर्मकाटा-1, फर्द मकबुजगी पर्ची पर्मकाटा-1, फर्द मकबुजगी पर्ची पर्मकाटा-3, फर्द मकबुजगी फोटो व CD-1, फोटो घटनास्तल-16, CD-2, 65-B सर्टिफिकेट-2, सुपरदारी आदेश गाडिया आदेश अदालत-10 मय 4 फोटो, असल RC गाडी HR 61D 5014-1, असल RC गाडी HR 61D 1411-1, असल RC गाडी HR 61C 4044-1, असल DL

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कर्मचारियों ने पोपलेंड के ड्राईवर आरोपी सुनील चौबे पुत्र कृष्णा चौबे वासी चन्दन थाना दुमराह जिला बक्सर बिहार को पेश किया जिसको सहायक उप नि. दलबीर ने मुकदमा हजा बारे पुछताछ की गई जो पुछताछ के बाद आरोपी सुनील चौबे पुत्र कृष्णा चौबे वासी चन्दन थाना दुमराह के खिलाफ मबुत काबिले गिरफतारी सफा मिसल पर गुजरने पर मुकदमा हजा में नियमानुसार गिरफ्तार किया गया। जो आरोपी का फर्द इन्कसाफ लिखा गया। आरोपी सुनील उपरोक्त ने मुताबिक फर्द इन्कसाफ आयुजनी प्रतिबंधित क्षेत्र झाडन में इम्पार पत्थरों सहित पे उनके ड्राइवरों के ठिकाने और पोपलैंड के ड्राइवर के बारे में पता करने लिए तथा मुकदमा हजा में आरोपी से और गहनता से पुछताछ करनी है। जो आरोपी सुनील चौबे का एक दिन रिमान्ड हिरासत पुलिस हासिल किया गया। दिनांक 23/12/19 को आरोपियान संदीप पुत्र ईशवर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी लखनातपा जिला तरनताल पंजाब व रणधीर पुत्र शिशपाल वासी ढाणी डुल्ट के खिलाफ मबुत काबिले गिरफतारी गुजरने पर नियमानुसार गिरफतार किया गया लाईवा इत्तफारी व पोपलेंड को कब्जा पुलिस में लिया गया नक्सा मौका जाय बरामदगी तैयार किया गया, फर्द इन्कसाफ लिखा गया। दिनांक 24/12/19 को आरोपियान संदीप पुत्र ईशवर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी लखनातपा जिला तरनताल पंजाब व रणधीर पुत्र शिशपाल वासी ढाणी डुल्ट को पेश अदालत किया गया जो आरोपी संदीप पुत्र ईशवर वासी बागनवाला का माननीय अदालत से एक दिन का पुलिस हिरासत रिमान्ड लिया गया जो आरोपी सन्दीप को दिनांक पुलिस हिरासत रिमान्ड खत्म होने पर दिनांक 25/12/19 को पेश अदालत किया गया जिसको बन्द जिला जेल भिवानी करवाया गया। जो दिनांक 27.12.2019 को संयुक्त निरक्षण रिपोर्ट व पहाड में रास्ता बनाने की परमिशन व मप को वन विभाग से प्राप्त किया गया वा दिनांक 04.01.2020 को ASI दलबीर सिंह ने आरोपियान द्वारा अरवली क्षेत्र में अवैध खनन किया जा रहा था ट्रैको से खाली करके मौका पर छोड़ गये है उसको बजरिया फर्द कब्जा पुलिस में लिया गया वा फोटो व CD तैयार करवाई गई वा एक्सपर्ट रिपोर्ट सहायक साईनिंग इंजिनियरिंग रिपोर्ट प्राप्त की गई वा गाड़ी HR 61A 1148 की वजन करवाकर पर्ची हासिल की गई वा अशोक कुमार व विवेक कुमार अशोका फोटो स्टुडियो से 65B के सर्टिफिकेट से हासिल किये गये। पोपलेन्ड मशीन को भी कब्जा पुलिस में लिया गया। जो दिनांक 10/01/2020 को आरोपी पोपलेन्ड चालक सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा में पुछताछ की गई बाद पुछताछ आरोपी को सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा विधीनुसार गिरफ्तार किया गया जिसका दौरान गिरफतारी फर्द इन्कशाफ अलग से लिखा गया। जो पोपलेन्ड की मशीन की खरीद बिल की फोटो प्रति व चालक सुनील का DL फर्द कब्जा पुलिस में लिया गया। बाद आरोपी सुनील कुमार उपरोक्त का मैडीकल परीक्षण करवाकर बन्द हवालात थाना करवाया गया जो आरोपी सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को दिनांक 11.01.2020 को पेश अदालत किया गया जो आरोपी को जिला जेल भिवानी बंद करवाया गया। अब मुकदमा हजा में आरोपियान सुनिल चौबे पुत्र कृष्ण गावं नन्दन थाना दुमरा जिल बक्सर बिहार, रणधीर पुत्र शीशपाल वासी ढाणी डुल्ट जिला फतेहाबाद, सुनील कुमार पुत्र श्योपाल वासी ईनडाली थान बगड जिला झुझनु, सन्दीप पुत्र ईशवर सिंह वासी बागनवाला जिला भिवानी, गुरबाज सिंह पुत्र बलविन्द्र वासी लखनातपा जिला तरनतारन पंजाब के खिलाफ मबुत काबिले चालान सफा मिसल पर गुजने पर मुकदमा हजा चालान तैयार करके न्यायालय में दिया जा रहा है वा मुकदमा हजा में आरोपी सुनीता पुत्र बलवान वासी डाडन की गिरफतारी बकाया है जिसके लिए मशीन बरामद करनी है बाद गिरफतारी मुकदमा हजा में आरोपी सुनिल पुत्र बलवान वासी डाडन के खिलाफ तहमा चालन 173(8) CrPC में दिया जाएगा। माननीय अदालत से निवेदन है दौराने समायत गवाहान को समन तलब फरमाकर मुकदमा हजा की समायत फरमाई जाये।

तफशिल कागजात- चालन फार्म- , असल तहरीर-1 अपराध विवरण , गिरफतारी फार्म-5, फर्द इन्कसाफ-5, फर्द मकबुजगी गाड़ीया मय असल RC मय बिमा फोटो प्रति-3, फर्द DL वा पोपलैंड मशीन का बिल-1, फर्द मकबुजगी पोपलेन्ड-1, फर्द मकबुजगी मबुक्त निरक्षण रिपोर्ट , बनाने की परमिशन व मैप-1, संयुक्त निरक्षण रिपोर्ट-1, फर्द मकबुजगी गोवर्धन माईनस के लिज एरिया , लिज एरिया का मैप-9 पेज, वन विभाग रिपोर्ट-1, फर्द मकबुजगी संयुक्त निरिक्षण रिपोर्ट व एजीमेन्ट , संयुक्त निरिक्षण रिपोर्ट-2,पत्र भारत सरकार मय नक्शा-2+1, व गोवर्धन माईनस की फोटो कापी-27 फर्द बरामदगी पत्थर-1, फर्द मकबुजगी फोटो व CD-1, फर्द मकबुजगी एक्सपर्ट रिपोर्ट बरामद-1, फर्द मकबुजगी गाड़ी वजन HR 61A 1148 व पर्ची धर्मकाटा-1, फर्द मकबुजगी पर्ची धर्मकाटा-1, फर्द मकबुजगी फोटो व CD-1, फोटो पहरासतन-16, CD-2, 65-B सर्टिफिकेट-2, नुमाइन्दा , आरोपियान , फोटो-10 ३.५ A फोटो, असल RC गाड़ी HR 61D 6014-1, असल RC गाड़ी HR 61D 1311-1, असल RC गाड़ी HR 61C 4044-1, असल DL

सुनिल पुत्र स्वरूपाराम-1, अन्य पुर्जा- , इन्सीडेन्स गाड़ी नं0 HR 61D 1411-4 पेज, इन्सीडेन्स फोटो प्रति गाड़ी नं0 HR 61C 4044-1, का इन्सीडेन्स गाड़ी नं0 HR 61D 1411-1, बिल पोपलीन्ड मशीन फोटो कापी-1, इन्सीडेन्स रिपोर्ट माईक इलोमिनेटर फोटो कापी- 6 पेज, बस माईलेज एक्ट सत्यापित पृष्ठ-2 पेज, सजा स्लीप-1

17. Refer Notice served (भेजी गिर नोटिस): No Date(दिनाँक):
(Acknowledgement to be placed)(पावती लगायी जाये):

18. Despatched on (प्रेषण की तिथि):

19. No. of enclosures (संलग्नकों की संख्या): 0

20. List of enclosures, As annexed (संलग्नकों की सूची):

Forwarded by Officer in charge
प्रभारी अधिकारी द्वारा अग्रेषित

Name (नाम): SANDEEP

Rank (पद): I (Inspector)

No. (सं.): H170

Signature of investigating Officer submitting final report/charge sheet
अंतिम रिपोर्ट/आरोप पत्र दायर करने वाले जाँच अधिकारी के हस्ताक्षर

Name (नाम): rajbir

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No. (सं.): 332BWN

Forwarded

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थाना तोशाम जिला भिवानी

मुकदमा न0 587 दिनांक 23.12.19 धारा 379 IPC 21(1) OF MINES AND MINERALS (DEVELOPMENT AND REFULATION) ACT 1957 थाना तोशाम

गवाहन सूचि

1. जयप्रकाश वन रक्षिक अधिकारी तोशाम मो. 9813686550 मुकदमा मुदई
2. ओमप्रकाश ASI थाना तोशाम FIR बारे
3. SPO हरकेश 387 थाना तोशाम मो.न. 8307271741 फर्द इन्कसाफ बारे
4. सिपाही नरेन्द्र 370 थाना तोशाम मो.न. 9416466155 फर्द इन्कसाफ व बरामदगी बारे
5. SPO प्रताप 61 थाना तोशाम मो.न. 8295635233 फर्द इन्कसाफ व बरामदगी बारे
6. विपिन कुमार सिंह DFO भिवानी मो. 9650992152 सयुक्त निरिक्षण रिपोर्ट बारे
7. राजेस कुमार खनन निरिक्षण मो. 9416610473 सयुक्त निरिक्षण रिपोर्ट वा एग्रीमैन्ट कापी कापी बारे
8. महेन्द्र सिंह वन दरोगा मो. 8059332200 बरामदगी बारे
9. रविन्द्र यादव वन रक्षक तोशाम मो. 9728576185 बरामदगी बारे
10. पवन कुमार D-GROUP वन विभाग तोशाम मो . 9812721916 बरामदगी बारे
11. सिपाही रवि कुमार 368 थाना तोशाम मो . 8814012702 बरामदगी बारे
12. प्रमोद पुत्र गोकल चन्द वासी खानक कृष्ण धर्मकांटा खानाक पर्ची धर्मकांटा बारे
13. विवेक पुत्र अशोक वासी वार्ड न0 2 तोशाम अशोक फोटो स्टुडियो तोशाम मो.न. 8572070807 फोटो व CD बारे
14. दलबीर सिंह ASI न0 04 थाना तोशाम मो.न. तफतीश बारे
15. SPO रामअवतार 133 पुलिस लाईन भिवानी
16. अशोक पुत्र जमनुराम.वासी वार्ड न0 2 तोशाम मो.न. 9255124349 फोटो व CD बारे
17. रविन्द्र सिंह ठाकरान माईनिंग एक्सपर्ट भिवानी रिपोर्ट बारे
18. धर्मबीर पुत्र कृष्ण वासी किरावड
19. सुनील पुत्र बलवान वासी डाडम गाडी सुपरदार HR 61C 4044 मो.न. 9728554000 गाडी सुपरदार
20. अनिल कुमार पुत्र ज्ञानचन्द वासी बवानी खेडा गाडी सुपरदार HR 61D 1411 फो.न. 9992012088 गाडी सुपरदार
21. ओमप्रकाश पुत्र रामेश्वर दास वासी सिवानी रोड तोशाम गाडी सपरदार HR 61D 6014 मो.न. 9416265630 गाडी सुपरदार
22. योगेन्द्र पुत्र श्रीराम वासी कलोठ कला सुरजगढा राज0 सुपरदार पोपलैन्ड मशीन. मो.न 9992800096 पोपलैंड सुपरदार
23. INSP/SHO सन्दीप H/170 थाना तोशाम मो. 8814011417 चालान बारे

प्रबंधक अफसर
थाना तोशाम
दिनांक 31.10.2020

Supplimentary 53

FINAL FORM / REPORT
अंतिम फार्म/रिपोर्ट
(Under Section 173 Cr.P.C.)
(दण्ड प्रक्रिया संहिता धारा 173 के अन्तर्गत)

IN THE COURT OF SH. JOGENDER SINGH SDJM TOSHAM (के न्यायालय में)

1. District (जिला): BHIWANI P.S. (थाना): TOSHAM Year (वर्ष): 2019

FIR No. (प्र.सू.रि. सं.): 0687 Date (दिनांक): 23/12/2019

2. Final Report / Charge Sheet No. (अंतिम रिपोर्ट/आरोप पत्र संख्या.):
1A

3. Date (दिनांक): 28/03/2021

4.

S.No. (क्र.स.)	Act (अधिनियम)	Sections (धाराएं)
1	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)
2	IPC 1860	379

5. Type of Final Form/Report (अंतिम फार्म/रिपोर्ट का प्रकार): CHARGE SHEET

6. If FR Unoccurred (यदि अंतिम रिपोर्ट अघटित):

7. If Charge sheet (यदि आरोप पत्र दाखिल किया): Sup

8. Name of I.O. at the time of charge she [redacted] जांच अधिकारी का नाम): rajbir

Rank (पद): Asst. SI (Assistant Sub-

54

9. (a)(क) Name of complainant / informant (शिकायतकर्ता/सूचना देने वाले का नाम): जयप्रक.

(b)(ख) Father's/Husband's Name (पिता/पति का नाम):

10. Details of Properties/Articles/Documents recovered/seized during investigation and relied upon (जाँच के दौरान बरामद/जब्त सम्पत्ति/वस्तु/दस्तावेज का विवरण जिन्हें आधार बनाया गया है):

S. No. क्र.सं.	Property description सम्पत्ति का विवरण	Estimated value (in Rs.) अनुमानित मूल्य (रु.में)	P.S. Property Register No. थाना सम्पत्ति रजिस्टर सं.	From whom/ where recovered or seized कहाँ/किससे जब्त अथवा बरामद की गई	Disposal निराकरण
1	OTHERS				
2	OTHERS				

11. Particulars of accused persons charge-sheeted (आरोप पत्र दाखिल अभियुक्तों का विवरण):

12. Particulars of accused persons - not charge sheeted (suspect) (आरोप पत्र दाखिल न किए गए (संदिग्ध) अभियुक्तों का विवरण):

S. No. (क्र.सं.): 1

(i) Name (नाम): सुनिल — Whether verified (क्या सत्यापित है?) Yes

(ii) Father's Name (पिताका नाम): बलवान

(iii) Date/Year of birth (जन्मतिथि/वर्ष): / — (iv) Sex (लिंग): Male

(v) Nationality (राष्ट्रीयता): INDIA — (vi) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की तिथि): — Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछडे वर्ग): GENERAL

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	डाडम, BHIWANI, HARYANA, INDIA
2	Permanent Address	डाडम, BHIWANI, HARYANA, INDIA

Whether verified (क्या सत्यापित है?): Yes

(xi) Suspicion approved (संदेह अनुमोदित):

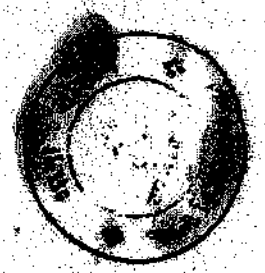
(xii) Status of the accused (suspect) (अभियुक्त (संदिग्ध) की स्थिति): NOT ARRESTED

(xiii) Under Acts & Sections (अधिनियम एवं धाराएँ):

... Special remarks including reasons for not charge sheeting (आरोपपत्र दाखिल न करने के

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[redacted]



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13. Particulars of witnesses to be examined (पूछताछ किए जाने वाले गवाहों का विवरण):
गवाहान सूची चालान के साथ संलग्न है ।

14. If FR is false (F.R. false), indicate action taken or proposed to be taken u/s 182/211 I.P.C
(यदि अन्तिम रिपोर्ट झूठी है तो भा.द.सं. की धारा 182/211 के अन्तर्गत की गई अथवा प्रस्तावित कार्रवाई का विवरण):

15. Result of Laboratory analysis (प्रयोगशाला में किए गए विश्लेषण का परिणाम):

16. Brief facts of the case (मामले से संबंधित संक्षिप्त तथ्य):

श्रीमान् जी,

हालात मुकदमा इस प्रकार है कि दिनांक 23.12.19 को एक पत्र क्रमांक 512 दिनांक 23.12.19 FOREST DEPARTMENT GOVT. OF HARYANA O/o RANGE FOREST OFFICE . TOSHAM थाना में प्राप्त हुआ जो इस प्रकार से है सेवा में ,प्रबन्धक पुलिस थाना तोशाम । विषय- डाडम पहाड में अरावली क्षेत्र में खनन व पत्थर चोरी बारे रिपोर्ट करना । उपरोक्त विषय के सम्बन्ध में आपको सूचित किया जाता है कि दिनांक 22/12/2019 को श्री रविन्द्र यादव व0 र0 इन्चार्ज सरम बीट का दुरभाष रात को लगभग 9 बजे प्राप्त हुआ उस द्वारा बताया गया कि डाडम पहाड में अवैध खनन हो रहा है जो निम्नहस्ताक्षरी द्वारा तुरन्त श्री महेन्द्र सिंह वन दरोगा इन्चार्ज सरम ब्लॉक, श्री राज कुमार रक्षक इन्चार्ज [illegible] बीट ,श्री रविन्द्र यादव वन रक्षक इन्चार्ज सरम बीट व थाना तोशाम से पुलिस कर्मचारियो के साथ मौके [illegible] तो ट्रक Truck जिसका पंजीकरण संख्या एच0आर0661सी0 4044 पत्थरो भरा खडा छोडकर ड्राईवर [illegible] भाग गया और एच0आर0661डी0 1411 व एच0आर0661डी 6014 पोपलेड व ड्रील मशीन जिनकी सहायता [illegible] वन क्षेत्र में अवैध खनन किया जा रहा था छोड कर भाग गये । मौका पर एक आदमी पकडा गया [illegible] बताने से इनकार कर दिया । रिपोर्ट आपकी सेवा में FIR दर्ज करने हेतु प्रेषित है वन राजिक अधिकारी [illegible] D JAI PARKASH 23/12/2019 MOB. 98136866560 अज थाना हस्ब दरखास्त के मजबुन मे [illegible] जुर्म जेर धारा 379 IPC 211 OF MINES AND MINERALS DEVELOPMENT AND [illegible] ACT 1957 का सरजद होना पाया जाने पर मुकदमा नम्बर 587 दिनांक 23.12.19 धारा [illegible] OF MINES AND MINERALS DEVELOPMENT AND REFULATION ACT 1957 [illegible] मे दर्ज रजिस्टर किया जाकर मुकदमा हजा की तफतीश ASI दलबीर 04 दवारा अमल मे लाई जा [illegible] हजा से घटनास्थान का मौका मुलाहजा व बयानात गवाहान लिखे गये। जो मौका पर मुकदमा मुल्ह [illegible] राजिक अधिकारी ने व उसके साथ अन्य कर्मचारियो ने पोपलेड के हैल्पर आरोपी सुलतान पुत्र [illegible] वासी नन्दन थाना कुमराह जिला बक्सर

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बिहार की पेश किया जिसकी तसदीक उक्त नि. इलबीर ने मुकदमा हजा बारे पुछताछ की गई जो पुछताछ के बाद आरोपी सुनील यादव पुत्र कृष्ण यादव वासी नन्दन थाना दुमराव के खिलाफ सबुत काबिले गिरफ्तारी मपा मिसल पर गुजरने पर मुकदमा हजा में नियमानुसार गिरफ्तार किया गया। जो आरोपी का फर्द इन्कशाफ लिखा गया। आरोपी सुनील उपरोक्त ने मुताबिक फर्द इन्कशाफ आरजदनी प्रतिबपित डोर ड्राइव में इस्तमाल पत्थरो सहित ये उनके ड्राइवरो के छिपाने और पोपलैंड के ड्राइवर के बारे में पता करने मिष तथा मुकदमा हजा में आरोपी से और गहनता से पुछताछ करनी है। जो आरोपी सुनील यादव का एक दिन रिमान्ड हिरासत पुलिस हासिल किया गया। दिनांक 23/12/19 को आरोपियान संदीप पुत्र ईश्वर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी लखनातपा जिला तरनतारन पंजाब व रणधीर पुत्र शिशपाल वासी ढाणी दुल्ट के खिलाफ सबुत काबिले गिरफ्तारी गुजरने पर नियमानुसार गिरफ्तार किया गया हाईवा डम्परो व पोपलैन्ड को कब्जा पुलिस में लिया गया नक्सा मौका जाय बरामदगी तैयार किया गया, फर्द इन्कशाफ लिखा गया। दिनांक 24/12/19 को आरोपियान संदीप पुत्र ईश्वर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी लखनातपा जिला तरनतारन पंजाब व रणधीर पुत्र शिशपाल वासी ढाणी दुल्ट को पेश अदालत किया गया जो आरोपी संदीप पुत्र ईश्वर वासी बागनवाला का माननीय अदालत से एक दिन का पुलिस हिरासत रिमान्ड लिया गया जो आरोपी सन्दीप को दिनांक सुलिस हिरासत रिमान्ड खत्म होने पर दिनांक 25/12/19 को पेश अदालत किया गया जिसको बन्द जिला जेल भिवानी करवाया गया। जो दिनांक 27.12.2019 को समुक्त निरक्षण रिपोर्ट व पहाड़ में रास्ता बनाने की परमिसन व मप को वन विभाग से प्राप्त किया गया वा दिनांक 04.01.2020 को ASI दलबीर सिंह ने आरोपियान द्वारा अरवली क्षेत्र में अवैध खनन किया जा रहा था ट्रको से खाली करके मौका पर छोड़ गये है उसकी बजरिया फर्द कब्जा पुलिस में लिया गया वा फोटो व CD तैयार करवाई गई वा एक्सपर्ट रिपोर्ट सहायक माईनिंग इंजिनियरिंग रिपोर्ट प्राप्त की गई वा गाडी HR 61A 1148 की वजन करवाकर पर्ची हासिल की गई वा अशोक कुमार व विवेक कुमार अशोका फोटो स्टुडियो से 65B के सर्टिफिकेट से हासिल किये गये। पोपलैन्ड मशीन को भी कब्जा पुलिस में लिया गया।जो दिनांक 10/01/2020 को आरोपी पोपलैन्ड चालक सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा में पुछताछ की गई बाद पुछताछ आरोपी को सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा विधीनुसार गिरफ्तार किया गया जिसका दौराने गिरफ्तारी फर्द इन्कशाफ अलग से लिखा गया। जो पोपलैन्ड की मशीन की खरीद बिल की फोटो प्रति व चालक सुनील का DL फर्द कब्जा पुलिस में लिया गया। बाद आरोपी सुनील कुमार उपरोक्त का मेडीकल परीक्षण करवाकर बन्द हवालात थाना करवाया गया जो आरोपी सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को दिनांक 11.01.2020 को पेश अदालत किया गया जो आरोपी को जिला जेल भिवानी वट करवाया गया। अब मुकदमा हजा में आरोपियान सुनिल यादव पुत्र कृष्ण गाव नन्दन थाना दुमरा जिल बक्सर बिहार, रणधीर पुत्र शीशपाल वासी ढाणी दुल्ट जिला फतेहाबाद, सुनील कुमार पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु, सन्दीप पुत्र ईश्वर सिंह वासी बागनवाला जिला भिवानी, गुरबाज सिंह पुत्र बलविन्द्र वासी लखनातपा जिला तरनतारन पंजाब के खिलाफ सबुत काबिले चालान सफ मिसल पर गुरजने पर मुकदमा हजा चालान तैयार करके दिनांक 4-3-21 को न्यायलय में दिया जा चुका है। मुकदमा हजा की तस्दीक तफ्तीस मन INSP/SHO द्वारा अमल में लाई गई, दौराने तस्दीक तफ्तीश पाया गया कि आरोपी सुनिल पुत्र बलवान वासी ग्राम की मुकदमा हजा में कोई संलिप्तता नही पाई गई है जो मेरी तस्दीक तफ्तीश से निर्दोष पाया गया है। मुकदमा हजा में प्रयोग की गई ड्रील मशीन का असल मालिक सन्दीप पुत्र पतराम वासी ढाणी रिवासा पाया गया और इस मशीन पर ओपरेटर सुनिल यादव पुत्र कृष्ण यादव वासी नन्दन थाना दुमरा जिला बक्सर बिहार पाया गया जो मुकदमा हजा में पहले ही अपने आपको पोपलैण्ड मशीन पर हेल्पर बतलाकर दिनांक 23-12-19 को गिरफ्तार हो चुका है जिसके खिलाफ चालान तैयार करके न्यायालय में दिया जा चुका है और फिर मुकदमा हजा की तफ्तीश ASI राजबीर द्वारा अमल में लाई, ASI राजबीर ने मुकदमा हजा की वारदात में प्रयोग की गई ड्रील मशीन को ड्रील मशीन व ड्रील मशीन का बिल फोटो प्रति सन्दीप पुत्र पतराम वासी ढाणी रिवासा ने पेश करने पर बतौर वजह बरामद बजरिया फर्द कब्जा पुलिस में लिया गया, गवाहन के बयान लिखे गये, मुकदमा हजा में सुनिल पुत्र बलवान वासी ग्राम कोई संलिप्तता नही पाई गई जो निर्दोष पाया गया। अब मुकदमा हजा में अन्य कोई तकमील तफ्तीश बकाया नही है मुकदमा हजा में तदीमा चालान 173(8) CrPC तैयार करके समायत न्यायालय में दिया जा रहा है। माननीय अदालत से निवेदन है दौराने समायत गवाहन को बजरिया समन/वारन तलब फरमाकर मुकदमा हजा की समायत फरमाई जाये।

नारकोटिक कागजात- चालान फार्म- , ड्रैस मशीन बिल फोटो प्रति-1, पर्स मकबुलगी ड्रैस मशीन मय बिल फोटो प्रति-1, स्यानात

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17. Refer Notice served (जारी किए नोटिस): No Date(दिनांक):
(Acknowledgement to be placed)(पावती अपेक्षी करें):

18. Despatched on (प्रेषण की तिथि):

19. No. of enclosures (संलग्नकों की संख्या): 0

20. List of enclosures, As annexed (संलग्नकों की सूची):

Forwarded by Officer in charge
प्रभारी अधिकारी द्वारा अग्रेषित

Name (नाम): Jai singh

Rank (पद): I (Inspector)

No. (सं.): 217H

Signature of Investigating Officer submitting final report/charge sheet
अंतिम रिपोर्ट/आरोप पत्र दायर करने वाले जाँच अधिकारी के हस्ताक्षर

Name (नाम): rajbir

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No. (सं.): 332B

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CIS No. CRM/08/2019.
FIR No.: 587 of dated 23.12.2019.
Under Sections : 379 of IPC & 21A of Mines and Minerals (Development and Regulation) Act 1957.
Police Station : Tosham, District Bhiwani.

Present: Sh. Pawan Kumar, APP for the State assisted by IO
Sh. Rajesh Kumar Verma, Advocate for the applicants.

ORDER

This composite order of mine shall dispose of three applications to release the following vehicles on superdari, which have been recovered and are in the possession of the police of PS Tosham in the FIR No. 587 of dated 23.12.2019 registered under Section 379 of IPC and 21(1) of Mines and Minerals Act :-

(a) HR-61D-6014 (Truck) in favour of M/s Jagdamba Stone Crusher, Khanak, Tehsil Tosham through its proprietor Om Parkash Aggarwal son of Rameshwar Dass, resident of Village Tosham, Tehsil Tosham, District Bhiwani.

(b) HR-61D-1411 (Truck) in favour of M/s Chander Parkash Stone Crusher, Khanak, Tehsil Tosham, through its proprietor/partner Anil Kumar son of Gyan Charan, R/o Bawani Khera, Tehsil Bawani Khera, District Bhiwani.

(c) HR-61C-4044 (Truck) in favour of Sunil son of Balwan Singh, resident of Village Dulana, Tehsil Tosham, District Bhiwani.

(Jaswinder Singh)
SDJM/Tosham/06.01.2020
UID No. HR0313

2. Before proceeding further, it shall be appropriate to mention the factual matrix of the case. The present case was registered on the information of District Forest Officer, Tosham, District Bhiwani rendered to the SHO of PS concerned, with the averments that on 22.12.2019, a telephonic information was given at 9.00PM by Ravinder Yadav, In-charge of Saral Beat to the effect that the illegal mining in the hills of Dadam was going on. Then Mahender Singh, Forest Inspector, Raj Singh Forest Guard and the police of PS Tosham reached at the spot and the driver of the truck having No. HR-61C-4044 loaded with stones, ran away from there after leaving it there and they also left the vehicles No. HR-61D-1411 and HR-61D-6014 and drill machine which were being used for illegal mining and ran away from there. One person was found at the spot and he refused to disclose his name. On that, the FIR in question was registered.

3. On 24.12.2019, the applications to release the above said vehicles were moved before the Ld. Duty Magistrate at Bhiwani and the police filed its reply in which it did not dispute the ownership of the vehicles in question by the concerned firm or concerned person and admitted the same. The police further stated in the reply that the vehicles in question cannot be released on superdari as National Green Tribunal (NGT) has issued a direction vide its order dated 05.04.2019(OA No. 360 of 2015) and 23.04.2019 (OA No. 668 of 2018) that " the vehicles or any other equipment used for illegal mining are required to be confiscated and to be released only on payment of at least 50% of the showroom value". The police further stated that the superdari applications may kindly be dismissed in view of the

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SDJM/Tosham/06.01.2020
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directions of National Green Tribunal and also stated that applicants may be directed to comply with order of NGT.

4. Thereafter, vide order dated 27.12.2019, the Court of Ld. Duty Magistrate appointed Local Commissioner in this case to bring the existing position of the vehicles that there were stones in the vehicles or not. A person from each party i.e. one from Mining Department, one from Police Department i.e. Investigating Officer and one for accused persons i.e. Sh. Vinod Kaushik, Advocate were appointed as Local Commissioners.

5. On 03.01.2020, Sh. Vinod Kaushik, Local Commissioner and Mining Inspector, Bhiwani filed the report in which they have stated that on 27.12.2019, they were appointed as Local Commissioner and as per the Court orders, the information was rendered on 31.12.2019 to Mining Inspector Rajesh and owners of the vehicles in question and the Investigating Officer regarding inspection of the spot by the Local Commissioners on 01.01.2020 at 12.00 Noon. On 01.01.2020, at about 12.00 Noon, Local Commissioners reached at the spot and prepared attendance sheet. Local Commissioners found that vehicles in question were present in the Police Station, Tosham and the same were checked and there were no stones in the trucks and the three dumphers (trucks) were empty. They also clicked the photographs of the trucks and the same are Annexure C1 to C10 in the case file.

6. Ld. Counsel for the applicants argued that the vehicles in question have been taken into custody by the police on the allegation that the same were involved in committing the theft of the stones and illegal

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mining in the hills of Dadam. He further stated that the vehicles in question were empty and the report of the Local Commissioners has confirmed the same. The empty vehicles are parked in the premises of PS Tosham. Since there were no stones in the vehicles in question, it is clear that the vehicle in question were not involved in any theft or in any illegal mining. He further stated whether the same were involved in the theft or illegal mining is a matter of evidence and this fact can only be proved after the conclusion of the trial. At this stage, the police is having the possession of the vehicles in question since the day of recovery and no useful purpose is going to be served by keeping the same in the custody of the police and the same may diminish the use and utility and value of the vehicles in question. He further stated that the order passed by the National Green Tribunal (NGT) is not applicable in this case as the vehicles in question have not been confiscated till now by the Mining Authority. At last, he prayed that the vehicles in question be released in favour of its registered owners on usual terms of superdari.

7. On the other hand, the prosecution authorities have stated that the vehicles in question cannot be released on superdari as the same have been taken into police possession for the commission of theft and for committing illegal mining and the same can only be released after depositing at least 50% amount of showroom value of the vehicles in question as ordered by National Green Tribunal (NGT). At last, they prayed the applications in hand may kindly be dismissed.

8. Today, Investigating Officer, ASI Dalbir Singh, PS

Digitally signed by Dharmender Singh
Date: 2020.01.01 [illegible] 2020
UID No. HR0613

Tosham appeared and again filed reply to the superdari applications of the vehicles in question and stated that the police has got conducted the inspection from Mining Expert and he verified about the illegal mining at the spot. It is also stated that if the vehicles in question are ordered to be released on superdari, the same may be involved again in the theft of stones or illegal mining. It is also reiterated that the applicants may be directed to comply with order of NGT.

9. ASI Dalbir Singh, Investigating Officer also suffered a separate statement that the vehicles in question are parked in the Police Station Tosham and the same have not been confiscated till now by the Mining Authorities and no intimation or notice has been received by him in this regard being IO.

10. The recovery memos of the vehicles in question have also been perused by this Court and the same are reflecting that the police has taken the custody of the vehicles in question and the same are in its possession.

11. Arguments heard. File perused.

12. After having heard the arguments and perused the case file, this Court is of the view that the registered owners of the vehicles in question have moved the applications to release the same on superdari and the police has opposed the applications mainly on the ground that as per the orders of National Green Tribunal (NCT), the vehicles can be released on payment of at least 50 % of the showroom value. At this stage, perusal of the file is showing that there is no document on the case file showing that the

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vehicles in question have been confiscated by the concerned Mining Authorities or any such process has been started. The orders of National Green Tribunal (NGT) about release of the vehicle on payment of at lease 50% amount is applicable as and when the vehicles involved in the illegal mining are confiscated by the authorities concerned i.e. Mining Authorities. The Investigating Officer has also suffered a statement today that till date the Mining Authorities have not confiscated the said vehicles and the same are in the police custody and no intimation in this regard has also been received by him being Investigating Officer from the Mining Authorities. From this, it is clear that the FIR was registered on 23.12.2019 and since then the Mining Authorities have not confiscated the vehicles in question and also have not started the process of confiscation of the same, the release of the vehicles in question on payment of at least 50% of showroom value as per the directions of National Green Tribunal (NGT) is not laible to be governed by directions of National Green Tribunal (NGT). It is clear that the ground on which the police has opposed these applications, is not available to the police in this case. The fact whether the vehicles in question involved in the illegal mining or not is a matter of evidence and this fact can only be concluded at the end of the trial, after scanning of the evidence which is yet to be led by both of the parties. The police has stated that the vehicles in question may be released on payment of amount of at least 50% of the showroom value. In its reply, nothing has been stated by the police that the vehicles in question are further required by it for any investigation. Since, the vehicles in question are not required by the police for any further investigation, no useful purpose

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would be served by keeping detained the same in the custody of the police of PS Tosham.

13. At this stage, this Court would like to place reliance on the case law titled as **Vinay Bhanot Versus State of Punjab, 2014 (8) RCR (Criminal) 2121**, in which Hon'ble Punjab and Haryana High Court observed in the identical matter of superdari, in which the vehicles were taken into custody by the police in the FIR registered under Section 379 of IPC and Section 21 of Mines and Minerals (Development and Regulation) Act 1957, in which the Hon'ble Punjab and Haryana High Court observed that "the vehicle in question is parked in the police station since 11.04.2013 and no useful purpose would be served by getting it there. If the same is not released to its registered owner, the same may be reduced to scrap without proper care and maintenance. Admittedly, the petitioner is the registered owner of the vehicle". With these observations, Hon'ble Court passed the orders to release the said vehicle on superdari.

14. The facts of the present superdari applications are also identical. No useful purpose by keeping the vehicles in question at the premises of Police Station, Tosham is going to be served as the same are parked there from the day of the recovery and if the same are not released to its registered owner, the same may be reduce to scrap without proper care and maintenance. Admittedly, the applicants are the registered owners of the vehicles in question and this fact is not denied by the police. The police has opposed this application on the ground that the National Green Tribunal (NGT) has issued specific directions about its release i.e. deposit of at least

(Upasana Singh)
SDJM(Tosham)/06.01.2020
UID No. HR0371

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50% of showroom value. However, the same is not applicable in this case. Except this, the police is having no other objection and it has not stated that the vehicles in question are required by the police for any further investigation. It makes it clear that the vehicles in question are not further required by the police for further investigation. That is why the police has not pleaded to retain the custody of the vehicles in question further for the investigation purposes.

15. In **Sundarbhai Ambalal Desai Versus State of Gujrat and CM Mudaliar Versus State of Gujrat, 2003(1) RCR (Criminal) 380, Hon'ble Apex Court** of India explained the scope of Section 451 of Cr.P.C. 1973 and explained that the powers under Section 451 of Cr.P.C. should be exercised expeditiously and Judiciously :-

(I) For the proper custody pending conclusion of the inquiry or trial,

(II) To order it to be sold or otherwise dispose of, after recording such evidence as it think necessary,

(III) If the property is subject to speedy and natural decay to dispose of the same.

16. In this case, Hon'ble Apex Court also held that articles are not be kept for more than 15 days to month and vehicles should not be kept at police station for long and the same should be given on superdari by taking adequate security and the vehicle should be auctioned, if there is no claimant.

17. In view of the above whole discussion and the

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UID No. HR0313

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observations of the Hon'ble Apex Court of India and Hon'ble Punjab and Haryana High Court in the above said judicial pronouncements, coupled with the facts and circumstances of the present case, this Court is of the considered opinion that the subject superdari applications deserve to be allowed and the vehicles in questions are liable to be released on superdari during the trial.

18. Therefore, all the three applications for superdari for the vehicles in question stand allowed and the vehicles in question are ordered to be released in favour of its registered owners on the condition that the same shall be produced as and when required by the police or the Court and the same shall not be sold out without the permission of the Court and the applicants/registered owners shall not change the colour of the vehicles in question and further to follow all the usual terms and conditions of superdari, on furnishing superdaginama in the sum of ₹ 40,00,000/- (Forty Lakhs) with one surety in the like amount each to the satisfaction of this Court. Requisite superdaginama for vehicle having registration Nos. HR-61D-6014 and HR-61D-1411 not furnished. Requisite superdaginama for vehicle having registration No. HR-61C-4044 furnished, accepted and attested. Release order of vehicle having registration No. HR-61C-4044 be issued immediately. Papers be tagged.

Announced in open Court.

(Jogender Singh)
Sub-Divisional Judicial Magistrate,
Tosham, 06.01.2020.
UID No. HR0313

((Kavita Rani Sigl' JID

ANNR1/2/69

बा अदालत जनाब एरिया मजिस्ट्रेट/ डयूटि मजिस्ट्रेस्ट, भिवानी

हरियाणा सरकार बनाम संदीप आदि

एफ0आई0आर0 नम्बर 587 दिनांक 23–12–2019
जेर धारा 379 आई0पी0सी0 व 21 ए ऑफ
माईन्स एण्ड मिनरल्स
पुलिस थाना लोशाम
तारीख पेशी –03–01–2020

रिर्पोट लोकल कमीशन

श्रीमान जी,

मुकदमा उपरोक्त में जनाब के आदेश दिनांक 27–12–2019 द्वारा मुझे लोकल कमीशन नियुक्त किया गया था जो मैनें मुताबिक आदेश माईनिंग इन्सपेक्टर राजेश व गाडी मालिकों/ रजिस्टर्ड मालिक व जांच अधिकारी को दिनांक 31–12–2019 को सूचना दी कि मन लोकल कमीशनर दिनांक 01–01–2020 को दोपहर 12:00 बजे मौका मुआवना करने बाबत दी थी, जो माईनिंग इन्सपेक्टर की सूचना वारे receiving dated 31-12-2019, Annexure- A-1 to A-3 लफ है।

यह कि मन लोकल कमीशनर दिनांक 01–01–2020 को समय 12:00 बजे मौका पर पहुंचा और मौका पर उपस्थित लोगों के हस्ताक्षर मैमों ऑफ प्रजेन्स/ attendance sheet दिनांक 01–01–2020 पर करवाये। जो कि एनेक्सचर B है। जब मन लोकल लोकल कमीशन मौका पर पहुंचा तो पुलिस थाना के अन्दर मौका पर तीन डम्पर 1– नम्बर एच0आर0–61–सी/6014 जिसके मालिक का नाम सुपरदारी दरख्वास्त के अनुसार मैसर्ज जगदम्बा स्टोन केसर, खानक, प्रोपराईटर

ओमप्रकाश अग्रवाल पुत्र रामेश्वरदास, व 2– नम्बर एच0आर0–61–डी/1411 जिसके मालिक का नाम सुपरदारी दरखास्त के अनुसार मैसर्ज चन्द्रप्रकाश स्टोन केसर, खानक, प्रोपराईर अनिल कुमार पुत्र ज्ञानचन्द, व तीसरी गाडी नम्बर एच0आर0–61–सी/4044 जिसके मालिक का नाम सुपरदारी दरखास्त के अनुसार सुनील पुत्र बलवान सिंह, निवासी गांव डाडम, तहसील तोशाम जिला भिवानी खडे थे। जो इन डम्परों को चैक किया तो इनमें कोई स्टोन उस समय ना थे, तीनों डम्पर मौका पर खाली मिले। जो मैनें तीनों गाडियों के फोटो अपनें मोबाईल से खिचें थे जो बाद में लैब से प्रिंट निकलवाये जो फोटोग्राफस जो कि एनेक्सचर C–1 ता C–10 हैं), जो मैनें मौका का एफ साईट प्लान किया था जो जो कि एनेक्सचर D है।

श्रीमान जी उपरोक्त रिर्पोट लोकल कमीशन सादर प्रेषित है।

भिवानी
दिनाक– 03/01/2020

Mining Engineer
Bhiwani

Vinod Kaushik

विनोद कौशिक, एडवोकेट
लोकल कमीशनर भिवानी।

रिर्पोट के साथ लफ हैं :–

1– एनेक्सचर A-1 to A-3 receiving dated 31-12-2019

2– एनेक्सचर B मैमो आफॅ प्रजेन्स/ attendance sheet दिनांक 01–01–2020

3– एनेक्सचर C-1 to C-10 फोटोग्राफस कीकल

4– एनेक्सचर D रफ साईट प्लान

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illegal ways are created by previous project proponent and not by present mining project i.e. M/s Govardhan Mines & Minerals, Village Dadam, Bhiwani.

The Deputy Conservator of Forests, Bhiwani vide letter dated 21.12.2020 stated that illegal mining and illegal ways are created by previous project proponent M/s Sunder Marketing, Dadam and not by M/s Govardhan Mines & Minerals, Village Dadam, Bhiwani.

2.2.3 Asstt. Geologist, Ground Water Cell

According to report dated 3.11.2020 of Asstt. Geologist, Ground Water Cell, the water table data of selected wells available in surrounding alluvial formation is varying from 9.41 m to 18.52 m, whereas, the depth of mining pit is approx. 109 mtrs. as measured by the officials of mining department. This shows that presently, the surrounding water level is having no interconnectivity with mining pits as the water table has not been encountered upto the depth of 109 m. So it is concluded that the water accumulated in mining pits is seepage from the cracks and fissures of the quartzite rock of Aravali system.

2.2.4 Department of Irrigation

The Executive Engineer, Jui Water Services, Bhiwani submitted a report dated 20.11.2020 stating that as per available records in the case of Omparkash & others V/s Raman & others in the Hon'ble Court of Sh. Sunil Kumar Dewan, ACJ (SD) Tosham, the Tehsildar, Tosham was appointed as Local Commissioner who had mentioned in his report dated 6.1.2016 that from RD 21100 to RD 22800 of Dadam distributary in a length of 1700 ft., the channel was damaged/ not existing for the last 10 years. It was further stated that the channel was mostly damaged by earlier mining operations.

2.2.5 Director, Mines Safety, Ghaziabad

The Deputy Commissioner, Bhiwani requested the Director, Mines Safety, Ghaziabad to verify whether said project i.e. M/s Govardhan Mines and Minerals, Bhiwani is doing scientific mining or not. Subsequently, Mining Officer, Bhiwani vide letter no. 1201 dated 18.12.2020 also requested the Director, Mines Safety, Ghaziabad to verify the facts. The Director, Mines Safety, Ghaziabad vide its letter dated 28.12.2020 submitted the observations and conclusions as under:

2.2.5.1 Observations of the Deputy Director, Mines Safety, Ghaziabad

i) There were 25-30 number of pits dug within the lease hold area. The pit name was locally numbered for identification and convenience. The size of this pit was about 80-200m x 100m-200m.

ii) The size of pit no. 38 was about 80m x 60m x 18m. The height of benches were 5-9m and width was about 5-7m. A haul road leading to benches was provided. The Aravali forest land was located on the western part of excavation. Men and machinery were deployed by contractor. The size of pit no. 35 was about 60-65m(L)x40-45m(W)x8-9m(D). The height of bench was about 8-9m. Adjoining to this pit, forest land of Aravali was located on western side. The size of pit no. 31

ANNEXURE R-2/9

SURVEY AND INVESTIGATION REPORT TO ESTABLISH WATER LEVEL AT DADAM MINES

Introduction-Original application No. 169/2020 AND 132/2020 was filed before National Green Tribunal at Delhi against illegal mining in forest area and illegal extraction of ground water respectively. As per the order a joint committee was formed comprising State PCB, Division, Forest Officer Bhiwani, Additional District Magistrate, Bhiwani for submitting factual and action taken report in two months.

To ascertain the water accumulated in the mining ground water cell Bhiwani, CGWB, NWR Chandigarh to take up studies in mining area Dadam Mines of village Dadam Block Tosham, District Bhiwani after the committee formed by District Collector Bhiwani consisting of Sub-Divisional Magistrate Tosham, District Revenue Officer alongwith Assistant Geologist Ground Water Cell Bhiwani and CGWB, NWR Chandigarh. Alongwith the above mentioned committee the undersigned carried out

the Survey to investigate water level and quality at Dadam mines on 05.02.2021.

Field Inspection: during Survey it was found that in pit no. 25 coordinates No.28.53.08L35' 75 51 01") no water was found in the mining Pit in Pit No. 18 coordinates N28 52 59 and 75 51 13') leakage from the cracks and tissue of the rocks were present and no water was found at the bottom mine pit. One sample was collected from back side of pit no.18 at Gate no.6 (coordinates No.28'52'56' E 75'51'22"] which had been got analyzed Data is in Annexure-I.

Conclusion: Based on filed investigation and chemical analysis of collected water sample it is concluded that the seepage in mining pit is ground water from quartzite formation Quartzes are farming low yield aquifer and tubewell constructed in quartzite generally yields 100 150 pm of water only, thus the seepage found in pit is very minor during rainy season. They may yield good quantity of water resulting in filing of mine pits as the water in the alluvial formation is 941mbgl to 18.5 to mbgl in the

surrounding alluvial area of mines the fracture in quartzite might be hydrologically connected to the water table of the alluvial areas and seepage in mine pit are of ground water only.

True copy

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Annexure R-2/9

Date: 22.02.2021

To,

The Regional Director

CGWB, NWR

Chandigarh

Sub: Survey & Investigation report to established water level at Dadam mines Tosam, Distt. Bhiwani for compliance of NGT order in the matter of O.A. No. 169/2020 and O.A. No. 132/2020

Sir,

With reference to the letter No. 4(172) A-HR SSSC/NWR-581/ 2020918 dated 11.12.2020 and email dated 03.02.2021 undersigned had carried out Survey to established water level at Dadam Mines on 05.02.2021. Survery and Investigation report is enclosed herewith for your kind perusal.

This is for your kind perusal and necessary action please.

Sd/-

Annexure R-2/10

Date of Last inspection : 24.06.2019

Dir(gzb.)/DDO(NZ) to see/record please

Note for file

Name of Mine: Dadam Stone Mine

Name of Owner M/s Goverdhan Mines & Minerals

(Shri Wazir Singh Quhar-Nominated Owner)

Name of Manage: Shri Sanjay Kumar Sinha, FCC

Name of I. Officer : A.K.Das, Dy. DMS

Date of Inspection: 28.12.2020

1.0 Back Ground Information: Vide Letter No. Bhiwani/Khanan/109 dated 24.11.2020 (RO Diary No.1439 dated 09.12.2020), Mining Officer, Mines & Geology Department, Bhiwani has informed this Directorate that Sri Rakesh Dalal has filed OA No.132/2020 in the matter of Rakesh Dalal Vs. State of Haryana in the honourable court of National

Green Tribunal, in which he has pointed about unscientific way of mining in Dedam Stone mine, whose hearing has been fixed in the Hon'ble NGT Court on 05.01.2021. Mining Officer, requested this Directorate to inspect the mine and submit the report.

An Email dated 02.Dec. 2020 sent vide email. Id mobwn120@gmail.com to dg@dgms_gov.in was received in this Directorate from RO on the same matter (RO diary No.1514 dated 22.12.2020).

As directed I called at the mine on dated 28.12.2020, to enquire into the matter. While to the area, Mining Officer, Bhiwani, was requested to be present at the time of inspection and enquiry. Due to his engagement at Charkhi Dadri, falling under his jurisdiction, he could not accompany me at the time of inspection and enquiry.

2.0 **Location & Ownership**: The mine was located in Village Dadam in Tehsil Tosham, district Bhiwani of State of Haryana on the way to Tosham Bhiwani. It is about 200 km. from Ghaziabad. The mining lease containing an area of 48.57 hectare in Khasra No.132 min. was granted in favour of M/s Goverdhan Mines & Minerals, House No.51, Urban Estate-2 Hisar (Haryana) by Govt. of Haryana, Sri Wazir Singh Kuhar is the Nominated Owner of this mine.

3.0 **Supervision, Production & employment:** The mine was placed under the overall management control supervision and direction of Shri Sanjay Kumar Sinha, holder of first class mine manager of certificate of competency ® To assist the manager three (03) Assistant Manager; Four (04) mine foreman; nine (09) mining mate and two mining engineer (B. Tech) and one Diploma in mining have been appointed for day to day supervision and operation of the mine. The mine was reportedly

producing about 36000T -37000T of stone per day employing an average daily manpower of about 97 (contractors and departmental) persons per day.

4.0 **Mining Operation:** The mine was worked by opencast mining method by deployment of shovel-dumper combination with deep hold drilling & blasting. The permission under Regulatory 106(2)(c) of the Metalliferous Mines Regulation, 1961 to deploy HEMM with system of deep hole drilling and blasting have been granted vide this Directorate's letter No.3449 dated 29.11.2019 blasted stones are loaded into buyers truck by excavator and dispatched. Big boulders generated during the blasting are broken by secondary blasting. It was reported that mining operations within the lease hold area were outsourced. About 25-30 numbers of the pits have been dug in the leasehold area. The manpower and machinery required for mining operations in these pits were being deployed by the contractors. Whereas statutory persons supervising

the day to day mining operations were appointed by mine owner apart from contractors statutory personnel. The machinery like excavator and drill machines were engaged by contractor Drilling blasting and loading operations were carried out by contractors. The mineral were dispatched in buyers truck/dumper. The water tanker used for water spraying and wetting on benches and haul roads were also outsourced. Three numbers of logger machines to settle the dust generated during mining operations provided. Three numbers of transportable water tanker with built in arrangement on the tanker top (whirling jet type) The mine was being worked in three shift eight hourly shift i.e. (8.00am to 4.00 pm, 4.00 p.m. to 12.00 a.m to 12.00 midnight 8.00 a.m. 2ith ½ hour rest interval between the shifts)

5.0 Inspection after study of plans and section of the mine went to mine S/Sri Sanjay Kumar Sinha, Mine

Manager and other officials accompanies me during the inspection.

6.0 **Observation**:

i) There were 25-30 numbers of pits dug within the lease hold area. The pit name was locally numbered for identification and convenience. The size of these pits was about 80-200 m. x 100m -200 m.

(ii) The size of pit No.38 was about 80m x 50mx18m. The height of benches were 5-9 m and width was about 5-7m. A haul road leading to benches was provided. The aravali forest land was located on the western part of the excavation. Men and machinery were deployed by contractor. The size of pit No.35 was about 60-65m (L) (40-45) m. (W) x 8 m x 9m(D). The height of bench was about 8-10m Adining to this pit, forest land of Aravali was located on

southern side. Loading of stone was being carried on these pits.

(iii) The size of pit no.22 was about 200m x 200mx 20m . The height of benches were about 9-10m. Drilling of holes were being carried on the bottom bench. The drill machine was provided with well drilling arrangement (Photograph enclose) Management informed that the drill machines are provided with wet drilling arrangement. Some of the drill machines whose wet drilling mechanism was out of order were under repair.

(iv) There were three portable foggers machines installed near the pit where loading operation was being carried on to settle the dust being generated during loading. It was informed that these fogger are moved to different pits where loading operations are carried on. Two to three dedicated tractor mounted water tanker was

available for supplying water to these fogger machine.

v) Three water tankers with water spraying arrangement on the tow whirling type were provided for wetting the haul road and benches (Photograph enclosed) water spraying was being done on the haul roads and benches.

vi) The danger zone was demarcated by means of red flag (Photograph enclosed) The lease boundary was fenced by barbed wire. During inspection it was observed that the staff and work persons were wearing safety gadgets like helmet and shoes.

vii) An order under Section 22(3) of the Mines Act, 1952 as imposed in pit No.127 vide this Directorate's letter No.2169 dated 25.06.2019. No work was being carried out at in this pit. Men and machinery were not found deployed in this pit.

viii) The record of attendance form D were kept maintained. The employment register in Form B was kept maintained (copy enclosed)

Ix) The deep note drilling and blasting was carried out under the personnel supervision of assistant manager and foreman. The blasting time was reported to be between 1-4 p.m. a signage of blasting time was displayed on board at several places (Photograph enclosed) Transport of explosive in licen van for blasting in the mine was done by the explosive supplier that was in agreement with the owner of mine. The records of explosive used and return in RE-13 were being maintained by the explosive supplier (copy enclose) and firings of shot were done by statutory persons appointed by this owner of mine.

x) An efficient means of signaling by siren within the radius of 300 m from the place of firing was provided and in use (photograph enclose)

xi) High mast tower consisting of clusters of bulb was found installed on the haul road around the quarry of the mine (photograph enclosed) for lighting and management to work beyond day light hours.

xii) There were crushers not belonging to owner of mine within the danger zone North-Eastern and north western side. However, the crusher were located outside the danger zone from active working face. The fly rocks generated during the blasting was towards free face. It was informed by the management that the adjoining field to the lease were acquired by the lessee on rental basis. No signs of fly rocks were seen near the adjoining field to the lease.

7.0 **Conclusion:**

1) It is to be noted that Mining lease for Dadam Stone Mine, Khasra No.132, M/s Goverdhan Mines and Minerals was granted by department of Mines & Geology, Government of Haryana

Consent to operate consent to establish the environment clearance was granted by the state authority. Simplified Mining Scheme for working the mine in a scientific way by method of open cast mining has been approved by department of Mines and Geology, Haryana.

2) Inspection of Dadam Stones Mines M/s Goverdhan Mines and Minerals was carried out in accordance with the Mines Act, 1952.

3) Under Constitution of India Safety Welfare and Health of workers employed in the mines is regulated by the Mines Act, 1952 and subordinate legislations framed under it. This Directorate a subordinate office under Ministry of Labour & Employment, Government of India administers and oversees the compliance of the provision of the Mines Act, 1952 and the Rules, Regulations and bye-laws framed there under. Beside this Directorate grants permission under certain Regulations for specific mining

operations like Deployment of Heavy Earth Moving Machinery and Deep hole blasting.

4) Inspections are carried out in accordance with Mines Act, 1952 to oversee compliance.

5) Scientific study is not carried out by this Directorate. However, department of Mines & Geology may engage recognized scientific organization or institutions to carry out scientific study of the mine.

6) This inspection was carried out solely on the request of mining officer, Bhiwani without prejudice to any other law in place.

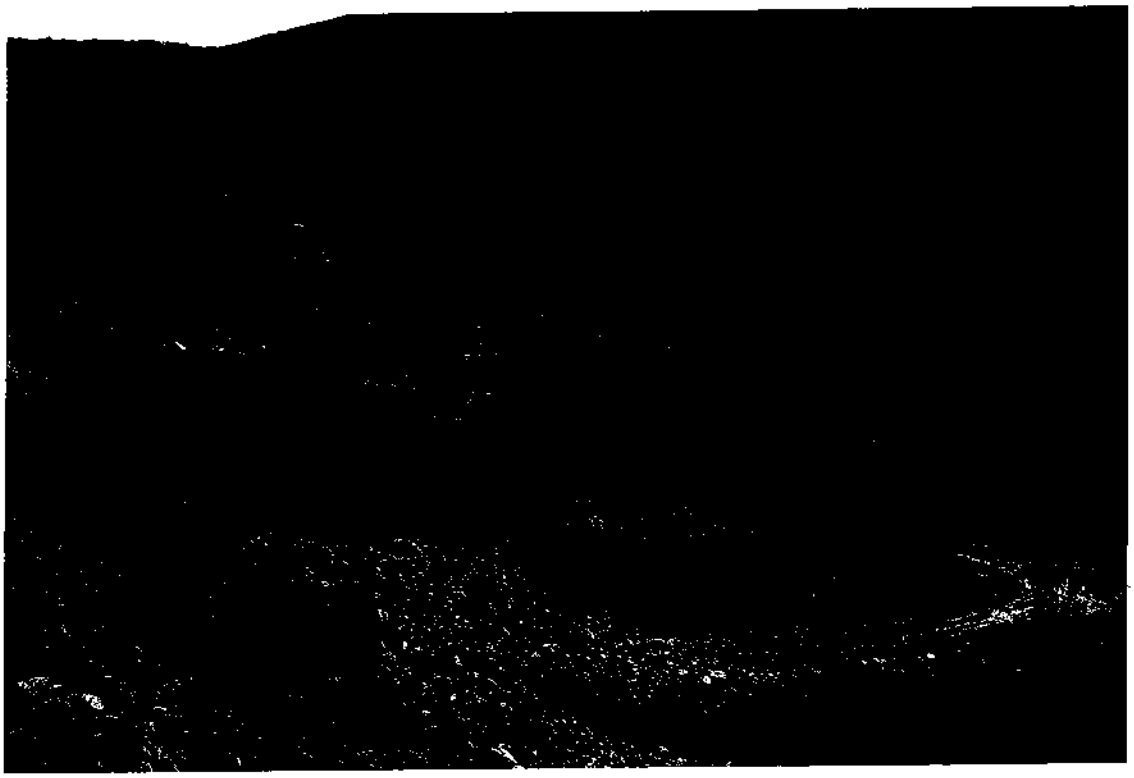
7) Mining officer, Bhiwani may be addressed. Letter is put up.

Sd/-
A.K.Das
Dy. Director of Mines Safety
Ghaziabad Region. Ghaziabad.

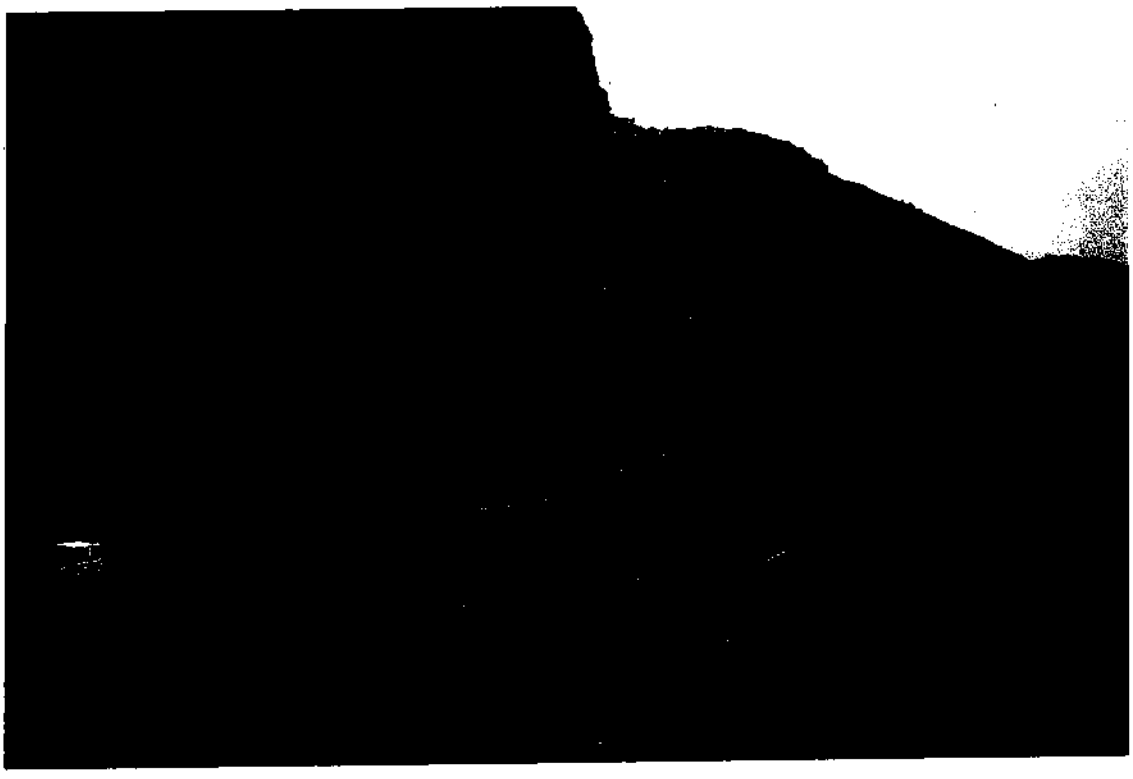
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DGMS

Inclined holes also produce less back-break. In vertical holes this most troublesome feature frequently occurs in heterogenous deposits or where weak sections of rock are present in the immediate vicinity of the column of explosives, such back-breaks can introduce dangerous conditions especially on deep vertical faces. In addition to loose rock which may be left, overhangs occur not infrequently and as is well known, both conditions may be extremely difficult, if not impossible to rectify without resorting to drilling and firing further holes behind the offending area.

It is particularly in the sphere of safety that inclined holes bring the greatest ... advantage, because a face of reasonable height inclined at, say, 25-30°, does not present anything like the hazards that obtain at a vertical face and if unsatisfactory conditions are left after a blast—a possibility with any system using explosives— they can be dealt with easily and safety. The benefits to safety which have been described to establish the case for inclined drilling in deposits to which the system is suited, and the marked improvement achieved at many quarries using this method give reason to believe that its wider adoption is to be expected. It is not the solution ? to all hard rock problems nor is any specific system likely to be put off all current methods; inclined drilling undoubtedly contained fewest inherent weaknesses. (Ref. Quarry Manager's Journal Vol. 47, No. 4, May 1963).

(Cir. 71/1963)

2. Height and width of benches in hard and compact ground—It is recommended that generally the height of a bench in hard and compact ground should not exceed 7.5 metres and the sides of the bench should be sloped at an angle of not more than 60° from the horizontal. The width of the benches should also be not less than the heights.

Provided, however, that where there are any practical difficulties in complying with these recommendations, benches in variation of the above mentioned dimensions may be permitted to be made on application subject to such conditions as may be specified in the interest of safety of workpersons on the merits of each case individually. In this connection it may be indicated that no such application would be normally entertained where the benches are worked manually.

DGMS

(Cir. 42/1965)

3. Conditions for use of heavy machinery/deep hole blasting—Provisions of Regulation 106(2) (b) of the Metalliferous Mines Regulations, 1961 lay down that if in any mine or part thereof it is proposed to work by a system of deep hole blasting and/or with the help of heavy machinery in such a manner as would not permit compliance with the requirements of sub-regulation (1) of the aforesaid regulation, the owner, agent or manager is required to give notice in writing to the D.G.M.S. and the J.D.M.S, Such work can be commenced and carried out only in accordance with the conditions specified by the D.G.M.S,

The conditions subject to which the use of heavy machinery and the adoption of deep-hole technique is permitted by this office have been standardised. A copy of such conditions is given at Appendix for guidance. This may be useful while planning the operations.

(Cir. 36/1972)

APPENDIX

Conditions for adopting a system of deep-hope blasting and/or working opencast mines with the help of heavy machinery for digging, excavation and removal of ore etc. under Reg. 106(2)(b) of MMR 1961

I. GENERAL

1. (1) Except where otherwise provided for in this conditional permission, all provisions of the Metalliferous Mines Regulations, 1961 shall be strictly complied with.

(2) This conditional permission is Subject to amendment or withdrawal at any time.

II. OPENCAST WORKING

Height and Width of Benches

2. (a) The height of the benches in overburden ore body or other rock formation shall not be more than the digging height of the machine used for digging, excavation or removal.
Provided that in case of uniformly soft rocks the Regional Inspector may permit the extension of the height upto 3 metres above the digging height of the machine.

(b) The width of any bench shall not be less than

(i) the width of the widest machine plying on the bench plus two meters,

or (ii) if dumpers ply on the bench three times the width of the dumper,

or (iii) the height of the bench, whichever is more.

Provided that the Chief Inspector may, subject to such conditions as he may specify therein, permit the width of any bench to be less than its height.

(c) When persons are employed within 5 m of the working face, adequate precautions shall be taken to ensure their safety by dressing the sides of the bench.

Roads for Trucks and Dumpers etc.

3.1 All roads for trucks, dumpers or other mobile machinery shall be maintained in good condition.

3.2 Where practicable, all roads from the opencast workings shall be arranged to provide one way traffic. Where this is not practicable, no road shall be of a width less than three times the width of the largest vehicle plying on that road unless, definite turnouts and waiting points are designated.

3.3 All corners and bends in roads shall be made in such a way that the operations and drivers of vehicles have clear view for a distance of not less than 30 metres, along the road.

Where it is not possible to ensure a visibility for a distance of 30 metres there shall be provided two roads for the up and down traffic.

3.4 Except with the express permission of Chief Inspector in writing and subject to such conditions as he may specify therein, no road shall have a gradient steeper than 1 in 16 at any place.

Provided that in case of Ramps over small stretches a gradient upto 1 in 10 may be permitted.

3.5 Where any road exists above the level of the surrounding area, it shall be provided with strong parapet walls or embankments not less than 1 metre in height to prevent any vehicle from getting off the road.

Supervision

4. During every production shift the opencast workings shall be placed under the charge of an assistant manager and during maintenance shift the workings shall be placed under the charge of foreman, who shall be responsible to see that all the regulations and the orders made there under are strictly complied with.

DGMS

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(6) No locomotive or wagon shall be moved when the natural light is insufficient, unless the approaching end is distinguished by a suitable light or is accompanied by a person carrying a lamp.

(7) No person, other than the competent person referred to in-sub-regulation (2), shall pass immediately in front of wagons moving under bins or screens, nor between moving wagons and the under-structure of the bins or screens.

(8) No person shall be upon the buffer of a locomotive or wagon in motion unless there is a secure hard-hold, or stand thereon unless there is also a secure footplace. No person shall pass over the coupling between any two wagons while the wagons are moving.

(9) No person shall cross a line of rails by crawling or passing underneath a train or wagon, nor shall a person sit or sleep underneath a wagon.

(10) Wherever railway wagons are specially placed so as to afford a thoroughfare, such thoroughfare shall be not less than five metres in width.

(11) No material shall be placed or dumped within 1.2 metres from either side of a track of rails.

105. Fencings and gates – (1) Where any haulage road or tramline passes over a public road, suitable gates shall be provided to prevent danger to public from a moving tubs, sets or trains of tubs or locomotive. Every such gate shall be fitted with a danger signal, and when the natural light is insufficient, also with warning lamps.

(2) Where occupied buildings are situated within 15 metres of any haulage road or tramline, a substantial fence shall be provided and maintained between such buildings and the haulage road or tramline.

CHAPTER-XI : Mine Workings

106. Opencast workings– In opencast workings, the following precautions shall be observed, namely: -

(1) In alluvial soil. morum gravel. clay. debris or other similar ground -

(a)(i) the sides shall be sloped at an angle of safety not exceeding 45 degrees from the horizontal or such other angle as the Regional Inspector may permit by an order in writing and subject to such conditions as he may specify therein: or

(ii) the sides shall be kept benched and the height of any bench shall not exc eed 1.5 metres and the breadth thereof shall not be less than the height:

Provided that the Regional Inspector may, by an order in writing and subject to such conditions as he may specify therein. exempt from the operation of this clause any working in the case of which special difficulties exist. which in his opinion make compliance with the provisions thereof not reasonably practicable: and

(b) where any pillar is left 'in situ' for the purpose of measurement, its height shall not exceed 2.5 metres; and where the height of such pillar exceeds 1.25 metres. the base of the pillar shall not be less than 1.6 metres in diameter.

(2) (a) Where 'float' or other similar deposit is worked by manual means on a sloping face, the face shall be benched and the sides shall be sloped at an angle of not more than 60 degrees from the horizontal. The height of any bench shall not exceed six metres and the breadth thereof shall not be less than the height:

Provided that where the ore-body consists of comparatively hard and compact rock, the Regional Inspector may, by an order in writing an subject to such conditions as he may specify therein, permit the height of the bench to be increased up to 7.5 metres while its width is not less than six metres :

Provided further that in case of a mine or part where special difficulties exist, the Chief Inspector may, by an order in writing an subject to such conditions as he may specify therein, relax the provisions of this sub-regulation.

(b) Where in any mine or part it is proposed to work by a system of deep-hole blasting and/or with the help of heavy machinery for its digging, excavation and removal in such manner as would not permit of compliance with the requirement of sub-regulation (1) the owner, agent or manager shall, not less than 60 days before starting such work, give notice in writing of the method of working to the Chief Inspector and the Regional Inspector; and no such work shall be commenced o carried out except in accordance with such conditions as the Chief Inspector may specify by an order in writing. Every such notice shall be in duplicate, and shall give the details of the method of working including the precautions that are proposed to be taken against the anger from falls of sides and material.

(3) In an excavation in any hard and compact ground or in prospecting trenches or pits, the sides shall be adequately benched, slopped or secured so as to prevent danger from fall of sides.

(4) No tree, loose stone or debris shall unless otherwise permitted in writing by the Chief Inspector be allowed to remain within a distance of three metres from the edge or side of the excavation.

(5) No person shall undercut any face or side or cause or permit such undercutting as to cause any overhanging.

107 Underground workings. – In every mine worked by a system of workings below ground, the following provisions shall have effect, namely –

(1) Unless otherwise permitted by the Regional Inspector by an order in writing and subject to such condition as he may specify therein, the height of every main drive shall b not less than 1.8 metres.
(2) The dimensions of pillars or blocks formed in any vein, load, reef or mineral bed or deposit shall be such as to ensure stability of the workings during the development and stoping stages ad between such stages.

[(3) No extraction or splitting or reduction of pillars or blocks of minerals shall be commenced, conducted or carried out except with the prior permission in writing of the Chief Inspector and in accordance with such conditions as he may specify therein. An application for such permission shall be accom-anied by an up-to-date plan of the area where the pillars or blocks of mineral are proposed to be extracted or reduced, showing the proposed extent of extraction or reduction, the manner in which such extraction or reduction is proposed to be carried out, the thickness and other characteristics of the mineral deposit, the rate and direction of general dip and of the pitch of the vein, the nature of hangwall, and footwall, the stoping width, the depth of the workings, and such other particulars as the Chief Inspector may require. A copy of the application and the plan shall simultaneously be sent to the Regional Inspector.

(3-A) The operations of extraction, splitting and reduction of pillars or blocks of mineral shall be commenced, conducted or carried out in such a manner as to prevent, as far as possible, the extension of a collapse in the stoped-out area over-riding the pillars or blocks of minerals that have not been extracted].

(4) Nothing in sub-regulation (3) shall prevent the spilitting or reduction of any pillar or block of mineral bed or deposit where, in the opinion of the manager such work is necessary for haulage, ventilation, drainage or any other purpose necessary for the proper working of the mine, if 14 days' previous notice in writing of the intention to commence such work has been given to the Regional Inspector. Every such notice shall be accompanied by an offset plan showing details of the operation. If in the opinion of the

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Annexure-3

आजादी का अमृत महोत्सव

Telephone 0120 2711697
(office)
website: www.dgms.gov.in
email: gzbregion.dgms@gmail.com

भारत सरकार / Government of India

श्रम एवं रोजगार मंत्रालय/ Ministry of Labour & Employment

खान सुरक्षा महानिदेशालय / Directorate General of Mines Safety

गाजियाबाद क्षेत्र, गाजियाबाद / Ghaziabad Region, Ghaziabad

कमरा संख्या -101 - 102, प्रथम तल, बीमार्क ., सी-कॉम्प्लेक्स ,आई.ओ.II, हापुड़ रोड, गाजियाबाद -201002

संख्या:DDMS/GR/2022/162 दिनांक 02/03/2022

प्रेषक:

खान सुरक्षा उपनिदेशक,

गाजियाबाद क्षेत्र, गाजियाबाद

सेवा में,
Sri Rakesh Kumar Bhonsle, Regional officer
Haryana State Pollution Control Board,
SCF-32 Opp. Community Centre, Sector-13, HSVP, Bhiwani

Subject: proceeding of the site visit on dated 04.02.2022 in compliance of Hon'ble NGT order dated 03.01.2022 in OA No. 01 of 2022 as the Indian Express Newspaper dated 02.01.2022 titled "Four Killed in Haryana Mining Landslide" -Regarding

Sir,

Please refer to your email dated 15.02.2022, directing me to submit the extent of violations of safety norms in the Dadam Stone mine, Khasra no. 132, belonging to M/s Goverdhan Mines & Minerals by project proponent & precautions/safety measures to be taken to avoid recurrence of such incident in the mining area.

In reference to point no. **1 (f)** and **1(l)** regarding extent of violations by Project Proponent and **4 (a)** regarding precautions to be taken to avoid recurrence of such incidents in the mining area, details are given below:

Point no. 1 (f) of the proceeding of the site visit: The incident occurred in Pit no. 37 & 38 and safety norms are to be verified. The Mines Safety Department shall submit the violations of safety norms by the Project proponent at the accident site.

Comments: Following violations of the Regulations were observed under the Metalliferous Mines Regulation, 1961, framed under the Mines Act, 1952:

1.0 Regulation 106(3):The sides of opencast working were not kept adequately benched, sloped and secured so as to prevent danger from fall of sides. Only single bench of height about 30-40m was formed on the Eastern & Western Side of Pit No. 37 & 38.

2.0 The height and width of the benches were found not formed as per the guidelines mentioned in permission issued for use of HEMMs under Regulation 106(2)(b) of the Metalliferous Mines Regulation, 1961 vide letter no. 516936/NZ/Ghaziabad Region/Perm/2021/9178 dated 29.05.2021. Those guidelines are reproduced below:

Condition no. 2.1 (b): Height of benches in alluvium shall not exceed three meters (3.0m) and that in overburden as well as in hard and compact mineral formation shall not exceed six meters (6m) or the maximum digging height/ depth of the machine deployed thereat for digging, excavation or removal, whichever is less.

Condition no. 2.1 (c): Width of any bench shall not be less than-

1. Width of widest machine plying on the bench plus 2m, or

2. If dumpers ply on the bench, 3 times the width of the dumper or

3. The height of the bench, whichever is more.

Condition no. 2.2:The sides in overburden and mineral benches shall be kept sloped, to prevent danger from fall of sides. Over all slope quarry face towards Hang wall side should not exceed 45 degree.

Point no. 1 (i): DGMS are required to provide the safety measures to be undertaken to avoid any recurrence of such accident including those operational activities which prevent the accident.

DGMS may also provide comments/ input whether to continue the stone mining in the leased area or particularly for the pits where accident took place and if so what further steps to be taken to isolate the accidental area from rest of the leased mining area.

Comments on point no. 1(i): Following safety measures to be undertaken to avoid any recurrence of such type of accident including those operational activities which prevent the accident.

1. The sides should be adequately benched, sloped or secured so as to prevent danger from fall of sides. Height of bench in hard and compact ground should not exceed 6m and sides of the bench should be sloped at angle of not more than 60 degrees from the horizontal. Width of benches should not be less than the height.

2. No loose stone or debris should be allowed to remain within a distance of three metres from the edge or side of the excavation.

3. Undercutting of face or side should not be allowed.

4. Formation of benches and sloping of sides in mine should be done from top downwards only.

5. Persons should not be engaged at the quarry floor or at the bottom of the high walls, or on ledges made in the high-walls.

6. All approaches to the bottom of high sides should be kept securely and effectively fenced so as to prevent any inadvertent entry of persons.

7. Safety Management Plan/Risk Assessment should be prepared to identify the potential hazards in the mine. Based on the Risk Assessment, mitigation measures should be evaluated and adopted.

8. Scientific Study to design, control and monitoring of pit by scientific agency of the repute should be carried out for scientific and safe mining.

Comments on point no. 1(I): Following input by DGMS to continue the stone mining in the leased area.

Stone mining in the leased area of Dadam stone mine owned by M/s Goverdhan Mines and Minerals may be carried out subject to following conditions strictly complied with:

(i) Height of benches in alluvium shall not exceed three meters (3.0m) and that in overburden as well as in hard and compact mineral formation shall not exceed six meters (6m) or the maximum digging height/ depth of the machine deployed thereat for digging, excavation or removal, whichever is less.

(ii) Width of any bench shall not be less than-

- Width of widest machine plying on the bench plus 2m, or
- If dumpers ply on the bench, 3 times the width of the dumper or
- The height of the bench, whichever is more.

(iii) The sides in overburden and mineral benches shall be kept sloped, to prevent danger from fall of sides. Over all slope quarry face towards Hang wall side should not exceed 45 degree.

(iv) Formation of benches and sloping of sides in mine shall be done from top downwards only.

(v) All approaches to the bottom of high sides should be kept securely and effectively fenced so as to prevent any inadvertent entry of persons.

Comments on point no. 1(i): Following input by DGMS to continue mining in the pits where accident took place and if so what further steps to be taken to isolate the accidental area from rest of the leased mining area.

(i) As informed by management, lease boundary of mine in pit no. 37 & 38 has reached up to the boundary of forest land and Arawali plantation land towards Western and Eastern side respectively. There is no area, owned by mine owner is left towards Eastern and Western side to form benches of proper dimensions. If adequate area towards Eastern and Western side of the pit no. 37 & 38 is made available to the mine owner/ lessee for formation of proper benches,then mining can be done by owner after forming proper benches from top down wards only as per the provisions stipulated in Metalliferous Mines Regulations, 1961 read with condition of permission letter no. 516936/NZ/Ghaziabad Region/Perm/2021/9178 dated 29.05.2021.

(II) If adequate area towards Eastern and Western side of the pit no. 37 & 38 is not made available to the mine owner/ lessee for formation of proper benches, then stone mining is not possible. In such case pit no. 37 & 38 shall be kept isolated completely from every entrance by erecting and maintaining substantial fencing around the excavation.

Also top of the Pit no. 37 & 38 shall be kept securely fenced to prevent any person from entering or falling therein.

Point no. 4(a): Details of Safety Precautions to be taken by the project proponent in the mine lease area to avoid recurrence of such incident in future.

Comments on point no. 4(a): Following safety precautions should be taken by the project proponent in the mine lease area to avoid recurrence of such incident in future.

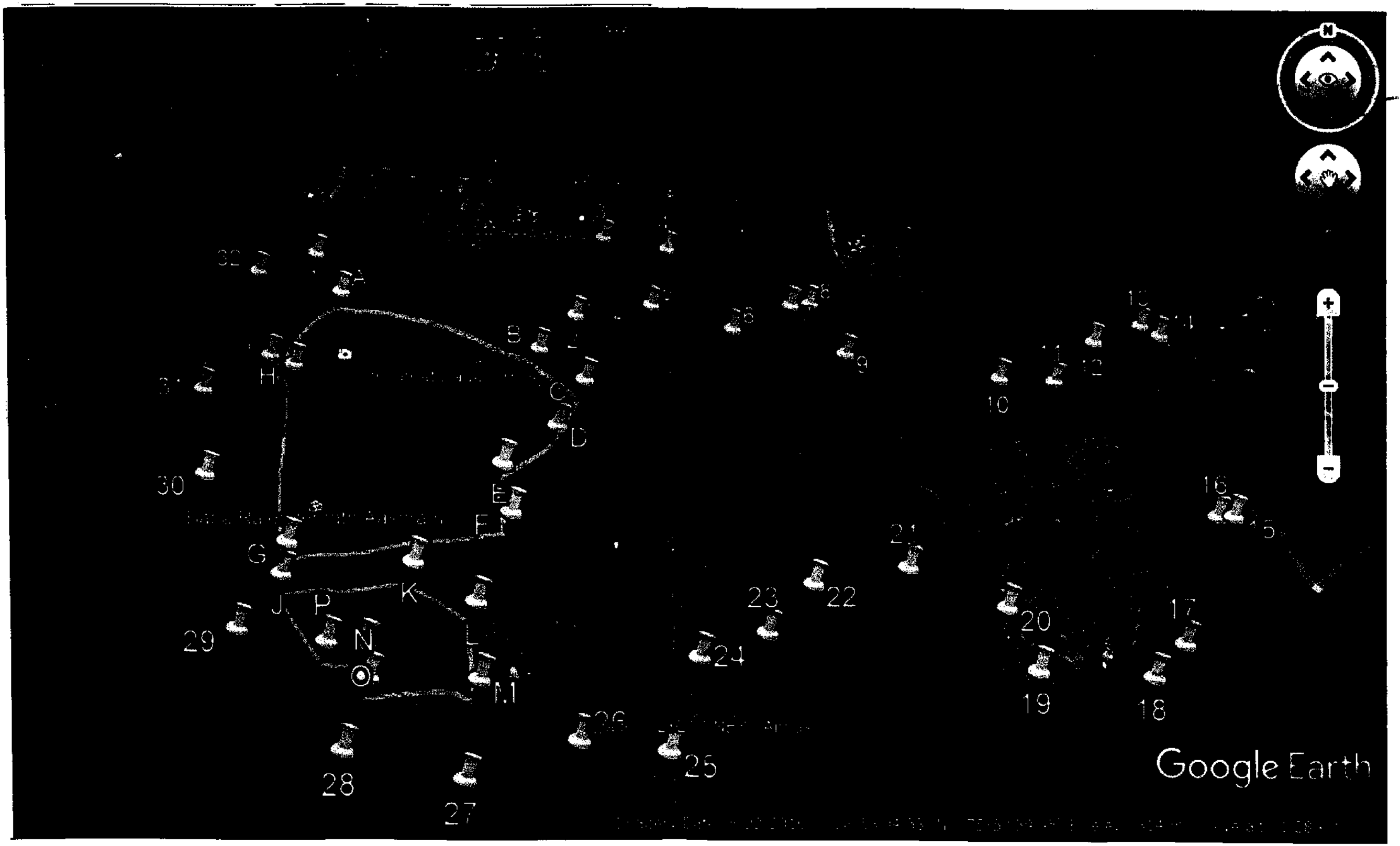
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2. No loose stone or debris should be allowed to remain within a distance of three metres from the edge or side of the excavation.
3. Undercutting of face or side should not be allowed.
4. Formation of benches and sloping of sides in mine should be done from top downwards only.
5. Persons should not be engaged at the quarry floor or at the bottom of the high walls, or on ledges made in the high-walls.
6. All approaches to the bottom of high sides should be kept securely and effectively fenced so as to prevent any inadvertent entry of persons.
7. Safety Management Plan/Risk Assessment should be prepared to identify the potential hazards in the mine. Based on the Risk Assessment, mitigation measures should be evaluated.
8. Scientific Study to design, control and monitoring of pit by scientific agency of the repute should be carried out for scientific and safe mining.

Submitted for your kind perusal please.

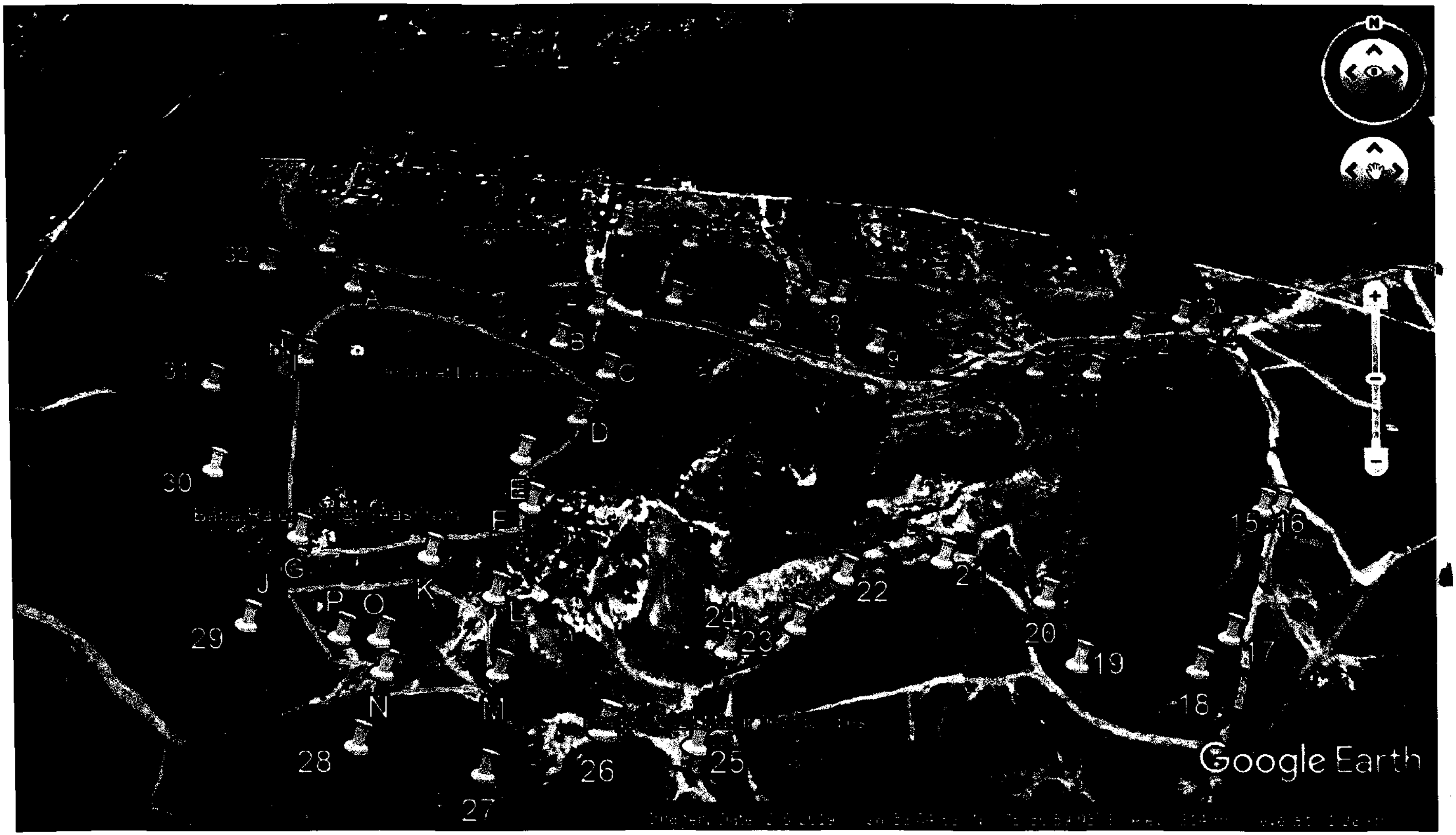
D. 9/2022

(Anil Kumar Das)
Dy. Director of Mines Safety
Ghaziabad Region, Ghaziabad

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Annexure R-2/17

From

Deputy Conservator of Forests

Bhiwani.

To,

The Deputy Commissioner,

Bhiwani.

No. 2105 Dated 21.12.2020

Subject: Examination of presentation of M/s Goverdhan Mines & Minerals, Dadam submitted by HSPCB, Panchkula vide letter dated 17.11.2020 in the matter of Hon'ble NGT OA No.169/2020 titled as Kuldeep Singh Vs. State of Haryana & ors. and order dated 21.07.2020 in the matter of O.A. No.132/2020 titled as Rakesh Dalal Vs. State of Haryana.

Ref. Your office letter No.11535 dated 13.12.2020.

With reference to the above referred letter, this is to inform you that this office has submitted two reports in connection with O.A. No.169/2020-Kuldeep Singh Vs. State of Haryana and others. First

report was a parawise comments submitted to HSPGB regarding the show cause notice issued to M/s M/s Goverdhan Mines and Minerals. The comments were set as per available record in the office and matter reported by the Range Forest Officer, Tasham and the then Divisional Forest Officer, Bhiwani.

2. Since M/s Goverdhan Mines and Minerals in their reply to show cause notice of the Pollution Control Board had referred that the illegal mining was done prior to them taking over the lease, their claim was verified using the year wise Satellite imagery data available on Google map. The satellite Imagery data (copy attached with repot sent vide letter no.1860 dated 17.11.2020) shows that the illegal mining done in Dadam Hill near the point B & C was mined prior to the lease of M/s Goverdhan Mines and Minerals except matter reported in FIR No.587 dated 23.12.2019. These facts were given in detail in the letter No.1860 dated 17.11.2020 of this

office. Thus there is no contradictory reports of the Forest Department and letter dated 17.11.2020 of the Forest Department may be considered as clarification report of the comments given on letter dated 26.10.2020 of Haryana State Pollution Control Board, Bhiwani.

3. As far as the extent of illegal mining area is concerned, RFO, Tosham has reported vide letter No. 364 dated 21.12.2020 that illegal mining has been done on point B & C in an area of about D.8 Hectare by the then lease holder (KSL Sunder Marketing Associate) prior to M/s Goverdhan Mines and Minerals. Further 300 sq.m area of illegal mining was found for which FIR No.587 dated 23.12.2019 has been registered. Further, it is informed that Forest Department does not have any technique to estimate the quantity of mineral extracted and its cost. Hence, for the extent of illegal mining i.e. 0.8.hectare in area and 300 sqm. Of area, the

quantity of minerals extracted and cost may be sought from the Mining Department.

4. Hence, report submitted by this Office vide letter No.1860 dated 17.11.2020 be treated as the final comments.

Sd/-
Dy. Conservator of Forests
Bhiwani.

Endst. No.2106-07 Dated 21.12.2020

A copy is forwarded to the following for information:

1. Mining Officer, Bhiwani w.r.t. their letter No.1173-77 dated 11.12.2020.

2. Regional Officer, HSPCB, Bhiwani.

Sd/-
Dy. Conservator of Forests
Bhiwani.

True copy

ANN R/2/18 107

M/s. Govardhan Mines & Minerals

Site: Dadam Mine, Dadam (Tosham)

Regd. Office: Near Hisar Naka, Khanak (Tosham)

Email ID: govardhanminesminerals@gmail.com Contact: 9992100001

Date:-19.03.2022

To,

Technical Expert
C/o Committee Constituted by Honourable NGT
Forest Complex 68 SAS Nagar, Punjab

Sub:-Request/Plea

Sir,

In view of the O.A. no. 169/2021 dated 20-7-2021 in the case of Kuldeep Singh Versus State of Haryana, Hon'ble National Green Tribunal, New Delhi constituted an eight-member joint Committee headed by Justice Pritam Pal, former Judge of Punjab and Haryana High Court to ascertain facts and also sought report from the Chief Secretary, Haryana in the light of report to be submitted by the said Committee.
On dated 20.08.2021, Members of Sub Committee of NGT visited the Mines to investigate the issues involved. After Spot inspection of Dadam Stone Mines by Members of Sub Committee of NGT meetings held in the office of Deputy Commissioner, Bhiwani on 20-08-2021. We were called in meetings and given an opportunity to present the insight of all issues and submit the documents.

Document sought in said meeting and submission done by us in respective issue is given below:-

S.No.	Issues Raised	Supporting Documents
1.	Mining done beyond 150 meters.	Mo letter dated 2.02.21 & Report of Mining Officer Dated 4.11.2020
		Vedio in Pendrive showing condition & depth of said pit before the ownership of M/S Goverdhan Mines & Minerals Pvt. Ltd.
		Photographs taken of said Pit before the ownership of M/S Goverdhan Mines & Minerals Pvt. Ltd.
		Clarification regarding the existing depth at Page 56 of Paper Book in the case of CWP 9002 OF 2018 of Rakesh Dalal VS Haryana State.
		Survey report conducted thoroughly by M/s Shivom Engineers associates Pvt. Ltd. dated 28-8-2017.
		Newspaper Cutting having photo of pit & probable depth.
2.	Mining not done in scientific manner,	Director General (Mines & safety) Ghaziabad conducted inspection of Dadam Mines on 28-12-2020.
		Photographs of Benches
3	Ground water illegally extracted,	Photograph showing water seepage prior to 25/02/2019
		News Paper cutting Dated 1.08.2021
		Survey & investigation report of CGWB, Chandigarh dated 5.02.21

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4	**Mining equipment found placed in non- mineable forest area.**	Vedio & Photograph of said forest area
5	**Mining in 300sqm area & FIR registered.**	Copy of letter of objection raised by MOEF& CC
		Reply of objection raised dated 18.07.2019
		Approval & acceptance of route in Forest
		Final Report in FIR -587
		Copy of Order with CIS No. CRM/08/2019
		Report of local Commissioner
		Video recording showing existing view of already mined area in approved route.
6.	**Project is found using land of Dadam Distributary illegally for Mining Purpose.**	SDO Report
		Local Commissioner Report
		Court Report & Judgement dated 10.07.2017
7.	**Encroachment of 0.8 Ha. on forest area found**	Map Showing Position of Mining area from 2016-2019
		Report of DFO dated 21/12/2020
	Green belt is developed	Record of plantation.

Later on a meeting held dated 4.09.2021 at Haryana Pollution control board, Panchkula and additional document sought and submission made in respective issues are given below:-

S.No.	Issues Raised	Supporting Documents
1.	**Regarding bench height**	**Circular 71/1973of DGMS**
		Copy of Chapter-XI(Mine Working) of The Metalliferous Mines, Regulation 1961-DGMS
2.	**Regarding Dewatering of Rainwater**	**Copy of chapter No.6 In Approved Mining Plan** wherein provision of Pumping out of rainwater is given & approved by SME, Department of Mines & Geology Haryana.
3	**Regarding Accuracy of pillar coordinates**	**Record of pillar verification done by Authority.**
4.	**Kml File of Alleged 0.8 Ha.area**	**Pen drive having KML file & screenshot** of said area. Wherein imagery date of 8.02.2019 indicated this was already excavated before the start of Mining operation by M/s Goverdhan Mines & Minerals
5	**Certified Copy of Paper book to support Point 1(Mining done beyond 109)**	**We have applied for the same from High Court as soon we will receive, shall submit to the committee. Later on we submitted the certified copy of paper book on dated 3.02.2022**

Further a meeting held dated 11.02.2022 at Haryana Pollution control board, Panchkula After detail discussion few more documents/ evidence were sought & submission made in respective issues is given below:-

S.No.	Issues Raised	Supporting Documents
1.	**Regarding the Matter of Mining Beyond 109m in context with Survey report submitted in Certified Copy of Paper book.**	**Drawing of Survey Report** clearly showing the mining beyond 109m is done before 2018 as the case has been filed in 2018 and said survey has been conducted prior to that in 2017.
2.	**Regarding Alleged 0.8 Ha. Area illegal mining.**	**Imagery date of, 9.01.2019 & 8.02.2019** indicated this was already excavated before the start of Mining operation by M/s Goverdhan Mines & Minerals

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3.	**Plantation record**	**Plantation records & bills.** Total plantation done till date is about 21258 Plants in an area of 9.2018ha.
4.	**Agreement with water providing agents/agency.**	**Copy of Agreement.**

Later on we were asked to submit the consolidated reply with all requisite documents to Sub Committee. We have submitted our final consolidated reply on dated 28.02.2022.

After that two successive meeting were held in HSPCB, Panchkula. As HARSAC Reports were awaited, we presume that HARSAC might have submitted their reports in said meetings. We would request you to provide us the report submitted by HARSAC so that we can have the clear view of the matter and if in case there are any discrepancy at our end we would request you to allow us an opportunity to present our defence in the matter before the release/Submission of final report to Hon'ble National Green Tribunal, New Delhi. In view of the report submitted by HARSAC we would also give additional documents to support our defence.

Yours Sincerely,

For Govardhan Mines and Minerals, Dadam

For M/s Govardhan Mines & Minerals
Dadam

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R-2|19|10

Gmail

Prerna Chauhan <prernachauhan.1990@gmail.com>

Fwd:

Govardhan Mines <govardhanmines@gmail.com> Thu, Mar 31, 2022 at 10:21 PM
To: sanjay7.sinha@gmail.com, prernachauhan.1990@gmail.com

---------- Forwarded message ---------
From: **Karan Khehar** <karankhehar@gmail.com>
Date: Thu, 31 Mar 2022, 10:17 pm
Subject: Fwd:
To: <wazirsinghkuhar@gmail.com>, GOVARDHAN MINES & MINERALS <govardhanminesminerals@gmail.com>, <jitinkalra19@gmail.com>, <govardhanmines@gmail.com>

---------- Forwarded message ---------
From: **Sunita Sharma** <sunitasharma361@gmail.com>
Date: Thursday, March 31, 2022
Subject:
To: karankhehar@gmail.com

---------- Forwarded message ---------
From: **Sunita Sharma** <sunitasharma361@gmail.com>
Date: Thu, Mar 31, 2022 at 9:34 PM
Subject:
To: <karankhehar@gmail.com>

To
The Registrar
National Green Tribunal
Principal Bench
New Delhi

OA No 169/2020
IN THE MATTER Of
KULDEEP SINGH Vs STATE OF HARYANA
Sir
The abovementioned OA is listed before Court No 1 on 05 .04 2022 as item No.
. it is stated that Committee appointed by this Hon'ble Tribunal has served a Copy of Final Report on 31.03.2021 to respondent via email which contains more than 400 pages however out of that more than 200 pages are missing.
It is submitted that report is voluminous and as stated above respondent has not received the complete report and in order to enable respondent to file response to report respondent would be praying for adjournment for two weeks .
This letter May kindly be circulated to their lordships so as to avoid any inconvenience to them .
Thanking you
Yours Sincerely
Karan vir Singh Khehar
And Sunita Sharma Adv

R/2120

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Gmail

Prerna Chauhan <prernachauhan.1990@gmail.com>

Request for consideration of fact before SUBMISSION OF FINAL REPORT.

Govardhan Mines <govardhanmines@gmail.com> Sun, Mar 27, 2022 at 3:12 PM
To: urvashi_gulati@yahoo.com, narendersharma.cpcb@gov.in, opskhola@gmail.com, rk_sapraus@yahoo.com, kkgarg.garg23@gmail.com, cmcdep360@gmail.com, justicepritampal@gmail.com
Cc: govardhanminesminerals@gmail.com
Bcc: prernachauhan.1990@gmail.com

To

Honble Justice Pritam Pal, P&H High Court (Retd)

Chairman, Eight member Joint Committee constituted by Hon'ble NGT

Cum Chairman Monitoring in OA 169/2020 in the matter of
Kuldip Singh Vs State of Haryana & others

Subject : Additional submissions on behalf of M/S Goverdhan Mines & Minerals

Hon'ble Chairman and companion members

We most sincerely and respectfully thank, the honourable committee to present is point of view before the committee verifying certain facts related to violations of Environmental Laws by us and others at Dadam Mine Area , Tehsil Tosham, District Bhiwani in State of Haryana.

We humbly submit as under a few facts for your kind consideration please

1. We are respectable and law abiding company who have always endeavoured to comply with all laws of land, particularly Environmental Laws.

2. The Report of Hon'ble Committee expected to be submitted before Hon'ble NGT for their consideration & orders shall have huge bearing on reputation and credibility of the company

3. That the issues under consideration of the committee primarily relate to extent of mining carried out by various stake holders in the mining area under reference and area around it.

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4. It is humbly submitted that determination of extent of mining in these areas at crucial points of time is thus very important and relevant for fixing responsibility of various stakeholders/ mine lease holders. We are aware that the committee is taking utmost precautions in this regard and have called for relevant satellite imagery to assist the committee to come to definite conclusions. In this context, we humbly submit that the committee may kindly ensure that satellite / drone imagery data for relevant dates. In our context, the crucial date is 25.2.2019 when we stepped in the mining area with mining rights in terms of the auction by Mining, Deptt, Govt of Haryana. It is therefore requested that the committee may kindly ensure that best possible satellite imagery is made available to the committee by concerned agencies for 25.2.2019 to ensure that our accountability is correctly evaluated and we are not burdened with acts of omission or commissions by other stake holders who remain engaged in the area previously.

5. It is also respectfully submitted that according to our knowledge and understanding accuracy of date of satellite imagery is considered as +/- 3 pixels where the pixel relates to resolution of the satellite/ drone images. It may translate in to 1.5 meters if resolution in 0.50m and 0.3m linear meter if resolution in 0.10m and likewise. This will have huge bearing on area calculations on the basis of photo image analysis. As against this, fortunately we have already placed before Hon'ble committee, the most relevant survey study report of 28.08.2017. This ground survey has been done through sophisticated electronic instruments with an accuracy of +/- 1 mili meter (mm). The report deserves credibility. Permission from mining Dept was duly sought for conducting said survey. It can thus serve as most accurate data for standardisation of data as may be obtained from satellite imagery. We therefore request that said ground survey, conducted much before the inception of current issues, may please be given due consideration for true and correct interpretation to imagery data obtained from satellite/ drones.

In view of the above submissions, we again pray that above submissions and facts may kindly be considered and included in the report that the committee is expected to shortly file before Hon'ble NGT in compliance of the orders of Hon'ble NGT.

With regards :-

Wazir singh kuhar

(Partner)

Site - Dadam mine, Dadam

Bhiwani , haryana

M- 9992100001

ANNEXURE 4/3/21

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P-134

Annexure-20

प्रेषक,

डा0 एस0पी0,
जल एवं भूमिगत विभाग,
भिवानी।

सेवा में,

अधिशाषी,
हरियाणा शहरी विकास प्रा0,
भिवानी।

पत्र संख्या एस0/ 1402 दिनांक- 02-02-2021

विषय :- Regarding representation given by M/s Generation Wheat and Minerals village-Dadam, Bhiwani against recommendation for closure under section 5 of EP Act, 1986 for violation of Env. Clearance & revocation of consent to operate grant under Air Act, 1981 & Water Act, 1974.

उपरोक्त विषय के बारे में आपके कार्यालय के पत्र क्रमांक नं0 HSPCB/BHI/2021/8321-25 दिनांक 26.01.2021 व इस कार्यालय के पत्र क्रमांक नं0 1244 दिनांक 28.12.2020 के सन्दर्भ में।

उपरोक्त विषय में आपको सूचित किया जाता है कि इस सन्दर्भ में आपसे पहले भी इस कार्यालय के पत्र क्रमांक नं 1244 दिनांक 28.12.2020 के तहत सूचित कर दिया गया था। अतः आपको पुनः अवगत करवाया जाता है कि दिनांक 03.11.2020 को इस विभाग के उच्च अधिकारियों द्वारा उत्पन पहाड़ी का निरीक्षण किया गया था, जिसमें पिलर अपने स्थान पर सही पाए गए थे तथा कोई भी अवैध खनन नहीं पाया गया, रिपोर्ट की प्रति आपको पहले भी भेज दी गई थी। अतः इस रिपोर्ट को ही इस कार्यालय का जवाब समझा जाए। यह आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

जलन अधिकारी,
जल एवं भूमिगत विभाग,
भिवानी।

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Annexure R-2/21

INSPECTION REPORT OF DADAM MINES IN RESPECRT OF OA NO.132/2020 IN THE MATTER OF RAKESH DALAL VS. STATE OF HARYANA AND CWP NO. 15758 OF 2020 RAM RATI VS. STATE OF HARYANA & OTHERS BEFORE HON'BLE PUNJAB AND HARYANA HIGH COURT, CHANDIGARH.

A Stone mines of Village Dadam having an area of 48.87 hect. Bearing Khasra No.132 min is being undertaken for mining operation by M/s Goverdhan Mines and Minerals since 25.2.2019, An OA No.132/2020 in the matter of Rakesh Dalal Vs. State of Haryana has been filed before Hon'ble National Green Tribunal, New Delhi and CWP No.15753 of 2020 Ram Rati Vs. State of Haryana and others before Hon'ble Punjab and Haryana High Court Chandigarh. Similarly two complaints Sh. Jaipal S/o Sh. Ram Kumar and Sh. Vijay Pal Singh S/o Jile Singh R/o Village Dadam The. Tosham District Bhiwani are also received in the office of Director General Mines and Geology Haryana Panchkula. In the complaint it alleged that four or five path are being created and used by the contractor of the Stone Mines through Aravali

Forest Area and illegal mining too. Complainant further alleged that mining is being undertaken beyond the depth of 300 to 400 fits below ground water table and unscientific mining too. The complainant further alleged that illegal encroachment out of lease area is also carried out by the mining lease holder. In Khewat No.67//62 min. Khatoni No.99 owned by Ram Rati as co-sharer and Khasra No.37//5:36//1,2,36//2.29//4,7,18,18//7,8,11,12,14,17,20,24.

Worthy Director General Mines and Geology, Haryana, Panchkula has ordered to inspect the area and report thereto. In this regard a team consisting of Sr. Geologist Head Office Panchkula, Mining Officer Bhiwani, Sr. Surveyor Surveyor and officials of HARSAC inspected the area on dated 3.11.2020. The Derail Survey of the mines area was carried out with the help of DGPS instrument. In the presence of concerned revenue officials., the Halka Girdaver and Patwari, Revenue officials gave the reference point as red stone of

Chakbandi for detail survey. Thereafter the detail survey was carried out with the help of DGPS for confirming the boundary coordinates of the mining lease area.

Observations:

During the inspection and survey this following observation were made.

1. Boundary pillars around the mining lease area, were found in order with GPS coordinate. Total 32 numbers of pillars were found to be established as per approved mining plan.

2. The maximum depth of the mining pits was found to be 109 meters from surface level at the time of inspection.

3. Same seepage water was seen in this pit during the inspection. The report of Assistant Geologist Ground water Cell Bhiwani is attached herewith.

4. Systematic and scientific mining is regulated by the office of Director Mines Safety, Ghaziabad. If any violation is found in method of mining they took the

action accordingly and inform to the office of concerned mining officer, District Collector, Director General Mines and Geology Haryana. But no such type of information is received from Director Mines Safety Ghaziabad as reported by Mining officer, Bhiwani.

5. Out of lease are in Khatoni 67//62 min in Khasra No.16/20/1min, 21/min, 17//1Min. 9 min, 10 min, 12 min, 13 min, 14min, 16 min. 17 min. 18//6min, 7 min,14 min haul road is being created and used bny the contractor having approximate length 460 meters, width 20 mtrs. and depth 0-15 min. and DGPS reading of the haul Road is N-28' 53', 12.460", F75 51 24.053 N.28' 53',14.350, E 75' 51", 28.139", N 28', 53",10.851 E 75' 51" 34.937. But no stone has been extracted from above Khasra numbers because the said area is consisting of ordinary clay/earth. Rest of the alleged area is found to be virgin area. It was also confirmed by the local

revenue department too (Copy of the report of revenue department is also attached herewith).

6. During the inspection it was also found that no illegal mining was noticed in the forest area of Aravali Plantation. However, a separate report is being asked by the ADG, Bhiwani from DEO/Range Officer in this regard. As soon as it will received it will be submitted separately through Mining Officer, Bhiwani.

Some Photographs of the mines are taken attach time of inspection are also attached herewith for ready reference.

Sd/-

Mining Officer/Bhiwani

Sd/-

Sr. Surveyor-II/HO Panchkula

Sd/-

Geologist HO Panchkula

Sd/-

Sr. Surveyor-I, HO Panchkula

Sd/-

Surveyor

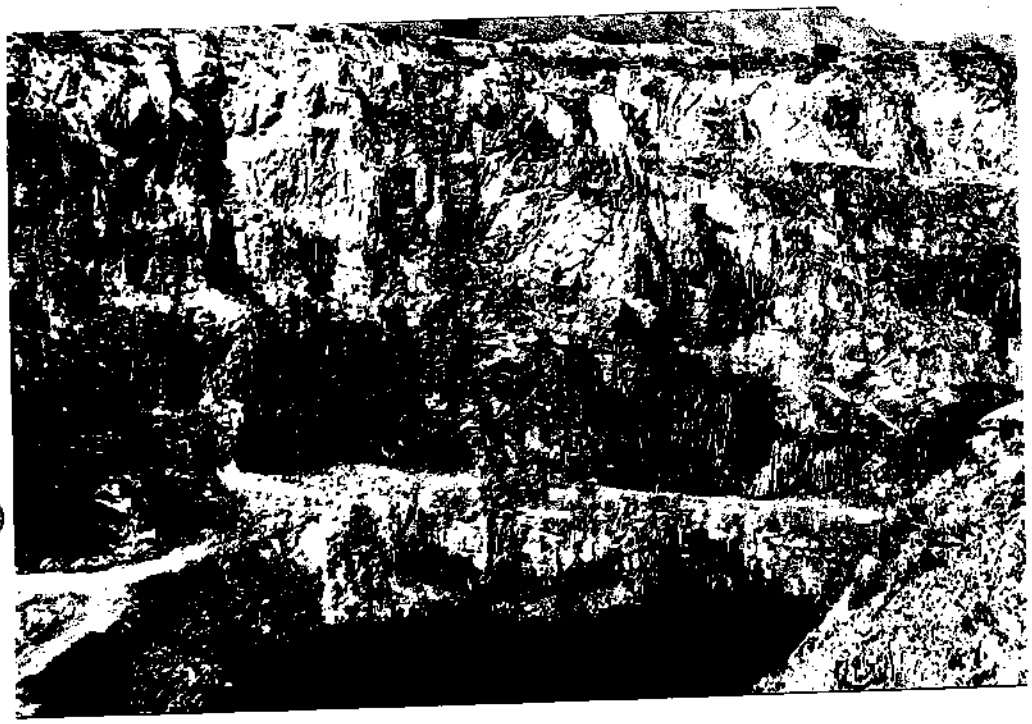
True copy

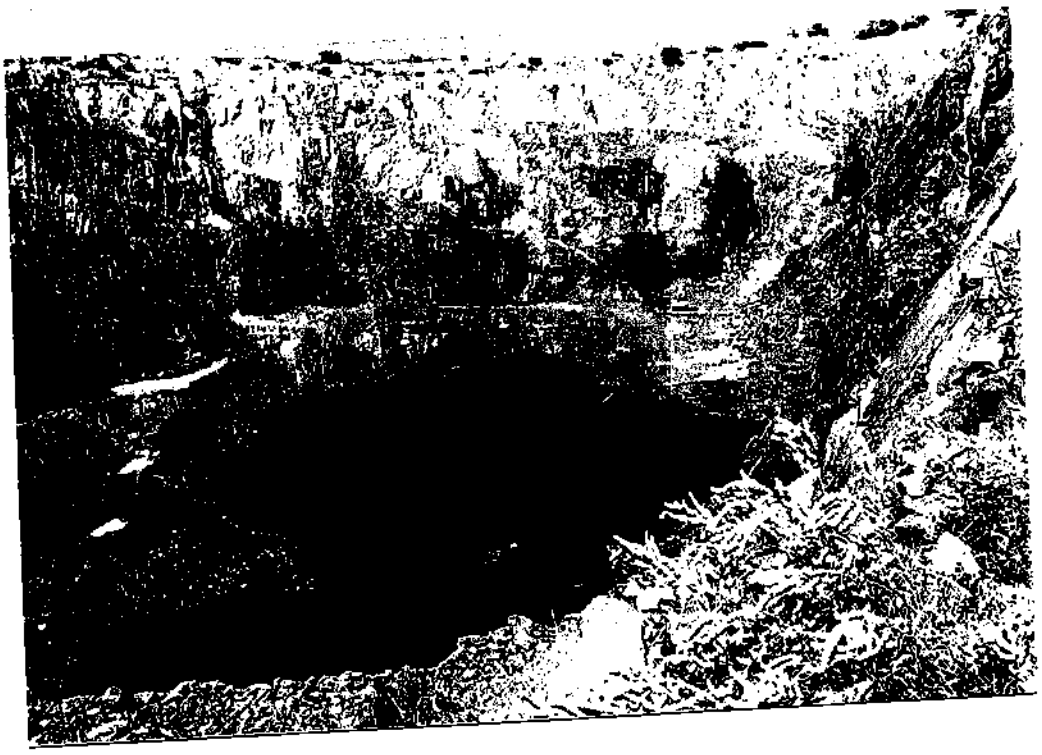
Video R-2/23

ANNEXURE R-2/23

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ANNEXURE R/2/24

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CWP_9002_2018_MEMO_OF_PARTIES 06-Sep-2021 At 11:27

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IN THE HON'BLE HIGH COURT OF PUNJAB & HARYANA

AT CHANDIGARH

CWP (PIL) No. 9002 of 2018

MEMO OF PARTIES

Rakesh Dalal aged 42 years son of Sh. Bir Singh Dalal resident of H. No. 111, Lajpat Nagar, Hisar, District Hisar.

... Petitioner

Versus

1. State of Haryana through Additional Chief Secretary to Government of Haryana, Home Department, Haryana Civil Secretariat, Sector 1, Chandigarh.
2. Additional Chief Secretary to Government of Haryana, Mines and Geology Department, Haryana Civil Secretariat, Sector 1, Chandigarh.
3. Director General, Mines and Geology Department, 30 Bays Building, Sector 17, Chandigarh.
4. Chairman, Haryana Pollution Control Board, Paryavaran Bhawan, Sector 6, Panchkula.
5. State Mining Engineer, Mines and Geology Department, Haryana, 30 Bays Building, Sector 17, Chandigarh.
6. Deputy Commissioner, Bhiwani, Civil Secretariat, Bhiwani.
7. Superintendent of Police, Bhiwani, Civil Secretariat, Bhiwani.
8. Sunder Marketing Associates having its registered office at C-1/28, Prashant Vihar, New Delhi through its proprietor Naveen Goyal.

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CWP_9002_2018_PAPER_BOOK 06-Sep-2021 At 12:01

IN THE HON'BLE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CWP (PIL) No. 9002 of 2018

Rakesh Dalal ... Petitioner

Versus

State of Haryana and others ... Respondents

INDEX

Sr. No.	Particulars	Date(s)	Pages	C. Fee (In Rs.)
1.	Court Fee	04.04.2018	1	---
2.	List of Dates and Events	04.04.2018	2-26	---
3.	Memo of Parties	04.04.2018	27-28	----
4.	Civil Writ Petition	04.04.2018	29-74	50.00
5.	Affidavit in Support	04.04.2018	75-76	---
6.	Specific Affidavit in Support in support of PIL	04.04.2018	77-78	---
7.	Annexure P-1 (Income Tax Returns) (Colly.)	2015-2016 2016-2017	78A-78B	02.00
8.	Annexure P-1A (Invitation of Proposal and List) (Colly.)	-----	79-98	13.00
9.	Annexure P-2 (Auction Notice)	30.11.2013	99-116	12.00
10.	Annexure P-3 (Letter of Intent)	03.01.2014	117-129	13.00
11.	Annexure P-4 (Letter)	11.06.2014	130-135	04.00
12.	Annexure P-5 (Mining Plan)	28.10.2014	136-246	111.00
13.	Annexure P-6 (NOC)	03.11.2014	247-249	02.00
14.	Annexure P-7 (High Court Order)	04.03.2015	250-304	03.00
15.	Annexure P-8 (Supreme Court Order)	01.05.2015	305-306	06.00
16.	Annexure P-9 (Letter) (Colly.)	07.05.2015	307-310	03.00
17.	Annexure P-10 (Application)	14.05.2015	311-314	03.00
18.	Annexure P-11 (Noting Sheet)	----------	315-329	10.00
19.	Annexure P-12 (Legal Opinion)	----------	330-333	03.00

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Authority
Central Copying Agency
Rule 71 of the Punjab and Haryana
High Court (Ch. & Sit.) Chandigarh

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13.4

CWP_DOOR_2018_PAPER_BOOK 06-Sep-2021 At 12:01

I I

IN THE HON'BLE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CWP (PIL) No. 9002 of 2018

Rakesh Dalal ... Petitioner

Versus

State of Haryana and others ... Respondents

INDEX

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10.	Annexure P-3 (Letter of Intent)	03.01.2014	117-129	13.00
11.	Annexure P-4 (Letter)	11.06.2014	130-135	04.00
12.	Annexure P-5 (Mining Plan)	28.10.2014	136-246	111.00
13.	Annexure P-6 (NOC)	03.11.2014	247-249	02.00
14.	Annexure P-7 (High Court Order)	04.03.2015	250-304	03.00
15.	Annexure P-8 (Supreme Court Order)	01.05.2015	305-306	06.00
16.	Annexure P-9 (Letter) (Colly.)	07.05.2015	307-310	03.00
17.	Annexure P-10 (Application)	14.05.2015	311-314	03.00
18.	Annexure P-11 (Noting Sheet)	----------	315-329	10.00
19.	Annexure P-12 (Legal Opinion)	----------	330-333	03.00

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(Authorised u/s 76 of Indian Evidence Act, 1872)
High Court of Pb. & Hry. Chandigarh

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20.	Annexure P-13 (Noting Sheet)	----------	334-348	10.00
21.	Annexure P-14 (Letter)	17.06.2015	349-358	07.00
22.	Annexure P-15 (Letter)	30.06.2015	359-366	06.00
23.	Annexure P-16 (Letter)	03.07.2016	367-380	10.00
24.	Annexure P-17 (Letter)	10.07.2015	381-389	06.00
25.	Annexure P-18 (Lease Deed)	05.08.2015	390-423	23.00
26.	Annexure P-19 (Letter)	28.10.2015	424-426	02.00
27.	Annexure P-20 (Letter)	23.01.2016	427-430	03.00
28.	Annexure P-21 (Notice)	09.08.2016	431-435	04.00
29.	Annexure P-22 (Written Statement)	16.08.2016	436-467	21.00
30.	Annexure P-23 (HC Order)	27.08.2016	468-470	03.00
31.	Annexure P-24 (HC order)	14.09.2016	471-472	03.00
32.	Annexure P-25 (Memo)	29.09.2016	473-481	06.00
33.	Annexure P-26 (HC Order)	06.10.2016	482-483	03.00
34.	Annexure P-27 (HC Order)	27.10.2016	484	03.00
35.	Annexure P-28 (HC Order)	01.06.2017	485-538	03.00
36.	Annexure P-29 (SC Order)	03.08.2017	539	06.00
37.	Annexure P-30 (SC Judgment)	11.08.2017	540-548	06.00
38.	Annexure P-31 (Photographs)	--------	549-554	04.00
39.	Annexure P-32 (Report)	01.09.2017	555-557	02.00
40.	Annexure P-33 (Report)	01.09.2017	558-559	02.00
41.	Annexure P-34 (Report)	01.09.2017	560-561	02.00
42.	Annexure P-35 (Digital Survey)	---------	562-567	04.00
43.	Annexure P-36 (Topographical Survey/ Contour Plan)	02.09.2017	568	01.00
44.	Annexure P-37 (Report)	16.09.2017	569-571	02.00
45.	Annexure P-38 (Report)	29.09.2017	572-574	02.00
46.	Annexure P-39 (Production report)	----------	575	01.00
47.	Annexure P-40 (Report)	29.09.2017	576-578	02.00

ANNEXURE R1/24

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CWP_9002_2018_MEMO_OF_PARTIES 05-Sep-2021 at 11:27

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IN THE HON'BLE HIGH COURT OF PUNJAB & HARYANA

AT CHANDIGARH

CWP (PIL) No. 9002 of 2018

MEMO OF PARTIES

Rakesh Dalal aged 42 years son of Sh. Bir Singh Dalal resident of H. No. 111, Lajpat Nagar, Hisar, District Hisar.

... Petitioner

Versus

1. State of Haryana through Additional Chief Secretary to Government of Haryana, Home Department, Haryana Civil Secretariat, Sector 1, Chandigarh.
2. Additional Chief Secretary to Government of Haryana, Mines and Geology Department, Haryana Civil Secretariat, Sector 1, Chandigarh,
3. Director General, Mines and Geology Department, 30 Bays Building, Sector 17, Chandigarh.
4. Chairman, Haryana Pollution Control Board, Paryavaran Bhawan, Sector 6, Panchkula.
5. State Mining Engineer, Mines and Geology Department, Haryana, 30 Bays Building, Sector 17, Chandigarh.
6. Deputy Commissioner, Bhiwani, Civil Secretariat, Bhiwani.
7. Superintendent of Police, Bhiwani, Civil Secretariat, Bhiwani.
8. Sunder Marketing Associates having its registered office at C-1/28, Prashant Vihar, New Delhi through its proprietor Naveen Goyal.

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Central Copying Agency
(Authorised u/s 76 of Indian Evidence Act, 1872)
High Court of Pb. & Hr. Chandigarh

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9. Naveen Goyal, Proprietor, Sunder Marketing Associates having its registered office at C-1/28, Prashant Vihar, New Delhi.

10. Vinod Kumar son of Sh. Mani Ram resident of B-74, Shakti Apartments, Sector 9, Rohini, New Delhi.

11. The Central Bureau of Investigation through its Deputy Inspector General of Police, Sector 30, Chandigarh.

... Respondents

Place: Chandigarh
Dated: 04.04.2018

(Manjeet Singh) (Ranvijay Singh)
Advocates
Counsel for the Petitioner

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48.	Annexure P-41 (Report)	13.10.2017	579-581	02.00
49.	Annexure P-42 (Production Report)	----------	582	01.00
50.	Annexure P-43 (Report)	13.10.2017	583-584	02.00
51.	Annexure P-44 (Letter)	02.11.2017	585	---
52.	Annexure P-45 (Report)	03.11.2017	586-589	03.00
53.	Annexure P-46 (Production report)	----------	590	01.00
54.	Annexure P-47 (Report)	03.11.2017	591-592	02.00
55.	Annexure P-48 (Letter)	----------	593-595	02.00
56.	Annexure P-49 (Minutes of meeting)	08.11.2017	596-600	04.00
57.	Annexure P-50 (Report)	17.11.2017	601-603	02.00
58.	Annexure P-51 (Production report)	---------	604	01.00
59.	Annexure P-52 (Report)	----------	605	01.00
60.	Annexure P-53 (Letter)	25.11.2017	606-607	02.00
61.	Annexure P-54 (Stock details)	----------	608	01.00
62.	Annexure P-55 (High Court Order)	22.11.2017	609-611	03.00
63.	Annexure P-56 (Affidavit)	23.11.2017	612-613	02.00
64.	Annexure P-57 (HC Order)	22.11.2017	614	03.00
65.	Annexure P-58 (Reply)	07.12.2017	615-639	17.00
66.	Annexure P-59 (Letter)	18.05.2016	640-641	---
67.	Annexure P-60 (HC Order)	26.03.2018	642-643	03.00
68.	Vernacular of Annexure P-44	02.11.2017	644	01.00
69.	Vernacular of Annexure P-59	18.05.2016	645	01.00
70.	Power of Attorney	02.04.2018	646	03.00
			Total Court Fee	Rs. 440

Notes:-

1. The main points of law canvassed in the case are reproduced at Page No. 72 in Para No. 55 thereof.

2. Statutes/Rules:

   i) Constitution of India.

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High Court of Pb. & Hr., Chandigarh

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ii) Haryana Minor Mineral concession, Stocking, Transportation of Mineral & Prevention of Illegal Mining Rules, 2012.

3. Any other similar writ petition: No.

4. Whether any caveat has been received: No.

5. The petitioner is filing the present petition in larger public interest and as such the same may kindly be treated as Public Interest Litigation.

6. Hard Copy and Soft Copy are verbatim same.

Place: Chandigarh
Dated: 04.04.2018

(Manjeet Singh) (Ranvijay Singh)
Advocates
P-185/1999 P-4116/2016
Counsel for the Petitioner

CWP_9002_2018_PAPER_BOOK 06-Sep-2021 at 12:02

the respondent-Sunder Marketing Associations was continuing its operations in the mining area, and prepared report of Digital Survey for Dadam Stone Mines. Apart from the report, Topographical Survey/Contour Plan of Dadam Stone Mines at Dadam, District Bhiwani was prepared at the scale of 1:1500. A copy of the report prepared by the Shivom Engineers Associates Pvt. Ltd is appended herewith as **Annexure P-35** whereas a copy of the Topographical Survey/Contour Plan is appended herewith as **Annexure P-36.** The survey report establishes that no precautions have been observed against intersection of water table and excavation and transportation of material was much more than 50000 tons per day, which is in violation of approved Mining Plan. The report concluded that the mine depth at places is more than 100 meters as per the Contour shown in the drawings i.e. much below the ground water level, which is at 18.65 meters. It was further concluded that the Mining Operations being undertaking are haphazard, unsystematic and unscientific without following the provisions laid down under the Mines Act, 1952 and the Rules and Regulations framed thereunder. The perusal of the contour plan would also show that the respondent No. 8 have excavated the material up to depth of 129m. MRL.

32. That the Deputy Commissioner, Bhiwani sent another consolidated report dated 16.09.2017 to the respondent-Director, Mines and Geology, Haryana where from it is clear that the respondent No. 8 dispatched 1062954 MT material in the month of August, 2017. In the report it is mentioned that the respondent No. 8 had not paid

Survey of Dadam Mines.

Govardhan Mines & Minerals

GMM

#51, Urban Estate - II
Hissar (Haryana)

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Ref. No. ..... Dated 18-9-2017

To

The Director Mining
Department of mining & Geology
Sector-17 Chandigarh (Haryana)

Received 18/9/17

Subject: - E. Auction notice for extraction of minor minerals "stone along with associated minor minerals" from Dadam mine of district Bhiwani (Haryana)
Reference NO: - DMG/HY/E Auction/stone/4802

Respected Sir,

The applicants have gone through the above said notification & have carefully gone through conditions for the notification &have understood the same. Whereas, you have notified on "As it where is bases" & have even suggested the prospective bidders to survey the area to make their own assessment for the potential of the area.

We may say that your suggestion seems not to be correct because your auction notification doesn't match with the ground conditions. The previous contractor has been permitted to work till 30/11/2017 by the honorable Supreme Court.

Therefore the matter is brought to your notice for rectification because any survey inspection on or before 20/09/2017 shall be of no use. We have already surveyed the site & we are not satisfied with the present conditions of mining site because the mining area available at site is less than as shown in the e-auction document (i.e. 55.5 hectares).

Yours sincerely

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Annexure R-2 25

JPtel Solutions
Cabin No.3 (G/F)
Quiet Office: 6 Sector 35-A
Chandigarh-160022
E-Mail: jptelsolutions@gmail.com

Ref. No.HAR/301/Stone/II

Dated 18.09.2017

To,

The Director

Mines & Geology Department, Haryana

30-bays Building, Sector-17, Chandigarh.

Subject: E-Auction Notice Vide-DMG/HY/D-Auction/STONE/4802 dated 31.08.17 for Mining from Dadam (Distt- Bhiwani), Haryana

Respected Sir,

I, Jitin Kalra, authorized signatory on behalf of M/s Jptel Solutions, Chandigarh, am interested in Mining in Dadam (Distt.-Bhiwani), Haryana, as E-auction is open from Department vide DMG/HY/E-auction/STONE/4802 dated 31.08.17 for mining from Dadam (Ditt.-Bhiwani), Haryana.

I have read all terms and conditions as per tender notice, whereas you have notified on "as it where is basis".

When my team has surveyed the above said mining are, that the Mining/Extraction of minerals is going on by the lease holder/contractor, whose have mining permission of mining by Hon'ble Supreme Court of India till 30.11.17. So that I think there is no use of term "As it where is basis" because a huge quantity of mineral will extracted till 30.11.17.

We have noticed that Mining area available is less than as shown in the tender notice, as mining/extraction of mineral is already done up to/just above the Water Table in mining area.

So please rectify the conditions as there is no use of survey done before till auction as mining will go on till 30.11.17.

I shall be thankful to you.

Yours faithfully

For JPtel Solutions
Prop.
(Jitin Kalra)
Mobile 09316693199

True copy

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DIGITAL SURVEY FOR DADAM STONE MINES
AT
VILLAGE DADAM, TOSHAM
DISTRICT BHIWANI, HARYANA

(AREA 55.50 HECTARES)



Submitted To:-

Mr. Ved Pal

Tanvar

SHIVOM ENGINEERS ASSOCIATES PVT. LTD

OFFICE & LABORATORY

H.O. : #57, Kundi, Opp. GHS-8A, Sector-20, Panchkula (Adj.-Chandigarh
R.O.: 8th Floor, Block-C, Bahumali Building, Athwan Gate, Nanpura, Surat (Gujarat).
Mobile : 092167-10057, 092167-20057, 092167-50057
Email: shivomengg@gmail.com, info@pgworld.in, shivomengineer@pgworld.in
Website: www.pgworld.org, www.pgworld.in, www.pgworld.co

ENLISTED WITH: MORT&H, PWD, HUDA, PUBLIC HEALTH, IRRIGATION, CPWD, MES, WAPCOS&IPH HIMACHAL
SERVICES: Engineers, Consultants, Software development & Customization, Designer Quantity Surveyors, project managers, Quality controller, Geotechnicians, Contractors, digital land surveyors, Leveling & Contouring with total Station, Soil & Material Testing Lab

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Digital Survey for Dadam Stone Mine

1. INTRODUCTION:

Sh. Ved Pal Tanwar, #64, Sector 15, Hisar (Haryana) approached M/s Shivom Engineers Associates Pvt. Ltd., Panchkula for survey of the area with the latest state of the art instruments like DGPS, Total Station, by their qualified survey team, vide their letter No.003/VPS/319 dated 28-8-2017 and also to report condition of mine.

Director, Mines & Geology, Haryana sanctioned the grant of contract/lease vide his letter No. DMG/HRY/ML/DADAM/3013/161 dated 3.1.2014 for minor mineral mines of stone along with associated minerals of Dadam Stone mine over an area of 55.50 hectares in village Dadam, Khasra Nos. 132 min, 133, tehsil Tosham, Distt. Bhiwani (H.R) to M/s. KJSL-Sunder (JV), 702, D.T, Pearls Business Park, Netaji Subhash Place, Pitampura, Delhi -34 for 10 years as per terms and conditions laid down in the work order (copy attached), under the provision of Haryana Minor Mineral Conditions, Stocking and Transportation of Mineral and Prevention of Illegal Mining Rule 2012.

2. Objective of Study:-

a. The objective of the present studies was to carry out detailed mapping of the mining area of Dadam mine and to submit a report about the present condition of mine.

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b. Scope of work:

Based on above objective, the scope of was defined.

M/s Shivom Engineers Associates Pvt. Ltd. studied the work order issued by the Director, Mines & Geology, Haryana and survey of the area concerned was got done. The company studied the case and also the Tender notice issued vide the Director, Mining & Geology, Haryana's letter No's DNG/HY/e-auction/stone/2017/4802 dated 29.8.2017.

Company briefed the case to its Land Survey team and dispatched to the site.

3. Methodology: - Survey team went to the site and started physically topographical survey of the area with the latest state of art electronic instruments. Arbitrary Grid with origin E 10000.000 m, N 20,000.000 m was accepted and for height datum of 500.000 m was taken.

The team carried out systematic detailed survey and the data of this survey was sent to Company HO. In the office full colour map on 1:1000 scale with contours at 0.2 m vertical interval was prepared.

4. Outcome of Surveys: - On compassion with the latest topographical large scale map and site visits it was observed that:-

i. No initiative has been taken for water conservation as no bunds etc. were seen for rain water harvesting.

ii. Pits with water were seen indicating that no precautions have been observed against intersection of water table. It violates the norms i.e. specified at page no. 18 chapter 4.3. of approved mining plan.

iii. As per work order only 70 dumpers were to be engaged but as per the

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gradient 1 in 16 or 1 in 10 at curves in approved mining plan.

xiv. It was observed that the machines not found at required distances as per the approved mining plan at page no. 25.

5. Conclusion:- After study of the map prepared it was observed that the mine depth at places is more than 100 mts, as per contours shown in drawing that is much below the ground water level which is 18.65mts (letter attached as Annexure I & II). The mining operations being undertaken are haphazard, unsystematic and unscientific (Photographs attached as Annexure III) without following the provisions laid down under the Mines Act 1952 and Rule and Regulations made there under

(Er. SUNIL KUMAR SHARMA)

Managing Director

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सहायक भू वैज्ञानिक
भूमि जलतोष
भिवानी।

जितेन्द्र सिंह
गांव बलूवास
भिवानी।

क्रमांक 293 दिनांक 5-9-17

विषय डाडम का जल स्तर की जानकारी देने हेतु।

महोदय,

उपरोक्त विषय में आपको सूचित किया जाता है, कि डाडम का जल स्तर 18.65 मीटर है। (जून 2017)

सहायक भू. वैज्ञानिक
भूमि-जलतोष
भिवानी।

c/c

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प्रेषक:

सहायक भू वैज्ञानिक
भूगि–जलकोष
भिवानी।

प्रेषित:

श्री संजय सुपुत्र श्री जागेराम
गांव डालुवारा
जिला भिवानी।

क्रमांक 301 दिनांक 12-4-17

विषय: डाडम का जल स्तर की जानकारी देने हेतु।

महोदय:

उपरोक्त विषय में आपको सूचित किया जाता है, कि विभाग द्वारा गांव डाडम में स्कूल के सामने श्योराम कुआं स्थित आबजर्वेशन वैल से ली गई रिडिंगानुसार जल स्तर की रिपोर्ट वर्षवार इस प्रकार भेजी जा रही है।

क्रम संख्या	माह वर्ष	रिड़िग मीटर में
1	जून – 2013	18.35
2	जून – 2014	18.48
3	जून – 2015	18.40
4	जून – 2016	18.75

सहायक भू वैज्ञानिक
भूगि–जलकोष
भिवानी।

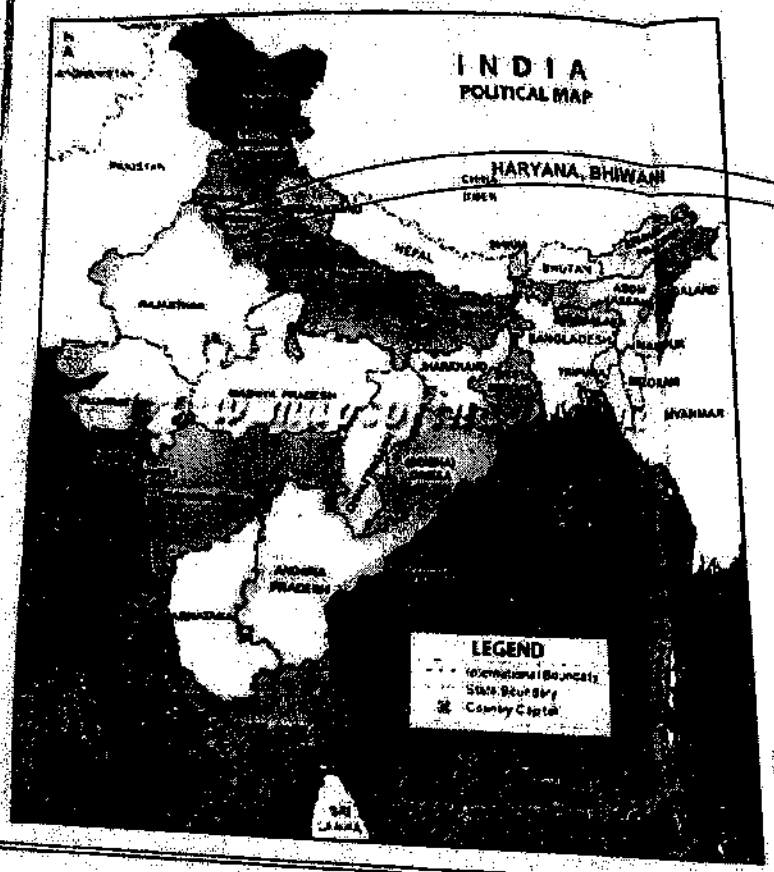
S ASSOCIATES PVT. LTD.
#57, ... Opp. G.H.S. SD, Sector-20,
... 09216710057, 9216750057

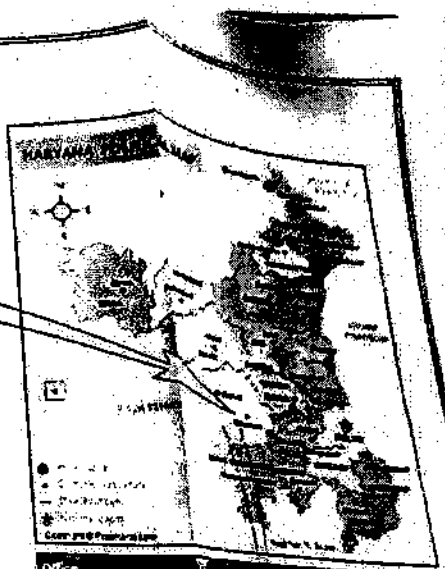
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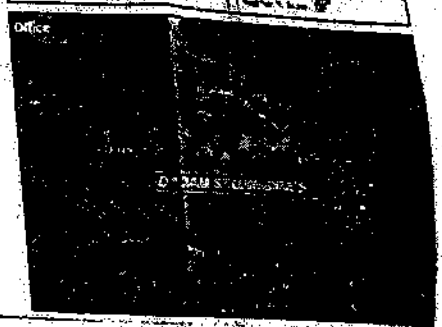


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KEY PLAN







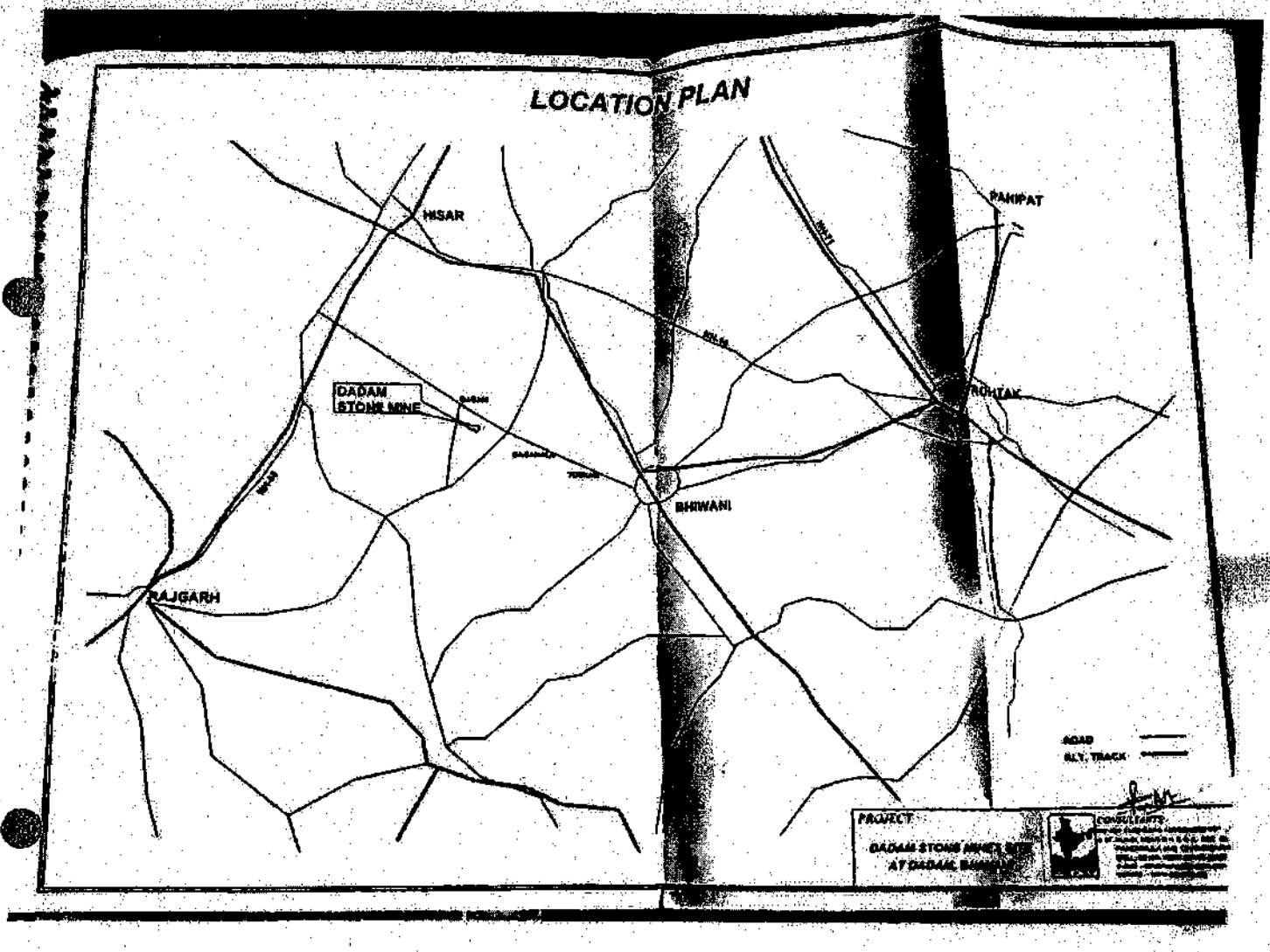
PROJECT :-

DADAM STONE MINES SITE
AT DADAM, BHIWANI



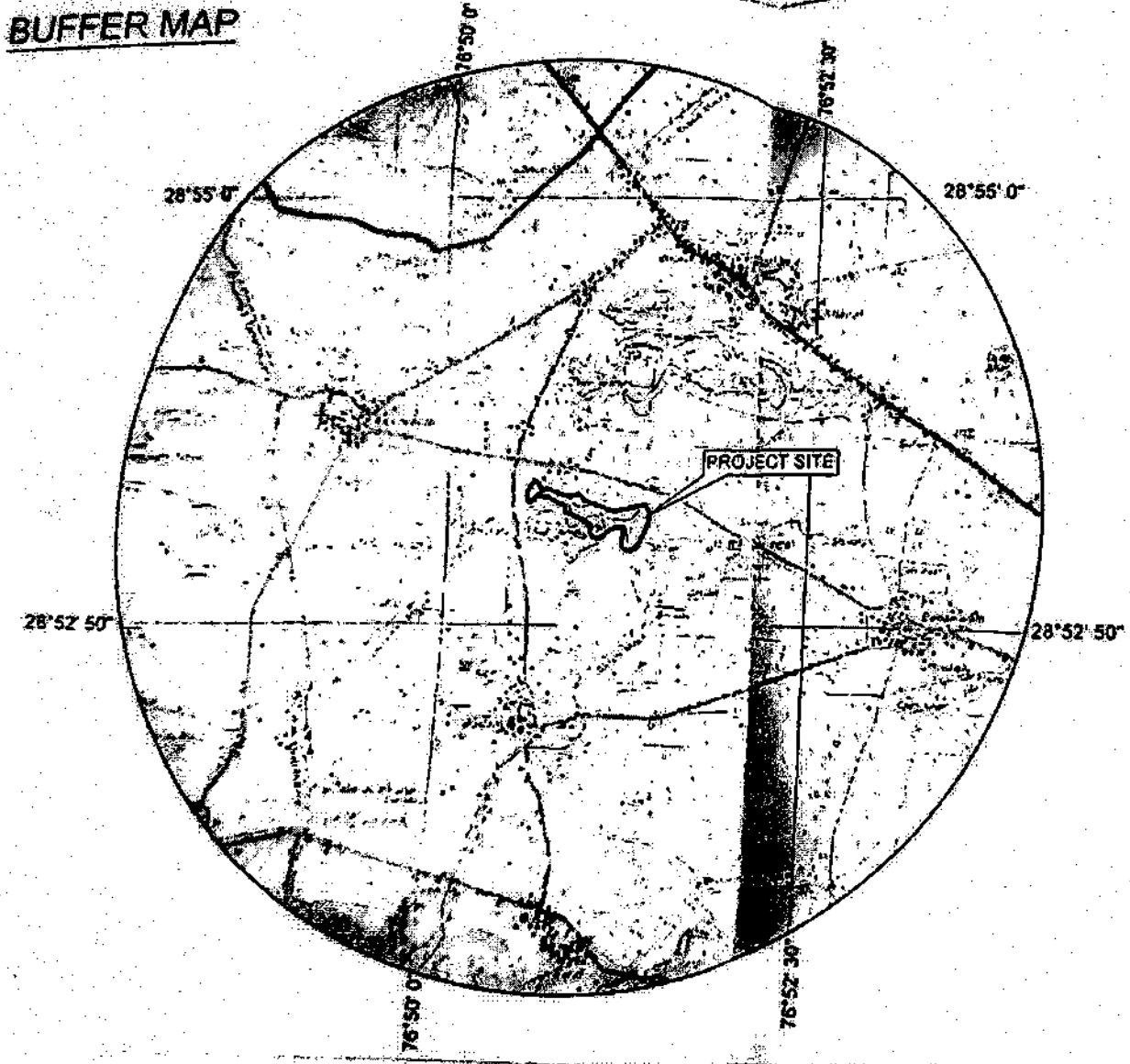
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BUFFER MAP



PROJECT :-

DADAM STONE MINES SITE AT DADAM, BHIWANI

5KM. BUFFER MAP OF THE STUDY AREA

PROJECT BOUNDARY

BUFFER BOUNDARY

SCALE :- 1:50,000

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OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal
in OA No. 360 of 2018 in the matter Shree Nath Sharma Vs Union of India & Ors and other Environmental issues.

(Official Address: Tower No.5, 4th Floor, Forest Complex,
Sector 68, SAS Nagar) Tel. No. 0172-2298091
Email: cmcdep360@gmail.com,

To

The Registrar,
Hon'ble National Green Tribunal,
Faridkot House, Copernicus Marg,
Near India Gate,
New Delhi- 110001

No.CMC/2022/819
Dated: 25.3.2022

Subject: **Final report of the eight member Joint Committee, constituted by Hon'ble National Green Tribunal, under the Chairmanship of Justice Pritam Pal, former Judge of Punjab and Haryana High Court and now as Chairman of the Monitoring Committee regarding verification of the facts with regard to illegal mining in forest- area, mining area and unscientific mining in mining area by M/s Govardhan Mines and Minerals, Tosham, District Bhiwani in compliance to order dated 20.07.2021 and 18.1.2022 in OA No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & others.**

.....

It is submitted that the Hon'ble National Green Tribunal vide its order dated 18.1.2022 in OA no. in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors has considered the interim report submitted by Joint Committee, constituted by the Hon'ble National Green Tribunal, vide its order dated 20.7.2021 vide no. CMC/2021/390 dated 13.10.2021 and has directed in para no. 7, 8 and 9 as under:

Para no. 7

> **As found by the Committee, there has been illegal mining including in the forest area and also beyond the permitted depth. Though the Committee has observed that there was no illegal mining in the mining area, the said observation appears to refer to the time of inspection as the Committee has recorded its conclusion about earlier illegal mining. The Committee has observed that there was no ground water extraction but explanation of the PP that the ground water was privately procured but it is difficult to accept explanation in absence of such private sources being identified. As found in the order dated 20.07.2021 and in the report of the Committee, there was mining even beyond depth of 150 mtrs. Closure plan have not been given by the predecessor of the PP which is to be ensured by the Chief Secretary of the State. There is order of the Mining Department dated 05.08.2020, requiring the PP to close deep mining pits.**

Para no. 8

Thus, while directing recommended remedial action against illegal mining in the light of report of the Committee and in pursuance of order dated 20.07.2021 by the State PCB and Mining Department, to be overseen by the Member Secretary CPCB, we find it unnecessary that the joint Committee may wait for procurement of satellite imagery, if the same is not readily available and can make its final conclusions by undertaking ground truthing and drawing inferences from the available material.

Para no. 9

Let the joint Committee give its final report by March 31, 2022. The Chief Secretary, Haryana may also file action taken report in pursuance of order of this Tribunal dated 20.07.2021 and report of the joint Committee by March 31, 2022. The reports may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

In compliance to order dated 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors, the Joint Committee and sub committee, constituted by the Chairman of the Joint Committee, has held 07 meetings on 27.1.2022, 1.2.2022, 11.2.2022, 21.2.2022, 7.3.2022, 14.3.2022 and 19.3.2022. These meetings have been held to resolve the pending issues along with compliance of observations of the Hon'ble National Green Tribunal as mentioned in para No. 7 of its order dated 18.1.2022 and the same are mentioned as under.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**
iv. **Procurement of ground water from private agency by M/S Govardhan Mines & Minerals for suppression of dust and plantation etc. in Dadam mine area.**
v. **Implementation of mining closure plan by the predecessor of the project proponent i.e M/s Sunder marketing Associate Pvt. Ltd.**
vi. **Closing of deep mining pits as per order dated 5.8.2020 of Department of Mining.**

Therefore, based on the data, record, reports of various departments viz., Department of Mining and Geology, Department of forest, Department of Irrigation, Jal Water Services, high resolution satellite imageries for Dadam Stone mine and analysis report of the imageries submitted by HARSAC, Hisar vide no. HARSAC/44m/2022/171-174 dated 17.3.2022 and detailed discussions held with the officers of concerned departments on 27.1.2022, 1.2.2022, 11.2.2022

and 21.2.2022, 7.3.2022, 14.3.2022 and 19.3.2022 by the subcommittee/Joint Committee, eight member Joint Committee has prepared its final report, which is enclosed herewith and is sent through email at judicial-ngt@gov.in for kind consideration of Hon'ble National Green Tribunal.

It is further submitted that the above said report is also being sent through email at *judicial-ngt@gov.in* .

DA/As above

Justice Pritam Pal
Former Judge,
Punjab & Haryana High Court and
now as Chairman of the
Monitoring Committee

Endst. No. CMC/2022/ 820 Dated: 25.3.2022

A copy of the above is forwarded to the Chief Secretary, Haryana for information and necessary action please.

DA/-as above

Justice Pritam Pal
Former Judge,
Punjab & Haryana High Court and
now as Chairman of the
Monitoring Committee

Endst. No. CMC/2022/ 821 Dated: 25.3.2022

A copy of the above is forwarded to the Additional Chief Secretary, Deptt. of Environment & Climate Change, Haryana Civil Secretariat, Chandigarh for information and necessary action.

DA/-as above

Dr. Babu Ram
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 822 Dated: 25.3.2022

A copy of the above is forwarded to the Director General, Department of Mines & Geology, Panchkula for information and necessary action.

DA/-as above

Dr. Babu Ram
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 823 Dated: 25.3.2022

A copy of the above is forwarded to the Director General and Secretary, Deptt. of Environment, Sector-17, Chandigarh for information and necessary action.

DA/-as above

Dr. Babu Ram
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 824 Dated: 25.3.2022

A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchkula for information and necessary action.

DA/-as above

Dr. Babu Ram
Technical Expert,
Monitoring Committee

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Final report

of the eight member Joint Committee,

constituted by

Hon'ble National Green Tribunal,

under the Chairmanship of Justice Pritam Pal, former Judge of Punjab and Haryana High Court and now as Chairman of the Monitoring Committee regarding verification of the facts with regard to illegal mining in forest- area, mining area and unscientific mining in mining area by M/s Govardhan Mines and Minerals, Tosham, District Bhiwani

in compliance to order dated 20.07.2021 and 18.1.2022

in OA No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & others.

25th March, 2022

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Final report of the eight member Joint Committee, constituted by Hon'ble National Green Tribunal, under the Chairmanship of Justice Pritam Pal, former Judge of Punjab and Haryana High Court and now as Chairman of the Monitoring Committee regarding verification of the facts with regard to illegal mining in forest- area, mining area and unscientific mining in mining area by M/s Govardhan Mines and Minerals, Tosham, District Bhiwani in compliance to order dated 20.07.2021 and 18.1.2022 in OA No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & others.

1.0 Background

Mining area of 55.50 hectares of village Dadam, Tehsil Tosham, District Bhiwani was earlier allotted by the Mining and Geology Department, State of Haryana vide letter No. 161 dated 03.01.2014 to M/s KJSL Sunder (JV) and the Environmental Clearance (EC) was granted by MoEF & CC vide letter dated 3.7.2015 for an area of 55.50 Hectares to the said firm. Further, mining lease was transferred from KJSL Sunder (JV) to M/s Sunder Marketing Associate by Mining & Geology Department, State of Haryana vide letter No. 3864 dated 17.6.2015. Consent to Establish (CTE) under the provisions of Water Act, 1974 and Air Act, 1981 was granted by Haryana State Pollution Control Board (HSPCB) to M/s Sunder Marketing Associate vide letter No. 2811915BHICTE2179882 dated 24.7.2015 and consent to operate (CTO) under the provisions of Water Act, 1974 and Air Act, 1981 was granted to the said firm vide letter No. 313100417 BHI CTO 4578505 & dated 28.11.2017 for the period 01.10.2017 to 30.11.2017.

M/S Sunder Marketing Associates filed a petition before the Hon'ble Supreme Court of India as special leave to appeal (C) No.19166 of 2017 with an appeal to the Hon'ble Apex Court for allowing it to surrender the mining lease at Dadam mine site granted to it. The Hon'ble Supreme Court of India vide order dated 11.8.2017 permitted the petitioner to continue its mining operation till 30.11.2017 and on and before that date, it shall ensure the implementation of mine closure plan to the satisfaction of the concerned authorities in the State of Haryana including clearing of all the dues. Accordingly, the mining activity by M/s Sunder Marketing project had been closed on 1.12.2017 in compliance of order dated 11.8.2017 of the Hon'ble Supreme Court of India.

The Hon'ble Punjab & Haryana High Court vide order dated 4.12.2018 permitted M/s Govardhan Mines and Minerals, 51, Urban Estate-II, Hisar for mining on the same environmental clearance (EC) previously granted to M/s KJSL- Sunder (JV)/ M/s Sunder Marketing Associate subject to final appraisal by the State Environment Impact Assessment Authority (SEIAA) in this regard. Thereafter, in compliance of Hon'ble Punjab and Haryana High Court order dated 4.12.2018, the Director General, Mines & Geology Department, Haryana vide their letter No. 6009 dated 21.12.2018 allowed the said firm (Govardhan Mines and Minerals) to operate mining activity at Dadam mining site having an area of 48.87 hectares falling in khasra No. 132 on the basis of environmental clearance already granted to M/s KJSL Sunder (JV) by MoEF & CC vide letter dated 3.7.2015.

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The consent to establish and consent to operate under the provisions of the Water Act, 1974 and Air Act, 1981 was granted to M/s Govardhan Mines & Minerals by HSPCB vide letter No. 313100419BHICTE6267995 dated 10.2.2019 and letter No. 313100419BHICTO6356744 dated 25.2.2019. M/s Govardhan Mines & Minerals started mining operation at Dadam mine hill, Dadam, Tehsil Tosham on 25.2.2019. The SEIAA, Haryana was constituted by MoEF&CC on 30.1.2019. The public hearing for the said mining project was held on 28.7.2020 and Environment Clearance was granted to the said project by SEIAA vide letter No. 638 dated 21.12.2020.

2.0 Filing application by Sh. Kuldeep Singh, village Dadam, Tehsil Tosham before the Hon'ble National Green Tribunal and taking into record by Hon'ble Tribunal in terms of OA No. 169 of 2020

The application, regarding illegal mining in forest area, unscientific mining in minable area, deep mining done in mining area and withdrawal of ground water in mining area without permission by M/s Govardhan Mines & Minerals, was submitted by Sh. Kuldeep Singh before the Hon'ble National Green Tribunal and the same was taken into record in terms of OA No. 169 of 2020 and the issue was considered by the Hon'ble Tribunal on 20.8.2020 and observed as under.

"The Grievance in this application is against alleged illegal mining in forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham, District Bhiwani. The applicant has relied upon FIR, complaints and letters in support of the allegation. Before considering the matter, we find it necessary to require a factual and action taken report from a joint committee comprising the State PCB, Divisional Forest Officer, Bhiwani and the Additional District Magistrate, Bhiwani within two months by e-mail at judicialngt@gov.in preferable in the form of searchable PDF/OCR support PDF and not in the form of Image PDF.

2.1 Compliance of order dated 20.8.2020 of Hon'ble National Green Tribunal by the District Administration and concerned departments of District Bhiwani.

In compliance to order dated 20.8.2020, in OA No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & others, a Joint Committee was constituted by DM, Bhiwani. The Committee was headed by Additional Deputy Commissioner, Bhiwani as representative of District Magistrate, Bhiwani including Mining Officer, Bhiwani, Associate Geologist, Ground Water Cell, Bhiwani, Addl. District Forest Officer, Bhiwani, Regional Office HSPCB, Bhiwani and SDO, Nigana Water Service Sub Div., Bhiwani. The Committee members visited the site of mining project on 6.10.2020 and made the following observations.

i) **Ways in the forest area created illegally without having any valid permission. The mining equipment's/machines were found standing in the non-minable area.**

The 'Dadam hills minor' is a projected forest area under IFA, 1927 and same was found illegally mined.

ii) **The mining is done at the site about 200 feet depth, but actual depth of the mining pits will be assured by the inspection of the mining surveyor from Mining Department, Head Officer, Panchkula.**

iii) **The concerned Mining Officer stated that an approved mining plan as well as a progressive closure plan of same are already submitted by the said mining project proponent. The mining project is still in progress and closure plan will be implemented after closure of the mining.**

iv) **In the progressive closure plan, the depth is shown to be up to 42 meters.**

v) **During the inspection, the concerned Mining Officer stated that the said mining project has given following dimensions of mining pit as per approved mining plan:**

(I) Length: 536 meter (ii) Width : 528 meter (iii) Depth: 78 meter (from the ground level). But no record provided at the site during inspection in this regard.

vi) **The mining is not done in scientific manner.**

vii) **The concerned Assistant Geologist, Ground Water Cell reported that no bore well found in the lease mining area. The project is meeting water requirement for plantation, dust suppression & domestic purpose etc. through tankers from outside the mining area and also using the water stored within mining pits and water stored in pits cannot be identified at spot whether it is ground water or rain water and same will be identified within 7 days as assured by the concerned Assistant Geologist, Ground Water Cell.**

Due to above non compliances, a show cause notice for the closure under section 5 of EP Act, 1986 was issued by Haryana State Pollution Control Board, Bhiwani to the mining lease holder i.e M/s Govardhan mines & Mineral, village Dadam, Bhiwani vide letter no. 2633 dated 8.10.2020. The said mining lease holder submitted reply of show cause notice vide letter dated 22.10.2020.

In the meanwhile, Regional Officer, Haryana State Pollution Control Board, Bhiwani vide letter no. 5235 dated 6.11.2020 recommended the closure action against the said firm under section 5 of Environment (Protection) Act, 1986 to the Chairman, Haryana State Pollution Control Board, Panchkula.

2.2 Representation dated 17.11.2020 given by M/s Govardhan mines & Mineral and examination of the same by the concerned departments.

M/s Govardhan mines & Mineral made representation dated 17.11.2020 to the Chairman, Haryana State Pollution Control Board, Panchkula, which was forwarded to the Environmental Engineer, Regional Office, Bhiwani on 18.11.2020 with the request to get the representation dated 17.11.2020 of the mining lease holder examined from officers of all the departments who inspected the site and submit comprehensive report.

Mining Department, Forest Department and Assistant Geologist, Ground Water Cell examined the issues concerning to them thoroughly and submitted their reports. These

reports were considered in the meeting dated 1.12.2020 convened by the Deputy Commissioner, Bhiwani with all concerned departments and in the said meeting, the reports submitted by the concerned departments are mentioned as under:

2.2.1 Mining Department

Joint Committee consisting of Sr. Geologist Head Office Panchkula, Mining Officer Bhiwani, Sr. Surveyor and officials of HARSAC inspected the area on date 3.11.2020. The detailed survey of the mine area was carried out with the help of DGPS instrument in the presence of concerned revenue officials i.e Halka Girdaver and Patwari. The detailed survey was carried out with the help of DGPS for confirming the boundary coordinates of the mining lease area. The committee observed as under:

1. Boundary pillars around the mining lease area were found in order with GPS coordinate. Total 32 numbers of pillars were found to be established as per approved mining plan.
2. The maximum depth of the mining pits was found to be 109 meters from surface level at the time of inspection.
3. Some seepage water was seen in this pit during the inspection.
4. Systematic and scientific mining is regulated by the office of Director Mines Safety Ghaziabad and in case any violation is found in method of mining, they take the action accordingly and inform to the office of concerned Mining Officer, District Collector, Director General, Mines and Geology, Haryana. But no such type of information is received from the Director, Mines Safety, Ghaziabad as reported by Mining Officer, Bhiwani.
5. Out of lease area in khatauni No. 67//62min, Khasra no. 16//20/1 min, 21/1 min, 17//1 min, 9min, 10min, 12min, 13min, 14min, 16min, 17min, 18//6min, 7min, 14min haul road is being created and used by the contractor having approximate length 460 meters width 20 mtr and depth 0-15 mtr and DGPS reading of the haul road is N 28° 53' 12.46" E 75° 51' 24.053", N 28° 53' 14.350", E 75° 51' 28.133", N 28° 53' 10.851", E 75° 51' 34.937". But, no stone has been extracted from these Khasra numbers because the said area is consisting of ordinary clay/earth. Rest of the alleged area is found to be virgin area. It was also confirmed by the local revenue department too.
6. During the inspection, it was also found that no illegal mining was noticed in the forest area of Aravali plantation.

2.2.2 Forest Department

Additional Deputy Commissioner, Bhiwani submitted a letter bearing no, 1860 dated 17.11.2020 of DFO, Bhiwani. In the said letter, DFO has clarified that the illegal mining was done in Dadam hills area by M/s Sunder Marketing Associated. Illegal mining noticed on 22.12.2019, an FIR No. 587 dated 23.12.2019 was lodged at Police Station, Tosham against Sandeep etc. In the letter dated 17.11.2020 of DFO, Bhiwani, it has been stated that the said project proponent is now not using any Aravali plantation area for ways and not made any illegal mining and the same is also examined with the help of Google images obtained from HARSAC, Hisar. It appears that the illegal mining and

illegal ways are created by previous project proponent and not by present mining project i.e. M/s Govardhan Mines & Minerals, Village Dadam, Bhiwani.

The Deputy Conservator of Forests, Bhiwani vide letter dated 21.12.2020 stated that illegal mining and illegal ways are created by previous project proponent M/s Sunder Marketing, Dadam and not by M/s Govardhan Mines & Minerals, Village Dadam, Bhiwani.

2.2.3 Asstt. Geologist, Ground Water Cell

According to report dated 3.11.2020 of Asstt. Geologist, Ground Water Cell, the water table data of selected wells available in surrounding alluvial formation is varying from 9.41 m to 18.52 m, whereas, the depth of mining pit is approx. 109 mtrs. as measured by the officials of mining department. This shows that presently, the surrounding water level is having no interconnectivity with mining pits as the water table has not been encountered upto the depth of 109 m. So it is concluded that the water accumulated in mining pits is seepage from the cracks and fissures of the quartzite rock of Aravali system.

2.2.4 Department of Irrigation

The Executive Engineer, Jui Water Services, Bhiwani submitted a report dated 20.11.2020 stating that as per available records in the case of Omparkash & others V/s Raman & others in the Hon'ble Court of Sh. Sunil Kumar Dewan, ACJ (SD) Tosham, the Tehsildar, Tosham was appointed as Local Commissioner who had mentioned in his report dated 6.1.2016 that from RD 21100 to RD 22800 of Dadam distributary in a length of 1700 ft., the channel was damaged/ not existing for the last 10 years. It was further stated that the channel was mostly damaged by earlier mining operations.

2.2.5 Director, Mines Safety, Ghaziabad

The Deputy Commissioner, Bhiwani requested the Director, Mines Safety, Ghaziabad to verify whether said project i.e. M/s Govardhan Mines and Minerals, Bhiwani is doing scientific mining or not. Subsequently, Mining Officer, Bhiwani vide letter no. 1201 dated 18.12.2020 also requested the Director, Mines Safety, Ghaziabad to verify the facts. The Director, Mines Safety, Ghaziabad vide its letter dated 28.12.2020 submitted the observations and conclusions as under:

2.2.5.1 Observations of the Deputy Director, Mines Safety, Ghaziabad

i) There were 25-30 number of pits dug within the lease hold area. The pit name was locally numbered for identification and convenience. The size of this pit was about 80-200m x 100m-200m.

ii) The size of pit no. 38 was about 80m x 60m x 18m. The height of benches were 5-9m and width was about 5-7m. A haul road leading to benches was provided. The Aravali forest land was located on the western part of excavation. Men and machinery were deployed by contractor. The size of pit no. 35 was about 60-65m(L)x40-45m(W)x8-9m(D). The height of bench was about 8-9m. Adjoining to this pit, forest land of Aravali was located on western side. The size of pit no. 31

was about 100-110m(L)x80-90m(W)x16-18m(D). The height of bench was about 8-10m. Adjoining to this pit, forest land of Aravali was located on southern side. Loading of stone was being carried on in these pits.

iii) The size of pits no. 22 was about 200m x 200m x 200m(D). The height of benches were about 9-10m. Drilling of holes were being carried on the bottom bench. The drill machine was provided with wet drilling arrangement. Management informed that the drill machine are provided with wet drilling arrangement. Some of the drill machines whose wet drilling mechanism was out of order were under repair.

iv) There were three portable fogger machines installed near the pit where loading operation was being carried out to settle the dust being generated during loading. It was informed that these foggers are moved to different pits where loading operations are carried on two to three dedicated tractor mounted water tanker was available for supplying water to these fogger machine.

v) Three water tankers with water spraying arrangement on the top (whirling type) were provided for wetting the haul roads and benches. Water spraying was being done on the haul roads and benches.

(vi) The danger zone was demarcated by means of red flag. The lease boundary was fenced by barbed wire. During inspection, it was observed that all staffs and work persons were found with safely gadgets like helmet and shoes.

(vii) An order under section 22(3) of the Mines (Development and Regulation) Act, 1952 was imposed in pit No. 12 vide directorate's letter No. 2169 dated 28.6.2019. No work was being carried out at in this pit. Men and machinery were not found deployed in this pit.

(viii) The records of attendance in form D were kept maintained. The employment register in Form B was kept maintained.

(ix) The deep hole drilling and blasting was carried out under the personnel supervision of assistant manager and foreman. The blasting time was reported between 1-4 PM. A signage of blasting time was displayed on board at several places. Transport of explosive in licensed van for blasting in the mine was done by the explosive supplier that was in agreement with owner of mine. The records of explosive used and return in RE 13 were being maintained by the explosive supplier and firing or shot were done by statutory persons appointed by the owner of mine.

(x) An efficient means of signaling by siren within the radius of 300 m from the place of firing was provided and in use.

(xi) High mast tower consisting of cluster of bulb was found installed in the haul roads around the quarry of the mines for lighting arrangements towards beyond day light hours.

(xii) There were crushers not belonging to owner of mine within the danger zone in North Eastern and North Western side. However, the crushers were located outside the danger zone from active working face. The fly rocks generated during the blasting was towards free face. It was informed by the management that in the adjoining fields, the leases were acquired by the lessee on rental basis. No signs of fly rocks were seen near the adjoining fields to the lease.

2.2.5.2 Conclusions made by Deputy Director Mines Safety, Ghaziabad

(i) It is to be noted that Mining lease for Dadam stone mines, Khasra No. 132, M/s Govardhan Mines & Minerals was granted by department of Mines & Geology, Government of Haryana. Consent to operate, consent to establish and environment clearance was granted by the State Authority.

(ii) Inspection of Dadam mines, M/s Govardhan Mines & Minerals was carried out in accordance with Mines, Act, 1952.

(iii) Under constitution of India, safety welfare and health of workers employed in the mines is regulated by the Mines Act, 1952 and subordinate legislations framed under it. The Directorate a subordinate office under Ministry of Labour & Employment, Government of India and oversees the compliance of the provisions of the Mine Act, 1952 & the Rules under certain regulations for specific mining operations like deployment of heavy earth moving machinery & deep hole blasting.

(iv) Inspections are carried out in accordance with Mines Act, 1952 to oversee compliance.

(v) Scientific study is not carried out by the Directorate. However, Department of Mines & Geology may engage recognized scientific organization or institutions to carry out scientific study of the mine.

Action taken report based on report of Joint Committee dated 6.10.2020 and further reports submitted by the various departments in the meeting of Deputy Commissioner, Bhiwani in his meeting held on 1.12.2020 as mentioned above, was submitted by HSPCB, Regional Office, Bhiwani to the Hon'ble National Green Tribunal vide No. 538 dated 16.7.2021.

2.3 Consideration of report submitted by HSPCB vide No. 538 dated 16.7.2021 by the Hon'ble National Green Tribunal.

Action Taken Report submitted by HSPCB, Regional Office, Bhiwani vide No. 538 dated 16.7.2021 was considered by the Hon'ble National Green Tribunal vide its order dated 20.7.2021 in OA No. 169/2020 in the matter of Kuldeep Singh v/s State of Haryana and others, wherein, Hon'ble National Green Tribunal in Para nos. 1, 3, 10 and 12 has directed as under.

Para1.

Grievance in this application is against illegal mining in forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham, District Bhiwani and also unscientific mining outside forest area in violation of EC

conditions. It is stated that there are FIRs, complaints and letters pointing out such illegalities.

Para 3.

Accordingly, the Joint Committee has filed its report dated 16.07.2021 interalia stating that another application on the same subject being OA No. 132/2020, Rakesh Dalal v. State of Haryana, has been dealt with by this Tribunal vide order dated 02.06.2021, therein, 2nd report was similar to the report now furnished that damage was found but the present project proponent (PP) was not responsible but it was the predecessor of this PP who had caused the damage. The report now filed states that inspection was first conducted by the Committee on 06.10.2020 finding violations by the PP. Based thereon, show cause notice dated 08.10.2020 was issued by the State PCB under Section 5 of the Environment (Protection) Act, 1986 and after considering the reply, the Regional Officer, State PCB recommended closure on 06.11.2020. However, the scenario underwent change after the meeting convened by the Deputy Commissioner, Bhiwani on 01.12.2020. Therein differing stands were presented by the mining, forest and ground water departments at variance with the findings in the site inspection report of the joint Committee. Such differing stands were noted by the Deputy Commissioner, Bhiwani, who directed the stakeholder Departments to examine the presentation of the project proponent for sending a report to the Chairman, State PCB. Accordingly, the Forest Department vide report dated 21.12.2020 and the Mining Department vide report dated 31.12.2020 sent their observations to the Deputy Commissioner, contrary to the findings in the site inspection report dated 6.10.2020. Based on later reports, the present report has been filed to the effect that no illegal mining has been done by the present PP. Illegal mining had been done by the predecessor of the project proponent.

Para 10.

After referring to the above, it is pointed out on behalf of the applicant that the conclusion in the report that no illegal mining has been done by the PP is perverse for the following reasons: i. On inspection of the site on 06.01.2020 by a six-member Committee, encroachment of the protected forest area has been found. Further, mining has been found to have been done even beyond depth of 150 meters. Closure plan has not been given by the predecessor of the PP which was the responsibility of the Chief Secretary of the State. If mining closure plan has not been filed, the Chief Secretary of the State must explain or the successor i.e the PP must be held responsible in terms of the EC conditions and as required in terms of order of the Hon'ble Supreme Court in order dated 11.08.2017 in SLP (C) No. 19166/2017, M/s. Sunder Marketing Associates v. State of Haryana & Ors. inter alia directing:

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"33. Keeping in view the prayer made:

(i) We permit the petitioner to continue its mining operations till 30th November, 2017 in accordance with the Mining Plan. On or before that date, it shall ensure implementation of the mining closure plan to the satisfaction of the concerned authorities in the State of Haryana.

xxx.....xxx.....xxx.....

(iv) All the laws applicable to the petitioner shall be strictly enforced by the State Government regardless of its apparent influence in high places. We make it clear that we will hold the Chief Secretary of the State of Haryana responsible for any lapse in this regard."

ii. Mining was not being done in scientific manner. Ground water was being illegally extracted. Mining equipments were found in the non-mineable forest area. In IA No. 76/2021, which has been allowed by a separate order today, the applicant has inter alia filed a copy of order of Mining Department dated 05.08.2020 directing the project proponent to close deep mining pits along the Eastern Boundary of the Mine, which also contradicts the report that the PP is not responsible for the violations. Further, report of the Assistant Geologist, Ground Water Cell, Bhiwani is to the effect that water table data of selected wells available on record in surrounding alluvial formation is from 9.41 mtrs to 18.52 mtrs., whereas the depth of mining pits is approx. 60 mtrs, as told by mining officer at the site. (iii) The report of the investigating officer in the FIR, exonerating the PP is unacceptable as equipments were seized on the spot in the mining area during the currency of the mining operations by the present project proponent.

Para 12.

Accordingly, while issuing notice to the PP - M/s. Govardhan Mines and Minerals, Hisar, we direct further inspection by eight-member joint Committee to be headed by Justice Pritam Pal*, former Judge of Punjab and Haryana High Court and comprising Ms. Urvashi Gulati,* 1former Chief Secretary, Haryana, Regional Officer, MoEF&CC, Chandigarh, nominees of CPCB, Indian Institute of Soil and Water Conservation, Research Centre, Chandigarh, Haryana State PCB, SEIAA Haryana and District Magistrate, Bhiwani. The CPCB and State PCB will act as nodal agency for coordination and compliance. The first meeting of the Committee may be convened within two weeks. The Committee may peruse the record, undertake visit to the site (by such of the members as may be decided by the Chairman) and conduct other proceedings online. The Committee may interact with the stakeholders and take assistance from any other individual/institution. The Committee

may also study the satellite imagery maps, in coordination with the concerned authorities. The report of the Committee may be furnished within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF with a copy to the Chief Secretary, Haryana for remedial action in the light of the said report following due process of law.

2.4 Compliance of order dated 20.7.2021 of Hon'ble National Green Tribunal as mentioned in para No.12 by the eight member Joint Committee.

In compliance to order dated 20.7.2021, eight member Joint Committee held its meetings with its members, meeting with District Level Officers of District Bhiwani on 3.8.2021, 16.8.2021, 4.9.2021 and 17.9.2021 and also made field visits to the Dadam mining site, Tehsil Tosham, District Bhiwani on 20.8.2021 and 1.10.2021 and submitted its interim report to the Hon'ble National Green Tribunal vide its letter No. CMC/2021/390 dated 13.10.2021. A copy of the interim report of the eight member Joint Committee submitted on 13.10.2021 to the Hon'ble National Green Tribunal is annexed as per **Annexure-1.**

3.0 Consideration of interim report of the Joint Committee by the Hon'ble National Green Tribunal in its order dated 18.1.2022.

The Hon'ble National Green Tribunal considered the interim report of the joint Committee, submitted on 13.10.2021 in its order dated 18.1.2022 and directed in para no.7,8 and 9, which are reproduced as under:

Para no. 7

As found by the Committee, there has been illegal mining including in the forest area and also beyond the permitted depth. Though the Committee has observed that there was no illegal mining in the mining area, the said observation appears to refer to the time of inspection as the Committee has recorded its conclusion about earlier illegal mining. The Committee has observed that there was no ground water extraction but explanation of the PP that the ground water was privately procured but it is difficult to accept explanation in absence of such private sources being identified. As found in the order dated 20.07.2021 and in the report of the Committee, there was mining even beyond depth of 150 mtrs. Closure plan have not been given by the predecessor of the PP which is to be ensured by the Chief Secretary of the State. There is order of the Mining Department dated 05.08.2020, requiring the PP to close deep mining pits.

Para no. 8

Thus, while directing recommended remedial action against illegal mining in the light of report of the Committee and in pursuance of order dated 20.07.2021 by the State PCB and Mining Department, to be overseen by the Member Secretary CPCB, we find it unnecessary that the joint Committee may wait for procurement of satellite imagery, if the same is not readily available

and can make its final conclusions by undertaking ground truthing and drawing inferences from the available material.

Para no. 9

Let the joint Committee give its final report by March 31, 2022. The Chief Secretary, Haryana may also file action taken report in pursuance of order of this Tribunal dated 20.07.2021 and report of the joint Committee by March 31, 2022. The reports may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

A copy of order dated 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors is annexed as per **Annexure-2.**

3.1 Issues resolved in compliance to order dated 20.7.2021 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors by the Joint Committee.

The issues resolved by the Joint Committee, in compliance to order dated 20.7.2021 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors and mentioned in the interim report submitted on 13.10.2021, are reproduced as under:

3.1.1 Illegal mining in forest area (non mineable area) in 300 m^2 area in Dadam mines hills in village Dadam, Tehsil Tosham, Bhiwani

During the visit to the site by the eight member Joint Committee on 1.10.2021, District Forest Officer (DFO), Bhiwani informed that on the receipt of information about illegal mining in Aravali Plantation area on 22.12.2019 at 9:00 PM, the officers of Forest Department and Police inspected the area and 3 trucks, 01 poclain and 01 drill machine were found engaged in doing illegal mining in Aravali Plantation area. The truck owner and his other companions ran away from the spot and only 01 person was caught and FIR was lodged in the police station, Tosham. The area, where the illegal mining was found, was near to 06 m wide road for passage of vehicles and the permission for the diversion of 0.504 hectares of forest land in favour of M/s Govardhan Mines and Minerals for access to mining area bearing Khasra No. 132 in village Dadam for use of forest land was granted by Ministry of Environment, Forest and Climate Change vide No. 9HRB060/2019 CHA dated 25.9.2019 but illegal mining was found in Aravali plantation area (forest area) between approach road line marked as AB and BC.

The subcommittee constituted by the Chairman of the Joint Committee during its visit to Dadam mining site on 20.8.2021, visited the pathway, which has been constructed in the forest area with the permission of the department of forest, as informed by District Forest Officer, Bhiwani. The width of pathway as approved by Forest Department is 6 m, whereas, pathway has been constructed beyond the width of 6 m for which the present project proponent (M/S Govardhan Mines and Minerals) accepted their fault on the site. Moreover, deep drill holes were found constructed within and beyond 6 m width of the

path, which lead to apprehension that the present project proponent namely M/s Govardhan Mines and Minerals had intention to conduct illegal mining in the forest area. However, due to catching of the persons on the spot for doing such illegal activity w.r.t mining on 22.12.2019, filing FIR against the persons and seizure of vehicles, found indulged in illegal mining, the work of mining in forest area was stopped and the pathway in forest area remained unconstructed at the site. However, illegal mining has been done in an area about 300 m^2 as informed and the map shown by the department of forest.

Also, during the meeting held on 17.9.2021, the Joint Committee has perused the record and it was observed that information regarding illegal mining in Aravali plantation area (forest area) was received by the Department of Forest on 22.12.2019 at 9:00 PM and the officers of Forest Department and police inspected the area on 22.12.2019 and 03 trucks, 01 Poclain and 01 drill machine were found engaged in doing illegal mining in **Aravali plantation area and FIR was lodged vide No. 587 dated 23.12.2019 at Police Station, Tosham.** The area, where the illegal mining was found, was near to 6 m wide road for passage of vehicles and permission for use of 6 m wide road has been granted by MOEF & CC vide No. 9HR8060/2019 CHA dated 25.9.2019 but illegal mining was found in plantation area between approach road line marked as AB & BC (**Annexure-3**) and a report in this regard was sent by the Dept. of Forest to Deputy Commissioner, Bhiwani, Superintendent of Police, SDO (Civil), Tosham, Mining Officer, Tehsildar Tosham and SHO, Tosham stating that illegal mining was found in the plantation area between AB & BC and FIR of the same has been lodged vide No.587 dated 23.12.2019 in the police station, Tosham. The record also indicated that Administrative officer, Thana Tosham has prepared progress report dated 19.8.2021 regarding theft of stone mined material from Dadam mining site and the facts mentioned in the report are mentioned as under:

The officials of Forest Department and Police, Tosham visited the mining site at Dadam based on telephonic message received at 9.00 PM on 22.12.2019 and it was observed that 01 truck bearing No. HR061C 4044 loaded with stones and 02 trucks No. HR061D 1411, and HR 061D 6014, 01 podain and drill machine were found engaged in doing illegal mining in forest area. The persons who were doing illegal mining ran away from the spot and 01 person was caught. FIR No. 587 dated 23.12.2019 u/s 379 IPC and section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 was lodged. The vehicles No. HR 61C 4044, No. HR 61D 1411 and No. HR 61D 6014, respectively, were released on 6.1.2020, 7.1.2020 and 7.1.2020 on Superdari on the directions of Hon'ble Court of SDJM, Tosham. Poclain machine and drill machines were released on 18.1.2021 and 8.4.2021, respectively, on Superdari on the directions of Hon'ble Court of SDJM, Tosham. The case is still pending in the court of SDJM, Tosham.

Therefore, keeping in view the facts mentioned above, the eight member Joint Committee has concluded the issue regarding illegal mining in forest area in 300 m^2 in Dadam mines hills as under:

M/s Govardhan Mines and Minerals has done illegal mining in forest area (non-mineable area) in 300 m² area between approach line (Pathways) AB and BC.

3.1.2 Illegal abstraction of ground water in Dadam mining area.

The Joint Committee has perused the record and report of the Asstt. Geologist, Ground Water Cell and observed that the depth of mine pit was approximately 109 m from ground level as measured by the officials of mining department and as per the report dated 3.11.2020 of Assistant Geologist, Ground Water Cell and version of CGWA, there is hard compact quartzite formation with some cracks and fissures. The ground water occurs in permeable geological formation known as aquifer. The aquifer is the water bearing formation having structure that permits appreciable water to move through it under ordinary field conditions. The ground water existence depends upon porosity, permeability and saturation with in any formation.

During field investigation by the Ground Water Cell, it was concluded that water table data of selected wells available in surrounding alluvial formation is from 9.41 m to 18.52 m, whereas, the depth of mining pit is approximately 109 m as measured by the officials of Mining Department. This shows that presently, the surrounding water level is having no inter connectivity with mining pits, as the water table has not been encountered up to the depth of 109 m and the water accumulated in mining pit is seepage from the cracks and fissures of the quartzite rock of Aravali system.

Based on the above data/information, the Joint Committee had concluded the issue as under:

The water accumulated in mining pit having depth of 109 m is seepage from the cracks and fissures of the quartzite rock of Aravali system and no ground water abstraction in mining area has been made.

3.1.3 Unscientific mining in the mining area by the project proponent

The Joint Committee had perused the record and observed that the Deputy Director of Mines Safety, Ghaziabad vide his report dated 04.01.2021, which was based on the inspection made on 28.12.2020, has submitted his report, which is briefly mentioned as under:

- There were 25-30 no. of mining pits dug within mining lease area.
- The pits have different sizes and height of the benches have been found between 5-9 m, 5-7 m, 9-10 m etc.
- Three portable fogger machines were found installed near the pits which are moved to different pits. Besides, three water tankers, with water spraying arrangements on the top, have been provided for wetting the haul roads and benches.
- The danger zone was found demarcated by means of red flag. The lease boundary wall was fenced with barbed wire. During inspection, it was observed that all the staff and work persons were wearing safety gadgets like helmets and shoes.
- The deep hole drilling and blasting was carried out under the personal supervision of Assistant Manager and Foreman. The blasting time was reported

to be between 1-4 PM and a signage of blasting time was displayed on the board at 7 places.

- High mast tower consisting of clusters of bulb was found installed on the haul roads.
- Simplified mining scheme for working the mine in a scientific way by method of opencast mining has been approved by the department of Mines and Geology, Haryana.

However, it has also been mentioned that scientific study is not carried out by the Directorate and Department of Mine and Geology may engage recognized scientific organization or institution to carry out scientific study of the Mining area.

Based on the report and observations of the Deputy Director of Mines Safety, Ghaziabad who has visited the mining site on 28.12.2020, it was concluded that no unscientific mining was done in Dadam Mine area and it was recommended that project proponent shall continue to conduct scientific mining at all the times based on the recommendations/report submitted by the Department of Mines Safety, Ghaziabad.

Now, the Joint Committee has perused the mining plan submitted by Department of Mines & Geology and it has been observed that the benches of size 10m x 10m, as mentioned in the mining plan, have not been maintained by the mining lease holder. Moreover, as per latest report of Deputy Director, Mines Safety, Ghaziabad submitted to Haryana State Pollution Control Board, Regional office, Bhiwani vide letter no. DDMS/GR/2022/162 dated 2.3.2022 (**Annexure-4**), which is based on field visit made on 4.2.2022, the following violations of regulation were observed under the Mining Act, 1952:

i) The sides of the open cast working were not kept adequately benched, sloped and secured so as to prevent danger from fall of sides. Only single bench of height about 30m-40m was formed on the Eastern and Western side of the pit no. 37 and 38.

ii) The height and width of the benches were found not formed as per the guidelines mentioned in permission issued for use of HEMMS under regulation 106(2)(B) of Metalliferous Mines Regulation 1961 issued vide letter no. 516936/NZ/Gaziabad region/perm/2021/9178 dated 29.5.2021. These guidelines are mentioned as under:

- Height of the benches in alluvium shall not exceed 3m and in overburden as well as in hard and compact mineral formation shall not exceed 6m or the maximum digging height/depth of the machine deployed there at for digging, excavation or removal, whichever is less.
- Width of any bench shall not be less than (i) width of the widest machine plying on the benches plus 2m or (ii) if dumpers ply on the bench, 03 times the width of the dumper or (iii) the height of the bench, whichever is more.

- The sides in overburden and mineral benches shall be kept sloped to prevent danger from fall of sides. Overall slope carry face towards hang wall shall not exceed 45°.
- Further, the following safety measures to be undertaken by the project proponent in the mining lease area to avoid re-occurrence of such incidents in future:
  - i) The sides should be adequately benched, sloped or secured so as to prevent danger from fall of sides. Height of the bench in hard and compact ground should not exceed 6m and sides of the bench should be sloped at angle of not more than 60 degree from the horizontal. Width of the benches should not be less than height.
  - ii) No loose stone or debris should be allowed to remain within a distance of 3m from the edge or side of excavation.
  - iii) Undercutting of face or side should not be allowed.
  - iv) Formation of benches and slopes of sides in mine should be done from top downwards only.
  - v) All approaches to the bottom of high sides should be kept securely and effectively fenced so as to prevent any inadvertent entry of persons.
  - vi) Safety management plan/risk assessment should be prepared to identify the potential hazards in the mine. Based on the risk assessment, mitigation measures should be evaluated and adopted.
  - vii) Scientific study to design, control and monitoring of pit by scientific agency of repute should be carried out for scientific and safe mining.

In view of the above, the Joint Committee concludes that M/s Govardhan Mines & Minerals is carrying out unscientific mining in Dadam mining area and mining is not done as per mining plan.

3.2 Pending issues in compliance to order dated 20.7.2021 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh vs State of Haryana and ors.

The following 03 issues, which are pending due to which final report in the matter could not be submitted were due to non-availability of high resolution satellite imageries of Dadam stone mines for the year 2015 to 2020 by HARSAC Hisar, are as under:

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**

ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**

iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

4.0 Compliance of order dated 18.1.2022 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors by the Joint Committee

In order to comply with the order dated 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors, the Joint Committee and sub committee, constituted by the Chairman of the Joint Committee, have held 07 meetings on 27.1.2022, 1.2.2022, 11.2.2022, 21.2.2022, 7.3.2022, 14.3.2022 and 19.3.2022. The minutes of the meetings of the Joint Committee/ sub committee are annexed as per **Annexures-5 to 11.** These meetings have been held to resolve the pending issues alongwith compliance of observations of the Hon'ble National Green Tribunal as mentioned in para No. 7 of its order dated 18.1.2022, which are mentioned as under.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**

ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**

iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

iv. **Procurement of ground water from private agency by M/S Govardhan Mines & Minerals for suppression of dust and plantation etc. in Dadam mine area.**

v. **Implementation of mining closure plan by the predecessor of the project proponent i.e M/s Sunder marketing Associate Pvt. Ltd.**

vi. **Implementation of Mining Plan by M/s Sunder marketing Associate and M/s Govardhan Mines & Minerals.**

vii. **Closing of deep mining pit as per order dated 5.8.2020 of Department of Mining.**

The report on all the above issues is submitted as under:

4.1 Illegal mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.

The Joint Committee has perused the record of Department of Forest and Department of Mines & Geology and it was observed that officials of the Forest department were reporting from time to time about illegal mining by the mining lease holder in Aravali plantation area (outside mining lease area). The reports in this regard were submitted by the officials of forest department on 29.07.2019, 31.07.2019, 14.08.2019 and 10.9.2019 and letter dated 23.9.2019, 4.11.2019, 20.11.2019.

In the meeting held on 17.9.2021, District Forest Officer had shown Google earth images showing 0.8 hectares of forest area illegal mined in the year, 2019, whereas, Dr. Sultan Singh, Principal Scientist, HARSAC was of view that images of Google earth cannot be considered for establishing the actual time of period of illegal mining in 0.8 hectares of forest area. There is need to get the satellite imageries of the area.

As per the record of the Department of Mines & Geology, the Mining Inspector has stated in his report dated 10.9.2019 that joint inspection of the mining area was carried out on 10.9.2019 and illegal mining was found between Pillars A and C in front of pillar

B having an area with length and depth as 20-25 ft. (copy of report dated 10.9.2019 of Mining Inspector, Department of Mines & Geology, is annexed as per **Annexure-12**).

In the meeting of the sub Committee, constituted by the Chairman of the Joint Committee, held on 21.2.2022, the sub committee had taken the Google Earth Images, submitted by District Forest Officer, Dept of Forest, vide letter No. 2548 dated 18.1.2022 for the period 22.5.2016, 9.1.2020 and 8.2.2019 of Dadam Stone mining area on record and it was decided that these Google Earth Images shall be analyzed after the submission of high resolution satellite imageries by HARSAC Hisar.

District Forest Officer, vide his letter No. 1470 dated 7.10.2019, letter No. 1811 dated 20.11.2019, letter No. 2055 dated 23.12.2019 has informed Mining Officer, Bhiwani that mining has been done in between pillar A &C in front of pillar B in an area having length and depth as 20-25 ft in the Aravali plantation area.

Now, Dr. Sultan Singh, Principal Scientist, HARSAC, Gurugram vide letter no. HARSAC/44m/2022/171-174 dated 17/3/2022 has submitted his report on high resolution satellite imageries for Dadam stone mines and analysis report of these imageries for the years, 2016 to 2020, containing 35 pages (page 1 to page 35) (copy enclosed as per **Annexure-13**.) on the following 03 issues:

i. Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.
ii. Illegal mining in Dadam mining area done up to depth of 109 m.
iii. Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.

The satellite imagery study for Dadam Stone mine and analysis report of these imageries for the year 2016 to 2020, submitted by HARSAC Hisar w.r.t illegal mining done in forest area (non mineable area) in 0.8 hectares is mentioned as under:

4.1.1 Analysis data of date 16.5.2016

It was observed that mining of 0.180 hectares (1797.95 m^2) has been done within the boundary of 0.8 hectares area. The map showing mining within boundary of 0.8 hectares area on satellite imagery of dated 16.5.2016 has been mentioned in figure-3, page 14 of report.

4.1.2 Analysis data of date 24.11.2017

It was observed that 1.061 hectares (10611.31 m^2) of illegal mining area has been increased within and outside of the boundary of 0.8 hectares area. The map showing illegal mining done within and outside of the boundary of 0.8 hectares on satellite imageries of 24.11.2017 has been mentioned in figure-5, page 15 of the report.

4.1.3 Analysis data of date 16.2.2018

It was observed that 0.072 hectares (720.36 m^2) of illegal mining area has been increased within and outside of boundary of 0.8 hectares area. The map showing mining

within and outside the boundary of 0.8 hectares area on satellite imageries of 16.2.2018 has been shown in figure-5, page 16 of the report.

4.1.4 Analysis data of date 2.2.2019

It was observed that 0.123 hectares (1227.78 m^2) of illegal mining area has been increased within and outside the boundary of 0.8 hectares area. The map showing above mining is mentioned in figure-6, page 17 of the report.

4.1.5 Analysis data of date 16.2.2020

It was observed that 0.097 hectares (972.438 m^2) of mining area has been increased within and outside of boundary of 0.8 hectares area. The map showing above mining is mentioned in figure-7, page 18 of the report.

As per the record submitted by Department of Mines & Geology, M/s Sunder Marketing Associates, a mining lease holder, has carried out mining in Dadam mining area from 29.10.2015 to 30.11.2017 and M/s Govardhan Mines & Minerals started its mining operation in the mining lease area on 25.2.2019 and still it is continued.

In view of the above, the year wise illegal mining done has increased to 1.533 hectares instead of 0.8 hectares, as mentioned in the complaint, is summarized in the Table-1 given below:

Table-1: Satellite imagery data for illegal mining done in forest area from 2016 to 2020.

S.no.	Name of mining lease holder	Satellite imageries date	Illegal mining done in the area
1.	M/s Sunder Marketing Associates	16.5.2016	0.180 hectares
2.	M/s Sunder Marketing Associates	24.11.2017	1.061 hectares
3.	Non lease period	16.2.2018	0.072 hectares
4.	Non lease period	2.2.2019	0.123 hectares
5.	M/s Govardhan Mines & Minerals	16.2.2020	0.097 hectares
	Total area where illegal mining done in forest area		**1.533 hectares**

Based on the satellite imagery data as mentioned in the above Table, the Joint committee concludes the issue as under:

i. **M/s Sunder Marketing Associates has done illegal mining in forest area in 1.241 hectares (0.180 hectares + 1.061 hectares) as the said mining lease holder had carried out the mining in Dadam Mining area from 29.10.2015 to 30.11.2017.**

ii. **M/s Govardhan Mines & Minerals has done illegal mining in forest area in area of 0.097 hectares as the said mining lease holder started its mining in Dadam mining area on 25.2.2019 and still it is continued.**

iii. **Illegal mining in forest area in an area of 0.195 hectares (0.072 hectares + 0.123 hectares) has been done during non lease period (1.12.2017 to 24.2.2019) by unknown persons.**

4.2 Illegal mining in Dadam mining area done up to depth of 109 m

The Joint Committee has perused the record of Department of Mines & Geology and it has been observed as under:

i) The Mining Officer, Department of Mines & Geology has informed that M/s Govardhan Mines and Minerals has done mining in the Eastern, North Eastern and South Eastern area of mine situated along boundary pillar no. 13 to 19 upto depth of 300 ft and it was further informed that if the mining lease holder will go further deeper, the water table may be touched at any time. Accordingly, the mining lease holder was issued show cause notice vied no. 718 dated 5.8.2020.

ii) As per the survey conducted by the Senior Geologist, Head Office, Panchkula, Mining Officer Bhiwani and officials of HARSAC on 3.11.2020, the maximum depth of mining pit was found to be 109m from the surface level at the time of inspection.

The Joint Committee has further studied the high resolution satellite imageries report for Dadam Stone mine and analysis report submitted by HARSAC, Hisar vide letter no. HARSAC/44M/2022/171-174 dated 17.3.2022, wherein, the year wise analysis through SOI, DTM 2017 and DGPS (Nov, 2021 to Feb, 2022) for mining done upto depth of 109 m has been done and the analysis study is mentioned in the Table-2 given below:

Table-2: Yearwise analysis done SOI, DTM, 2017 and DGPS (Nov, 2011 to 2022) for mining done upto depth of 109 m.

Sr. No.	Parameters	SOI Topo sheet (m)	DTM Elevation Nov, 2017 (m)	Elevation provided by mining department Nov, 2020 (m)	Elevation by DGPS Survey Feb, 2022 (m)	Remarks
1	Top (msl)	215	213	*227	213	As per record of Department of Mines & Geology, mining was started by M/s Govardhan Mines & Minerals in Dadam stone mining area on 25.2.2019 and still it is continuing and as per mining plan submitted by the said mining lease holder, it was assured to maintain depth of 78 m. Mining plan further shows that the depth of mining pit had not gone deep to 78 m till the start of the mining by M/s Govardhan Mines & Minerals. As such, the illegal mining
2	Bottom (msl) in		127	*119	103	
3	Elevation difference with overburden		86	*109	110	
4	Elevation difference without overburden		69	*92	93	

						upto depth of 93 m has been done by M/s Govardhan Mines & Minerals.

On the query raised by one of member of Joint Committee, Dr. Sultan Singh, HARSAC, Gurugram vide his e-mail dated 23.3.2022 (**Annexure-14**) has mentioned the reasons for considering 97 m depth instead of 109 m depth, which is mentioned as under:

- After the subtraction of instrumental tolerance of 12 m, the depth was estimated of estimated as 97 m. However, this is not reliable reference and cannot compare with the depth of the year 2017. The details have been mentioned in the table given below:

Table-2A: Elevation difference taken to be 97 m instead of 109 m.

Sr.	1	2	3	4	5	6	7
1	**Parameter**	**Elevation in meters (Source : DTM) 2017 (m)**	**Remarks 1**	**Derived Elevation from the data provided by Mining Department (2020)**	**Remarks 2**	**Derived Elevation data during 2021- 22 (not in the mandate of the analysis)**	**Remarks 3**
2	Minimum Elevation of Bottom (m) with referenec to msl	143	DTM topography of bottom Pit	The average variation in the bottom undulations of 10-12 m and thus the rest of analysis is based on this correction factor. However, this is not comparable/ applicable with the data of 2017.			
3	Maximum Elevation of Bottom (m) with reference to msl	122	DTM topography of bottom Pit				
4	Elevation Difference Between(Minimum Depth- Maximum Depth)	21	Difference of (Maximum and Minimum elevation of pit)				
5	Average Elevation Difference (Variation)	11	Average Difference due to Undulation of bottom pit				
6	Average Elevation Difference Top to Bottom	*86	Top Elevation of DTM (213 m) - Average of lowest two contours 127	**109 i.e. 97		***110	
7	Maximum Depth (m)+Variation	97	Variation of deepth by averaging topography undulation	108.00	Reported top and Bottom Elevation difference By mining department 97 m with (±) 11meter Average Undulation measured from DTM data	121.00	Reported top and bottom elevation difference is 110 m with (±) 11meter avarage undulation measured from DTM data
8	Minimum Depth (m)- Variation	75		86.00		99.00	
9	Net Minable Depth after removal of overburden (17 m)	69		**80		93.00	

	from average depth values						
10	*Remarks: Bottom elevation estimated is ranging between 75 to 97 with an average elevation difference of 86 m for the year 2017 due to bottom surface undulation of 10-12 m.			**Depth values of mining department as reported to be 109 m should be 97 m (i.e. 109-12 m). Though this is a point data and not comparable/applicable with the year 2017		***There is minimal variation in the depth as compared to the year 2020. Though this is a point data and not comparable/applicable with the year 2017	

The data mentioned in Table-2 as above indicate that as per record of Department of Mines & Geology, mining in Dadam mining area was started by M/s Govardhan Mines & Minerals in Dadam stone mining area on 25.2.2019 and still it is continuing and as per mining plan submitted by the said mining lease holder, it was assured to maintain depth of 78 m. Mining plan further shows that the depth of mining pit had not gone deep to 78 m till the start of the mining by M/s Govardhan Mines & Minerals.

The data mentioned in Table-2A indicate that the net mineable depth after removal of overburden of 17 m from average depth value has been mentioned as 80 m, whereas, the derived elevation data during year 2021-22 mentioning the net mineable depth after removal of overburden of 17 m has been mentioned as 93 m, whereas, as per the report submitted by Department of Mining, the depth of mining pit has been mentioned as 109 m. Therefore, it is concluded that illegal mining has been done by the mining lease holder i.e. M/S Govardhan Mines & Minerals, which is 02 m (80 m – 78 m) as an average value and 15 m (93 m – 78 m) at one point.

It is further mentioned here that going beyond the permissible depth of 78 m even at one point, is unscientific and illegal mining, even if, the average depth of mining done is on the lower side. Further, as per EIA report submitted by M/s Govardhan Mines & Minerals, ultimate pit limit has been drawn up to 150 mRL and the maximum depth of the mining pit has been mentioned as 78 m.

The above facts indicate that mining excluding the overburden has been done by M/s Govardhan Mines & Minerals at an average depth of 80 m and depth of 93 m at one point against the permissible depth of 78 m. As such, the illegal mining even at single point upto depth of 93 m (without overburden) against the permissible depth of 78 m has been done by M/s Govardhan Mines & Minerals.

4.3 Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.

The Executive Engineer, Department of Irrigation, Jui W/S Division, Bhiwani has informed that Dadam distributary was constructed in the year 1976-77 from RD 0 to RD 20500. Later, it was extended upto RD 23500 during the year 1987-88. Its total length is 23500 ft. and it passes through the Dadam mining area from RD 20500 to 23500. Its water carrying capacity is 19 cusecs.

Further, as per the record available, in case of Om Parkash & others Vs Raman & others in the court of ACJ (SD),Tosham as directed by the Hon'ble Court, Tehsildar Tosham has reported that 1700 ft of canal has been damaged for the last 10 years.

The Department of Irrigation has further informed that on 06.10.2020, during the joint inspection, SDO, Nigana W/S stated that the said mining project is using the land of Dadam distributary/minor illegally for mining purposes and the land of distributary/minor was being used as carriage way by the vehicles of mining company and the same was also reported by the Executive Engineer, Department of Irrigation, Jui W/S, Division, Bhiwani in his report dated 20.11.2020.

In the meeting of the sub-committee, constituted by the Chairman do the Joint Committee held on 21.2.2022, the Department of Irrigation & Water Resources (JUI W/S Division Bhiwani) submitted the survey report carried out by M/s BDN surveyor solution on 9.2.2022. The sub committee had perused the survey report submitted by the department and it was observed that only the length and breadth of the various sections of Dadam distributary, where mining has been done, have been marked, whereas, the volume of material extracted during mining done in the Dadam distributary was not assessed. Moreover, the volume of the material extracted in the mining lease area, falling within the Dadam distributary, was also not assessed.

In the meeting dated 21.2.2022, the sub committee desired that the Department of Irrigation & Water Resources (JUI W/S Division Bhiwani) shall measure the volume of the material extracted from the portion of Dadam distributary, where mining has been done and volume of material extracted in the mining lease area, falling within the Dadam distributary and submit the report by 28.2.2022.

Department of Irrigation and Water Resources (JUI) Water Supply Division, Bhiwani vide its letter no. 163-164 dated 8.3.2022 has assessed the volume of the material extracted from the portion of the Dadam distributary, where mining has been done and the volume of the material extracted from the mining lease area, falling within Dadam distributary. It has been mentioned that the volume material extracted from the Dadam distributary was assessed as 5,45,109.65 m^3 (14,44,540.57 MT) and the material extracted in the mining lease area, falling within the Dadam distributary, was assessed as 3,53,126.27 m^3 (9,18,128.30 MT).

The copy of the site plan of Dadam distributary situated at village Dadam, Tehsil Tosham submitted vide letter No. 846-847 dated 19.2.2022 and copy of the letter no. 163-164 dated 8.3.2022 of Department of Irrigation and Water Resources (JUI) Water Supply Division, Bhiwani mentioning the assessment of volume of the material extracted from the portion of Dadam distributary and volume of the material extracted from mining lease area, falling within the Dadam distributary, are annexed as per **Annexures- 15 and 16.**

The Joint Committee has further studied the high resolution satellite imageries for Dadam Stone mine and analysis report submitted by HARSAC, Hisar vide letter no. HARSAC/44M/2022/171-174 dated 17.3.2022 for Dadam distributary.

The satellite Imagery data of dates 29.5.2011, 16.4.2016, 24.11.2017, 16.2.2018, 8.2.2019 and 16.2.2020 has been used for analysis of Dadam Distributary and the analysis study is mentioned as under:

- In the year, 2011, it has been observed that neither over burden is removed nor mining is there. The imageries data has been mentioned in figure 6, page 25 of the report.
- In the year, 2016, it has been observed that overburden is partially removed in private Khasra land. Mining is started in private land but no mining is visible in Dadam distributary / minor. The imagery data is mentioned in figure 18, page 27 of the report.
- In 2017, no mining was observed in Dadam Distributary but it seems to be converted into pathway within khasra no. 29//7/2, 29//4/2, 18//24/2, 18//17/1, 18//14/2, and 18//17/1 at RD 21700-22200-22400-22800. The total length of pathway was observed as 55m. The mining is visible on private land (Khasra No 29//4/1, 18//17/2, 18//24/2) and there is damage of Dadam distributary in 55 m length due to development of pathway as visible on 2017 satellite imageries.

The documents submitted by Department of Irrigation, Jui Water Services, Bhiwani indicate that the illegal mining from Dadam distributary at village Dadam was done and the volume of material was assessed as 545109.65 m^3 and volume of material mined in khasra no. 132, falling in Dadam distributary, was assessed as 353216.27 m^3, whereas, material extracted from mining (illegal mining) in Dadam distributary till 2017 mentioned by HARSAC, Hisar through satellite imageries was found as 558593 ft^3 (15830 m^3)

The matter was discussed in detail in the meeting of Joint Committee held on 19.3.2022 and it was observed that there is variation in the data as analyzed by HARSAC, Hisar through satellite imagery study and survey conducted by Department of Irrigation, JUI Water Services, Bhiwani as per the report submitted by said department vide letter no. 846-47 dated 19.2.2022 and no. 163-64 dated 8.3.2022. Therefore, Dr. Sultan Singh, Principal Scientist, HARSAC, Gurugram was requested to submit a note clarifying the variation in data measured through satellite imageries as compared to the data measured by Department of Irrigation, Jui Water Services, Bhiwani w.r.t Dadam Distributary by 21.3.2022.

Dr. Sultan Singh, Principal Scientist, HARSAC, Gurugram vide its mail dated 23.3.2022 **(Annexure-14)** has submitted the clarification w.r.t variation in the data mentioned by Department of Irrigation, Jui Water Services, Bhiwani and the satellite imagery study report submitted by HARSAC, Hisar and has submitted as under:

i) It is observed that GPS point of RD-20500 is falling above the RD-21150 that seems irrelevant, but the fact is that the RD-20500 should fall below the RD21500. Similar shift pattern is visible in all the GPS points received from the irrigation department.

ii) Its seems that the survey done by the irrigation department is in private ownership or in Khasra no. 132 because the ownership of some khasra number (i.e., 18//14/1, 17/2, 24/1; 29//4/1, 18/3, 23/1; 36//2/1) that are falling under Dadam Distributory as per the RoR (i.e., Jamabandi and Sajra) is under private ownership which is marked as distributary/minor (Figure 23).

iii) The alignment created from the GPS points of RDs received from the Department of Irrigation, is shifted as compared to the alignment of Dadam Distributory Khasra RD of the RoR (Figure 23).

iv) This shows that the survey done was not as per the Record of Revenue (RoR) which is the only authentic source of land record deeply scrutinized by the Halka Patwari/ Kanungo.

v) The Estimates of volume excavated from the vicinity of distributary represents the year 2017 and the surface area of Khasra no. 29/4/2 estimated represented the year 2020 which is not comparable.

Thus, it has been concluded by him that the survey done by the Department of Irrigation is not as per the RoR which is the only authenticated source of land record and thus major error is there in the evaluation done by Irrigation department. The outputs of the analysis done by the irrigation department is not applicable as these are not on the actual geo-location as per the RoR. Most of the excavation in the form of overburden extraction and pathway creation is visible on satellite images over the part of the private land.

Therefore, the Joint Committee has considered the satellite imagery study for Dadam distributary done by HARSAC, Hisar and concludes the issue as under:

- **In the year, 2017, no mining was observed in the distributary but it was converted into pathway and there was a damage of 55 m length along the Dadam Distributary due to development of path as visible on 2017 image and it has also been mentioned that 558593.91 ft^3 (15830 m^3) overburden is extracted from the distributary.**

4.4 Procurement of ground water from private agency by M/S Govardhan Mines & Minerals for suppression of dust and plantation etc. in Dadam mine area.

In the meetings of the sub committee held on 11.2.2022 and 21.2.2022, the Mining Officer, Department of Mines and Geology, Bhiwani was directed to get the details of each of truck tankers and tractor tankers with registration number of each vehicle and capacity of these truck tankers and tractor trolleys deployed by each agency alongwith their agreement made by mining lease holder with private agencies for procurement of groundwater and details of the payments made to the private agencies for supplying water from 25.2.2019 to date.

The Mining Officer, Department of Mines and Geology, Bhiwani vide his office letter No. BWN/DADAM/248 dated 4.3.2022 has submitted the details of each of the truck tankers and tractor tankers with registration number of the vehicles deployed by each agency (M/s Pal & Pal Group, Shri Rajesh s/o Shri Tara Chand and Shri Rajat Sharma) and the agreement made by these agencies with mining lease holder(M/s Govardhan Mines & Minerals). (A Copy of details of truck tankers and tractor tankers with registration number is annexed as per **Annexure-17**).

It was pointed out in the meeting of Joint Committee held on 14.3.2022 that since the private agencies, who are supplying water to M/s Govardhan Mines & Minerals for suppression of dust and plantation from the tube well outside mining area, as such, these private agencies are required to obtain NOC from CGWA.

The Joint Committee concludes that the officer of Groundwater Cell, Bhiwani may look into the issue of NOC to be sought by the concerned agency in the matter at his own level.

4.5 Implementation of mining closure plan by the predecessor of the project proponent i.e M/s Sunder marketing Associate Pvt. Ltd.

The Joint Committee has perused the record of Department of Mines & Geology and it was observed that the Hon'ble Supreme Court of India in order dated 11.8.2017 in special leave to appeal (C) no. 19166 of 2017 has directed M/s Sunder Marketing Associates for implementation of Mine closure plan on or before 30.11.2017. A meeting to review the action taken for compliance of order dated 11.8.2017 of the Hon'ble Supreme Court of India in special leave to appeal no. 19166 of 2017, was held under the Chairmanship of Chief Secretary, Haryana with the officers of the various departments of State of Haryana on 1.12.2017, wherein, it was pointed out that as per the decision taken in the earlier meeting, the advice of the Advocate General, Haryana was obtained on 17.10.2017. On the basis of the same, initially it was decided to file an IA and bring the factual position to the notice of the Hon'ble Apex Court. However, due to fresh court matter relating to compensation to the private land owner, the matter is under consideration of the Hon'ble High Court and related facts have been placed before the Hon'ble High Court in CWP no. 26094 of 2017 and action as per order in this writ will be taken (copy of the advice given by Advocate General, Haryana dated 17.10.2017 and minutes of the meeting held on 1.12.2017 under the Chairmanship of Chief Secretary, Haryana is annexed as per **Annexures- 18 and 19)**

The Joint Committee has also perused the record of Department of Mines & Geology and it has been observed that in the legal opinion given by Additional Advocate General, Haryana dated 17.10.2017, with regard to implementation of Mining Closure Plan, it has been mentioned at page no. 34 that the Department of Mines & Geology has observed that Mining Closure Plan are made and implemented for mining areas where entire mineral deposits are extracted and area cannot be used for further mining. The directions of the Hon'ble Supreme Court in para no. 33 (i) is that the petitioner shall ensure the implementation of mining closure plan to the satisfaction of the concerned authorities on or before 30.11.2017. The predicament of the department is as to how the said directions cannot be complied with when no mine closure plan can be prepared at this stage.

However, the said matter was concluded by Department of Mines & Geology stating that initially it was decided to file an IA and bring the factual position to the notice of the Hon'ble Apex Court. However, due to fresh court matter relating to compensation to the private land owner, the matter is under consideration of the Hon'ble High Court and

related facts have been placed before the Hon'ble High Court in CWP no. 26094 of 2017 and action as per order in this writ will be taken.

Therefore, the Joint Committee concludes that the Department of Mines & Geology may finalize the issue in light of the directions of the Hon'ble Supreme Court of India in order dated 11.8.2017, order dated 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors and pending fresh court matter in CWP no. 26094 of 2017 before the Hon'ble Punjab & Haryana High Court relating to compensation to private land owners.

4.6 Non implementation of mining plan by M/s Sunder Marketing Associates and M/s Govardhan Mines & Minerals

As per the mining plan including progressive mine closure Plan of Dadam Stone mines, District Bhiwani, **submitted by M/s KJSL- Sunder (JV), which was later on taken over by M/s Sunder Marketing Associates,** it has been mentioned that a 7.5 m wide barrier shall be left along the boundary of lease area. This barrier will be developed into a green belt by planting trees of suitable verities and keeping the surface green by planting grass and bushes.

Similarly, as per the mining plan including progressive mining closure plan of Dadam stone mine, Bhiwani submitted by **M/s Govardhan Mines & Minerals,** it has been mentioned that the plantation shall be done in the statuary barrier of 7.5 m within the lease area and at the conceptual stage and rest of the plantation will be done in the piece of land purchased outside the lease area.

In the meetings of the sub committee held on 11.2.2022 and 21.2.2022, the Department of Mines and Geology, Bhiwani was directed as under:

i) Mining Officer, Department of Mining and Geology shall submit the report regarding implementation of the mining closure plan, report regarding leaving 7.5 metres wide barrier along the boundary of the lease area which was to further developed into green belt by planting trees of suitable varieties and keeping the area green by planting grass and bushes by the Sunder Marketing Associates.

ii) The Mining Officer, department of Mines and Geology has also not submitted the report regarding implementation of the progressive mining closure plan, providing benches of 10mx10m, providing green belt of 7.5m width at the periphery of Dadam mining area and steps taken to maintain 33% of the total area i.e. 16.1271 hectares to be covered under plantation along the lease period by M/s Govardhan Mines & Minerals. The said documents may be submitted by 17.2.2022.

The Department of Mines & Geology, Bhiwani vide letter no. BWN/DADAM/248 dated 4.3.2022 (**Annexure-17**) has submitted the reply as under:

"The present project proponent i.e. M/s Govardhan Mines and Minerals has left 7.5 m wide barrier along the boundary pillar no. 3 to 9 and 20 to 25 of the mining lease area of Dadam stone mine, which is using for green belt for planting trees of suitable varieties and keeping

the surface green. However, no 7.5 m wide barrier along boundary pillar nos. 1 and 2, 10 to 19 and 26 to 32 of mining lease area of Dadam stone mine has been left for development of green belt by both the project proponents i.e. M/s Sunder Marketing Associates, who has conducted mining in Dadam stone mining area from 29.10.2015 to 30.11.2017 and M/s Govardhan Mines and Minerals from 25.2.2019 to date. However, M/s Govardhan Mines and Minerals has planted 15000 plants in about 15.5 acres (6.2 Hectare)".

In the meeting of the Joint Committee held on 14.3.2021, it was informed by Mining officer, Department of Mines and Geology that survey of area has been started and it shall be completed on 17.3.2022 and the same shall be submitted on 18.3.2022. The Joint Committee noted the commitment made by Department of Mines and Geology.

The Department of Mines & Geology, Bhiwani has informed vide letter no. BWN/DADAM/319 dated 17.3.2022 **(Annexure-20)** that the survey of Dadam mining area was conducted to measure 7.5 m barrier along the mining lease boundary line of Dadam stone mine, the details of the broken/encroachment area in 7.5m barrier has been mentioned as per Table-3 given below:

Table-3: Survey of Dadam mining area to measure plantation made or illegal mining done in 7.5m barrier along the periphery of mining area to be left for plantation as per mining plan.

Sr. No.	Location between boundary pillars (BP-BP)	Total area of 7.5m barrier area between pillars (in hect.)	Broken/encroachment area between pillars in 7.5 m barrier (in hect.)	Balance are left between pillars 7.5 m barrier (in hect.)	Plantation done between pillars (in hect.)	Tentative quantity of mineral extracted in 7.5 m barrier area (in M.T.)
1	BP1 to BP2	0.28	0.10	0.18	-	26,250
2	BP2 to BP15	1.17	-	1.17	1.17	-
3	BP15 to BP17	0.13	0.03	0.10	-	3750
4	BP17 to BP19	0.14	-	0.14	-	-
5	BP19 to BP20	0.07	0.024	0.05	-	2400
6	BP20 to BP28	0.61	-	0.61	0.61	-
7	BP28 to BP29	0.17	0.024	0.14	-	6000
8	BP29 to BP30	0.11	-	0.11	-	-
9	BP30 to BP31	0.15	0.02	0.13	-	2730
10	BP31 to BP32	0.15	0.01	0.14	-	2100
11	BP32 to BP1	0.08	0.06	0.02	-	6000
12	A-B	0.21	0.03	0.18	-	3125
13	B-C	0.09	0.02	0.07	-	3937
14	C-1	0.55	0.05	0.50	-	7875
	Total	3.91	0.37	3.54	1.78	64,167

The data mentioned in the above Table-3 given above, indicate that total area of 7.5 m barrier to be maintained along the mining lease boundary is 3.91 hectares, out of which

encroachment area (illegal mining area) in 7.5 m barrier is 0.37 hectares and the quantity of illegal mined material in 7.5 m barrier area has been assessed as 64,167 M.T. Plantation has been done in 1.78 hectares of area (plantation done between pillars 2 to 15 and 20 to 28) against the total plantation to be done in 7.5 m barrier in an area of 3.91 hectares.

Further, as per EIA report submitted by M/s Govardhan Mines & Minerals, it has been mentioned that mineable reserves have been estimated by excluding the total volume of Quartzite (stone), the reserves blocked under 7.5 m statutory barriers, which indicates that safety zone was not mined at the time of conducting EIA report in the year 2019 and there is commitment to make plantation in the safety zone of 7.5 m, which further indicates that safety zone was available at that point of time. In the EIA report, nowhere has been mentioned that the plantation was made by the previous mining lease holder.

In view of the above, the Joint Committee has made conclusion in the matter as under:

Both the project proponents i.e. M/s Sunder Marketing Associates and M/s Govardhan Mines and Minerals, are responsible for not leaving 7.5 m barrier all along the boundary of the mining lease area and has maintained plantation in an area of 1.78 hectares against the requirement of 3.91 hectares and illegal mining has been done in 0.37 hectares and the quantity of illegal mined material was quantified as 64,167 MT. Therefore, both the project proponents have violated the provisions of the mining plan submitted by them.

4.7 Closing of deep mining pits as per order dated 5.8.2020 of Department of Mining.

In the meetings of the sub-committee held on 11.2.2022 and 21.2.2022, the Department of Mines & Geology was directed as under:

The Mining Department shall submit the report regarding closing of deep mining pit as per letter dated 5.8.2020 of the department, as mentioned in para No. 7 of order dated 18.1.2022 of Hon'ble National Green Tribunal. It was desired that report on the said issues may be submitted by 8.3.2022.

It was further requested that the Mining Department shall submit the response of Department on the reply of show cause notice submitted by M/s Govardhan Mines & Minerals vide its letter dated 16.11.2022 and action taken regarding closing of deep mining pit as per letter dated 5.8.2020 of the Department, as mentioned in para no. 7 of order dated 18.1.2022 of Hon'ble National Green Tribunal. The matter may be taken up with Sh. P.K Sharma, State Mining Engineer, Department of Mines & Geology, Panchkula.

The matter was discussed with Sh. P.K. Sharma, State Mining Engineer, Department of Mines & Geology telephonically on 14.3.2022 and again on 19.3.2022 and the Director,

Department of Mines & Geology has also been requested through e-mail dated 19.3.2022 to submit the report in the matter on 21.3.2022.

Now, the Director General, Department of Mines & Geology, Haryana vide letter no. DMG/HY/Comp/Rakesh Dalal/Dadam/2073 dated 22.3.2022 **(Annexure-21)** has submitted the action taken by the department of Mining on the reply of show cause notice submitted by M/s Govardhan Mines & Minerals letter dated 16.11.2020, wherein, it has been mentioned as under:

i. An inspection team of the department on 12.2.2020 has observed that the depth of old pit in the southern side of lease area was about 109 m and in the bottom, no working was found/noticed. The said part/side was not having any bench formation. The team noted that the said part of the lease area/pit was being used for transportation of mineral using existing road network of this pit.

ii. Team found partial benches in operation lease hold area of Dadam mine, depth of other pit no. 8, 11, and 12 on northern western side of lease area was found to be 30 m from surface level.

iii. The team noted that as per the mining plan, plantation was not found satisfactory and survival rate was reported to be very low.

iv. The team found boundary pillar as per the lease map but suggested the same to be surveyed to fix boundary pillars using total survey station.

v. A show cause notice dated 26.6.2020 was issued to them directing them to explain their position on above.

vi. AME, Bhiwani having noted that between pillar no. 13 to 19 of the lease holder area, where the depth was already about 300 feet directed them to stop any further mining in apprehension that water table may be touched and also to fence the area. He also informed that there were benched in the past but the same were demolished vide letter dated 5.8.2020 directing to stop mining operation.

vii. M/s Govardhan Mines & Minerals in response to said notice dated 26.6.2020 vide their letter dated 16.11.2020 stated that the pit whose depth is stated to be 109 m , they are using the existing roads for transportation of minerals excavated from the mines. As per the lease holder, the position of said pit was same as was allotted to them in auction and at the time of inspection held in February, 2020, there operation were only 01 year old. With regard to partial benches on the other side, it was claimed that in mining operation, the formation and breaking of benches is regular process and the same is being ensured as per the regulating authority Director General, Mines Safety, Govt. of India for scientific mining and safety. Even about plantation they claimed that within 01 year they planted more than 10000 trees in the leased area as well as on the land purchased by the firm and a special team of workers have been deployed exclusively to look after the trees planted and they continuous planting the trees as per condition of Environmental Clearance.

In view of the above, it has been clarified that the issues raised under notice dated 26.6.2020 issued by department based on the inspection dated 12.2.2020 and letter dated 5.8.2020 of the then AME, Bhiwani and further report dated 3.11.2020 came

under legal scrutiny of the Hon'ble National Green Tribunal in OA no. 132 of 2020. The Hon'ble National Green Tribunal has disposed off OA no. 132 of 2020 vide order dated 2.6.2021.

It has been concluded by Department of Mines & Geology, Bhiwani that the issues raised in the show cause notice dated 26.6.2020 issued by the department and letter dated 5.8.2020 of the mining officer, Bhiwani were/are under examination so no further action could be taken as the matter could not have been concluded.

In view of the above, the Joint Committee concludes that the Department of Mines & Geology may finalize the action taken on the show cause notice issued to M/s Govardhan Mines & Minerals vide letter no. 718 dated 5.8.2020 and closing of deep mining pit.

4.8 Steps taken by M/s Govardhan Mines and Minerals to control dust omission generated during drilling and other mining operation.

In the meetings of the sub committee held on 11.2.2022 and 21.2.2022, Haryana State Pollution Control Board, Regional Office, Bhiwani was directed to submit the report regarding steps taken by M/s Govardhan Mines and Minerals to control dust omissions generated during drilling and other mining operations.

The Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani vide his office letter no. HSPCB/BHI/2022/2364 dated 23.2.2022 **(Annexure-22)** has reported that M/s Govardhan Mines and Minerals, Bhiwani has installed the dust suppression sources through HEMM and other equipments i.e. better drilling process at the time of drilling, 03 nos. foggers to control harmful fumes and dust, deployed the water tankers sprinklers on the haul roads to control dust due to dumpers activity and planted trees at the lease boundary for control of dust suppression.

In view of the above, the Joint Committee has observed that M/s Govardhan Mines & Minerals has taken steps to suppress dust emission, generated during drilling and other mining operations and Haryana State Pollution Control Board, Regional Office, Bhiwani may continue to inspect the Dadam mining area on quarterly basis to ensure that proper and effective steps are taken to suppress the dust generated during mining operation and other activities in the mining area.

5.0 Overall conclusions drawn by the Joint Committee

In totality of the facts and circumstances as discussed in the preceedings paragraphs of the report and taking into consideration the entire material consisting of record/ documents/ information/ data of the departments concerned, the Joint Committee has come to the conclusions as under.

5.1 Illegal mining in forest area(non minable area) in 300 m^2 area in Dadam mines hills, village Dadam.

- **The perusal of the documents/information/data available with the Department of Forest and Department of Mines & Geology indicates that M/s**

Govardhan Mines and Minerals has done illegal mining in forest area (non-mineable area) in 300 m^2 area between approach line (Pathways) AB and BC.

5.2 Illegal abstraction of groundwater in Dadam Mining area

During field investigation by the Ground Water Cell done on 3.11.2020, it was concluded that water table data of selected wells available in surrounding alluvial formation is from 9.41 m to 18.52 m, whereas, the depth of mining pit is approximately 109 m as measured by the officials of Mining Department. This shows that presently, the surrounding water level is having no inter connectivity with mining pits, as the water table has not been encountered up to the depth of 109 m and the water accumulated in mining pit is seepage from the cracks and fissures of the quartzite rock of Aravali system.

Based on the above data/information, the Joint Committee concludes the issue as under:

The water accumulated in mining pit having depth of 109 m is seepage from the cracks and fissures of the quartzite rock of Aravali system and no ground water abstraction in mining area has been made.

5.3 Unscientific mining in mining area by the project proponent

Based on the latest report submitted by Deputy Director, Mines Safety, Ghaziabad submitted to Haryana State Pollution Control Board, Bhiwani vide letter no. DDMS/GR/2022/162 dated 2.3.2022, the violations of regulation were observed under the Mining Act, 1952, which have been mentioned at pages 14-15 of the report.

Based on the said violations, the Joint Committee concludes that M/s Govardhan Mines & Minerals is carrying out unscientific mining in Dadam mining area and mining is not done as per mining plan.

5.4 Illegal mining in forest area (non mineable area) in 0.8 hectare area in Dadam mining hills in village Dadam, Tehsil Tosham.

Based on the documents, as submitted by Dept. of Mines & Geology and Dept of Forest, the sub committee had come to conclusion that illegal mining in an area of 0.8 hectares in Aravali plantation (Forest Area/ non minable area) has been done by M/s Govardhan Mines & Minerals as the said mining lease holder started mining operation in Dadam Stone mining area on 25.2.2019 and mining in the forest area (non minable area) was observed by the Mining Dept. during the visit of the Mining Inspector to the area on 10.9.2019.

But now, based on the satellite imageries and its analysis done by HARSAC Hisar, the Joint Committee concludes as under:

i) M/s Sunder Marketing Associates has done illegal mining in forest area (non-mineable area) in 1.241 hectares of area.

ii) M/s Govardhan Mines & Minerals has done illegal mining in forest area (non-mineable area) in 0.097 hectares of area.

iii) Illegal mining in an area of 0.195 hectares in forest area (non-mineable area) has been done in the non lease period by unknown persons.

iv) As per satellite imagery report of HARSAC, illegal mining in forest area (non-mineable area) has been done in total area of 1.533 hectares instead of 0.8 hectares, as mentioned in the complaint.

5.5 Illegal mining in Dadam mining area done upto depth of 109 m

As per the report of the Mining Department, mining upto depth of 300 ft was observed in mining area along boundary pillar no. 13 to 19 for which the department has issued show cause notice to M/s Govardhan Mines & Minerals vide no. 718 dated 5.8.2020.

Further, now based on the study conducted by HARSAC, Hisar, mining upto depth of 110 m with overburden and 93 m without overburden has been observed through SOI, DTM, 2017 and DGPS (Nov, 2021 to Feb, 2022) surveyed points. It is mentioned here that the depth upto 93 m was observed during the period November, 2020 whereas, M/s Govardhan Mines & Minerals started mining in mining lease area on 25.2.2019.

The data mentioned in Table-2A (page 21 of the present report) indicate that the net mineable depth after removal of overburden of 17 m from average depth value has been mentioned as 80 m, whereas, the derived elevation data during year 2021-22 mentioning the net mineable depth after removal of overburden of 17 m has been mentioned as 93 m, whereas, as per the report submitted by Department of Mining, the depth of mining pit has been mentioned as 109 m. Therefore, it is concluded that illegal mining has been done by the mining lease holder i.e. M/S Govardhan Mines & Minerals, which is 02 m (80 m – 78 m) as an average value and 15 m (93 m – 78 m) at one point.

It is further mentioned here that going beyond the permissible depth of 78 m even at one point, is unscientific and illegal mining, even if, the average depth of mining done is on the lower side. Further, as per EIA report submitted by M/s Govardhan Mines & Minerals, ultimate pit limit has been drawn up to 150 mRL and the maximum depth of the mining pit has been mentioned as 78 m.

The above facts indicate that mining excluding the overburden has been done by M/s Govardhan Mines & Minerals at an average depth of 80 m and depth of 93 m at one point against the permissible depth of 78 m. As such, the illegal mining even at single point upto depth of 93 m (without overburden) against the permissible depth of 78 m has been done by M/s Govardhan Mines & Minerals.

5.6 Abandoned/damaged Dadam distributary/ minor constructed in the Department of Irrigation.

Department of Irrigation and Water Resources (JUI) Water Supply Division, Bhiwani vide its letter no. 163-164 dated 8.3.2022 has assessed the volume of the material extracted from the portion of the Dadam distributary, where mining has been done and the volume of the material extracted from the mining lease area, falling within Dadam distributary. It has been mentioned that the volume of material extracted from the portion of Dadam distributary was assessed as 5,45,109.65 m^3 (14,44,540.57 MT) and

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the material extracted in the mining lease area, falling within the Dadam distributary, was assessed as 3,53,126.27 m^3 (9,18,128.30 MT).

The Joint Committee has further studied the high resolution satellite imageries for Dadam Stone mine and analysis report submitted by HARSAC, Hisar vide letter no. HARSAC/44M/2022/171-174 dated 17.3.2022 and the satellite imageries study done for abandoned/damaged Dadam Distributary/ minor and indicate that in the year 2017, no mining was observed in Dadam Distributary but it seems to be converted into pathway within khasra no. 29//7/2, 29//4/2, 18//24/2, 18//17/1, 18//14/2, and 18//17/1 at RD 21700-22200-22400-22800. The total length of pathway was observed as 55m. The mining is visible on private land (Khasra No 29//4/1, 18//17/2, 18//24/2) and there is damage of Dadam distributary in 55 m length due to development of pathway as visible on 2017 satellite imageries.

The documents submitted by Department of Irrigation, Jui Water Services, Bhiwani indicate that the illegal mining from Dadam distributary at village Dadam was done and the volume of material was assessed as 545109.65 m^3 and volume of material mined in khasra no. 132, falling in Dadam distributary, was assessed as 353216.27 m^3, whereas, material extracted from mining (illegal mining) in Dadam distributary till 2017 mentioned by HARSAC, Hisar through satellite imageries was found as 558593 ft^2 (15830 m^3)
The matter was discussed in detail in the meeting of Joint Committee held on 19.3.2022 and it was observed that there is variation in the data as analyzed by HARSAC, Hisar through satellite imagery study and survey conducted by Department of Irrigation, JUI Water Services, Bhiwani as per the report submitted by said department vide letter no. 846-47 dated 19.2.2022 and no. 163-64 dated 8.3.2022. Therefore, Dr. Sultan Singh, Principal Scientist, HARSAC, Gurugram was requested to submit a note clarifying the variation in data measured through satellite imageries as compared to the data measured by Department of Irrigation, Jui Water Services, Bhiwani w.r.t Dadam Distributary on 21.3.2022.

Dr. Sultan Singh, Principal Scientist, HARSAC, Gurugram vide its mail dated 23.3.2022 has submitted the clarification w.r.t variation in the data mentioned by Department of Irrigation, Jui Water Services, Bhiwani and the satellite imagery study report submitted by HARSAC, Hisar and has submitted as under:

i) It is observed that GPS point of RD-20500 is falling above the RD-21150, that seems irrelevant, but the fact is that the RD-20500 should fall below the RD21500. Similar shift pattern is visible in all the GPS points received from the irrigation department.

ii) Its seems that the survey done by the irrigation department is in private ownership or in Khasra no. 132 because the ownership of some khasra number (i.e., 18//14/1, 17/2, 24/1; 29//4/1, 18/3, 23/1; 36//2/1) that are falling under Dadam Distributory as per the RoR (i.e., Jamabandi and Sajra) is under private ownership which is marked as distributary/minor (Figure 23).

iii) The alignment created from the GPS points of RDs received from the Department of Irrigation, is shifted as compared to the alignment of Dadam Distributory Khasra RD of the RoR (Figure 23).

iv) This shows that the survey done was not as per the Record of Revenue (RoR) which is the only authentic source of land record deeply scrutinised by the Halka Patwari/ Kanungo.

v) The Estimates of volume excavated from the vicinity of distributary represents the year 2017 and the surface area of Khasra no. 29/4/2 estimated represented the year 2020 which is not comparable.

Thus, it is concluded that the survey done by the Department of Irrigation is not as per the RoR which is the only authenticated source of land record and thus, major error is there in the evaluation done by irrigation department. The outputs of the analysis done by the irrigation department is not applicable as these are not on the actual geo-location as per the RoR. Most of the excavation in the form of overburden extraction and pathway creation is visible on satellite images over the part of the private land.

Therefore, the Joint Committee has considered the satellite imagery study for Dadam distributary done by HARSAC, Hisar and concludes the issue as under:

- **In the year, 2017, no mining was observed in the distributary but it was converted into pathway and there was a damage of 55 m length along the Dadam Distributary due to development of path as visible on 2017 image and it has also been mentioned that 558593.91 ft^3 (15830 m^3) overburden is extracted from the distributary.**

5.7 Procurement of groundwater from private agency by M/s Govardhan Mines and Minerals for suppression of dust and plantation of trees in Dadam stone mining area.

Mining Officer, Department of Mines and Geology, Bhiwani vide his office letter No. BWN/DADAM/248 dated 4.3.2022 has submitted the details of each of the truck tankers and tractor tankers with registration number for the vehicle deployed by each agency (M/s Pal & Pal group, Shri Rajesh s/o Shri Tara Chand and Shri Rajat Sharma) and the agreement made by these agencies with mining lease holder.

It was pointed out that since the private agencies, who are supplying water to M/s Govardhan Mines & Minerals for suppression of dust and plantation from the tube well outside mining area, as such, these private agencies are required to obtain NOC from CGWA.

The Joint Committee concludes that the officer of Groundwater Cell, Bhiwani may look into the issue of NOC to be sought by the concerned agency in the matter at his own level.

5.8 Implementation of mining closure plan by the predecessor of the project proponent i.e. M/s Sunder Marketing Associates.

The record submitted by Department of Mines & Geology, Bhiwani indicate that the Hon'ble Supreme Court of India in order dated 11.8.2017 in special leave to appeal (C)

no. 19166 of 2017 has directed M/s Sunder Marketing Associates for implementation of Mine closure plan on or before 30.11.2017. A meeting to review the action taken for compliance of order dated 11.8.2017 of the Hon'ble Supreme Court of India in special leave to appeal no. 19166 of 2017 was held by the Chief Secretary, Haryana with the officers of the various departments of State of Haryana on 1.12.2017, wherein, it was pointed out that as per the decision taken in the earlier meeting, the advice of the Advocate general Haryana was obtained on 17.10.2017. On the basis of the same, initially it was decided to file an IA and bring the factual position to the notice of the Hon'ble Apex Court. However, due to fresh court matter relating to compensation to the private land owner, the matter is under consideration of the Hon'ble High Court and related facts have been placed before the Hon'ble High Court in CWP no. 26094 of 2017 and action as per order in this writ will be taken.

In view of the above, the Joint Committee concludes that the Department of Mines & Geology may finalize the issue in light of the directions of the Hon'ble Supreme Court of India in order dated 11.8.2017, order dated 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors and pending fresh court matter in CWP no. 26094 of 2017 before the Hon'ble Punjab & Haryana High Court relating to compensation to private land owners.

5.9 Closing of deep mining pit as per order dated 5.8.2020 of Department of Mines and Geology.

Director General, Department of Mines & Geology, Haryana vide letter no. DMG/HY/Comp/Rakesh Dalal/Dadam/2073 dated 22.3.2022 has submitted the action taken by the department of Mining on the reply of show cause notice submitted by M/s Govardhan Mines & Minerals letter dated 16.11.2020, wherein, it has been mentioned as under:

i. An inspection team of the department on 12.2.2020 has observed that the depth of old pit in the southern side of lease area was about 109 m and in the bottom, no working was found/noticed. The said part/side was not having any bench formation. The team noted that the said part of the lease area/pit was being used for transportation of mineral using existing road network of this pit.

ii. Team found partial benches in operation lease hold area of Dadam mine, depth of other pit no, 8, 11, and 12 on northern western side of lease area was found to be 30 m from surface level.

iii. The team noted that as per the mining plan, plantation was not found satisfactory and survival rate was reported to be very low.

iv. The team found boundary pillar as per the lease map but suggested the same to be surveyed to fix boundary pillars using total survey station.

v. A show cause notice dated 26.6.2020 was issued to them directing them to explain their position on above.

vi. AME, Bhiwani having noted that between pillar no. 13 to 19 of the lease holder area, where the depth was already about 300 feet directed them to stop any further

mining in apprehension that water table may be touched and also to fence the area. He also informed that there were benched in the past but the same were demolished vide letter dated 5.8.2020 directing to stop mining operation.

vii. M/s Govardhan Mines & Minerals in response to said notice dated 26.6.2020 vide their letter dated 16.11.2020 stated that the pit whose depth is stated to be 109 m , they are using the existing roads for transportation of minerals excavated from the mines. As per the lease holder, the position of said pit was same as was allotted to them in auction and at the time of inspection held in February, 2020, there operation were only 01 year old. With regard to partial benches on the other side, it was claimed that in mining operation, the formation and breaking of benches is regular process and the same is being ensured as per the regulating authority Director General, Mines Safety, Govt. of India for scientific mining and safety. Even about plantation they claimed that within 01 year they planted more than 10000 trees in the leased area as well as on the land purchased by the firm and a special team of workers have been deployed exclusively to look after the trees planted and they continuous planting the trees as per condition of Environmental Clearance.

In view of the above, it has been clarified that the issues raised under notice dated 26.6.2020 issued by department based on the inspection dated 12.2.2020 and letter dated 5.8.2020 of the then AME, Bhiwani and further report dated 3.11.2020 came under legal scrutiny of the Hon'ble National Green Tribunal in OA no. 132 of 2020. The Hon'ble National Green Tribunal has disposed off OA no. 132 of 2020 vide order dated 2.6.2021.

It has been concluded by Department of Mines & Geology, Bhiwani that the issues raised in the show cause notice dated 26.6.2020 issued by the department and letter dated 5.8.2020 of the mining officer, Bhiwani were/are under examination so no further action could be taken as the matter could not have been concluded.

In view of the above, the Joint Committee concludes that the Department of Mines & Geology may finalize the action taken on the show cause notice issued to M/s Govardhan Mines & Minerals vide letter no. 718 dated 5.8.2020 and closing of deep mining pit.

5.10 Steps taken by M/s Govardhan Mines and Minerals to control dust generated during drilling and other mining operations.

The Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani vide his office letter no. HSPCB/BHI/2022/2364 dated 23.2.2022 has reported that M/s Govardhan Mines and Minerals, Bhiwani has installed the dust suppression sources through HEMM and other equipments i.e. better drilling process at the time of drilling, 03 nos. foggers to control harmful fumes and dust, deployed the water tankers sprinklers on the haul roads to control dust due to dumpers activity and planted trees at the lease boundary for control of dust suppression.

In view of the above, the Joint Committee has observed that M/s Govardhan Mines & Minerals has taken steps to suppress dust emission, generated

during drilling and other mining operations and Haryana State Pollution Control Board, Regional Office, Bhiwani may continue to inspect the Dadam mining area on quarterly basis to ensure that proper and effective steps are taken to suppress the dust generated during mining operation and other activities in the mining area.

Dr. Narender Sharma,
Additional Director, CPCB

Dr. K.K Garg,
Scientist-C/Deputy Director,
MOEF

Dr. Babu Ram
Technical Expert,
Monitoring Committee

Dr. O.P.S. Khola,
ICAR-IISWC, Regional Station,
Chandigarh

RK Sapra,
Member, SEAC

Ms. Urvashi Gulati,
Former Chief Secretary of Haryana and now as member of the Monitoring Committee

Justice Pritam Pal
Former Judge, Punjab and Haryana High Court, Now as Chairman of Monitoring Committee

ANNEXURE-1

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OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal in OA No 916/2018 (earlier OA No 101 of 2014) OA No.606 of 2018

(Official Address: Tower No.5, 4th Floor, Forest Complex, Sector 68, SAS Nagar) Tel. No. 0172-2298091
Email: cecswm606@gmail.com

To

The Registrar,
Hon'ble National Green Tribunal,
Faridkot House, Copernicus Marg,
Near India Gate,
New Delhi- 110001

No.CMC/2021/ 39a
Dated: 13.10.2021

Subject: **Interim report of the eight members Joint Committee, constituted by Hon'ble National Green Tribunal, under the Chairmanship of Justice Pritam Pal, former Judge of Punjab and Haryana High Court and now as Chairman of the Monitoring Committee regarding verification of the facts with regard to illegal mining in forest- area and unscientific mining outside forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham District Bhiwani in compliance to order dated 20.07.2021 in OA No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & others.**

It is submitted that the Hon'ble National Green Tribunal vide its order dated 20.7.2021 in OA no. in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors has considered the action taken report submitted by Haryana State Pollution Control Board, Regional Office, Bhiwani vide no. 538 dated 16.7.2021 and directed in para no. 1, 3 and 12, which are mentioned as under:

Para1.

> **Grievance in this application is against illegal mining in forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham, District Bhiwani and also unscientific mining outside forest area in violation of EC conditions. It is stated that there are FIRs, complaints and letters pointing out such illegalities.**

Para 3.

> **Accordingly, the joint Committee has filed its report dated 16.07.2021 inter alia stating that another application on the same subject being OA No. 132/2020, Rakesh Dalal v. State of Haryana, has been dealt with by this Tribunal vide order dated 02.06.2021, therein, 2nd report was similar to the report now furnished that damage was found but the present project proponent (PP) was not responsible but it was the predecessor of this PP who had caused the damage. The report now filed states that inspection was first conducted by the Committee on 06.10.2020 finding violations by the PP.**

Based thereon, show cause notice dated 08.10.2020 was issued by the State PCB under Section 5 of the Environment (Protection) Act, 1986 and after considering the reply, the Regional Officer, State PCB recommended closure on 06.11.2020. However, the scenario underwent change after the meeting convened by the Deputy Commissioner, Bhiwani on 01.12.2020. Therein differing stands were presented by the mining, forest and ground water departments at variance with the findings in the site inspection report of the joint Committee. Such differing stands were noted by the Deputy Commissioner, Bhiwani, who directed the stakeholder Departments to examine the presentation of the project proponent for sending a report to the Chairman, State PCB. Accordingly, the Forest Department vide report dated 21.12.2020 and the Mining Department vide report dated 31.12.2020 sent their observations to the Deputy Commissioner, contrary to the findings in the site inspection report dated 6.10.2020. Based on later reports, the present report has been filed to the effect that no illegal mining has been done by the present PP. Illegal mining had been done by the predecessor of the project proponent.

Para 12.

Accordingly, while issuing notice to the PP - M/s. Govardhan Mines and Minerals, Hisar, we direct further inspection by eight-member joint Committee to be headed by Justice Pritam Pal*, former Judge of Punjab and Haryana High Court and comprising Ms. Urvashi Gulati,* 1former Chief Secretary, Haryana, Regional Officer, MoEF&CC, Chandigarh, nominees of CPCB, Indian Institute of Soil and Water Conservation, Research Centre, Chandigarh, Haryana State PCB, SEIAA Haryana and District Magistrate, Bhiwani. The CPCB and State PCB will act as nodal agency for coordination and compliance. The first meeting of the Committee may be convened within two weeks. The Committee may peruse the record, undertake visit to the site (by such of the members as may be decided by the Chairman) and conduct other proceedings online. The Committee may interact with the stakeholders and take assistance from any other individual/institution. The Committee may also study the satellite imagery maps, in coordination with the concerned authorities. The report of the Committee may be furnished within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF with a copy to the Chief Secretary, Haryana for remedial action in the light of the said report following due process of law.

In compliance to order dated 20.7.2021 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors as mentioned in para no. 12 of the said order, eight member joint committee held its 1st meeting on 3.8.2021 through Video conferencing, wherein subcommittee was constituted to visit the stone mining site at Dadam Hill, Tehsil Tosham, District Bhiwani. The subcommittee held its 1st meeting on 16.8.2021 and

thereafter, Dadam mining site, village Dadam, Tehsil Tosham, District Bhiwani was visited by the subcommittee on 20.8.2021. The subcommittee held its 2nd meeting on 4.9.2021. Also, the eight member joint committee held its 2nd meeting on 17.9.2021 and visited the Dadam mining site on 1.10.2021.

Therefore, based on the data, record, reports of various departments viz., Department of Mining and Geology, Department of forest, Jal Water Services and Department of Ground Water Cell, District Bhiwani, detailed discussions held with the officers of concerned departments on 16.8.2021, 4.9.2021, 17.9.2021 by the subcommittee and Joint Committee and field inspection carried out by the subcommittee on 20.8.2021 and Joint Committee on 1.10.2021, eight member joint committee has prepared its an interim report, which is enclosed herewith and is sent through email at judicial-ngt@gov.in for kind consideration of Hon'ble National Green Tribunal.

It is further submitted that the above said report is also being sent through email at *judicial-ngt@gov.in*.

DA/As above

Justice Pritam Pal
Former Judge,
Punjab & Haryana High Court and
now as Chairman of the
Monitoring Committee

Endst. No. CEC/2021/371 Dated: 13.10.2021

A copy of the above is forwarded to the Chief Secretary, Haryana for information and necessary action please.

DA/-as above

Justice Pritam Pal
Former Judge,
Punjab & Haryana High Court and
now as Chairman of the
Monitoring Committee

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Interim report

of the eight member Joint Committee,

constituted by

Hon'ble National Green Tribunal,

under the Chairmanship of Justice Pritam Pal, former Judge of Punjab and Haryana High Court and now as Chairman of the Monitoring Committee

regarding verification of the facts with regard to illegal mining in forest- area and unscientific mining outside forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham District Bhiwani

in compliance to order dated 20.07.2021

in OA No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & others.

13th October, 2021

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Interim report of the eight member Joint Committee, constituted by Hon'ble National Green Tribunal, under the Chairmanship of Justice Pritam Pal, former Judge of Punjab and Haryana High Court and now as Chairman of the Monitoring Committee regarding verification of the facts with regard to illegal mining in forest area and unscientific mining outside forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham District Bhiwani in compliance to order dated 20.07.2021 in OA No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & others.

1.0 Background

Mining area of 55.50 hectares of village Dadam, Tehsil Tosham, District Bhiwani was earlier allotted by the Mining and Geology Department, State of Haryana vide letter No. 161 dated 03.01.2014 to M/s KJSL Sunder (JV) and the Environmental Clearance (EC) was granted by MoEF & CC vide letter dated 3.7.2015 for an area of 55.50 Hectares to the said firm. Further, mining lease was transferred from KJSL Sunder (JV) to M/s Sunder Marketing Associate by Mining & Geology Department, State of Haryana vide letter No. 3864 dated 17.6.2015. Consent to Establish (CTE) under the provisions of Water Act, 1974 and Air Act, 1981 was granted by Haryana State Pollution Control Board (HSPCB) to M/s Sunder Marketing Associate vide letter No. 28119158HICTE2179882 dated 24.7.2015 and consent to operate (CTO) under the provisions of Water Act, 1974 and Air Act, 1981 was granted to the said firm vide letter No. 313100417 BHI CTO 4578505 & dated 28.11.2017 for the period 01.10.2017 to 30.11.2017.

M/S Sunder Marketing Associates filed a petition before the Hon'ble Supreme Court of India as special leave to appeal (C) No.19156 of 2017 with an appeal to the Hon'ble Apex Court for allowing it to surrender the mining lease at Dadam mine site granted to it. The Hon'ble Supreme Court of India vide order dated 11.8.2017 permitted the petitioner to continue its mining operation till 30.11.2017 and on and before that date, it shall ensure the implementation of mine closure plan to the satisfaction of the concerned authorities in the State of Haryana including clearing of all the dues. Accordingly, the mining activity by M/s Sunder Marketing project had been closed on 1.12.2017 in compliance of order dated 11.8.2017 of the Hon'ble Supreme Court of India.

The Hon'ble Punjab & Haryana High Court vide order dated 4.12.2018 permitted M/s Govardhan Mines and Minerals, 51, Urban Estate-II, Hisar for mining on the same environmental clearance (EC) previously granted to M/s KJSL- Sunder (JV)/ M/s Sunder Marketing Associate subject to final appraisal by the State Environment Impact Assessment Authority (SEIAA) in this regard. Thereafter, in compliance of Hon'ble Punjab and Haryana High Court order dated 4.12.2018, the Director General, Mines & Geology Department, Haryana vide their letter No. 6009 dated 21.12.2018 allowed the said firm (Govardhan Mines and Minerals) to operate mining activity at Dadam mining site having an area of 48.87 hectares falling in khasra No. 132 on the basis of environmental clearance already granted to M/s KJSL Sunder (JV) by MoEF & CC vide letter dated 3.7.2015.

The consent to establish and consent to operate under the provisions of the Water Act, 1974 and Air Act, 1981 was granted to M/s Govardhan Mines & Minerals by HSPCB vide letter No. 313100419BHICTE6267995 dated 10.2.2019 and letter No. 313100419BHICTO6356744 dated 25.2.2019. M/s Govardhan Mines & Minerals started mining operation at Dadam mine hill,

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Dadam, Tehsil Tosham on 25.2.2019. The SEIAA, Haryana was constituted by MoEF&CC on 30.1.2019. The public hearing for the said mining project was held on 28.7.2020 and Environment Clearance was granted to the said project by SEIAA vide letter No. 638 dated 21.12.2020.

2.0 Filing application by Sh. Kuldeep Singh, village Dadam, Tehsil Tosham before the Hon'ble National Green Tribunal and taking into record by Hon'ble Tribunal in terms of OA No. 169 of 2020

The application, regarding illegal mining in forest area, unscientific mining in minable area, deep mining done in mining area and withdrawal of ground water in mining area without permission by M/S M/s Govardhan Mines & Minerals, was submitted by Sh. Kuldeep Singh before the Hon'ble National Green Tribunal and the same was taken into record in terms of OA No. 169 of 2020 and the issue was considered by the Hon'ble Tribunal on 20.8.2020 and observed as under,

"The Grievance in this application is against alleged illegal mining in forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham, District Bhiwani. The applicant has relied upon FIR, complaints and letters in support of the allegation. Before considering the matter, we find it necessary to require a factual and action taken report from a joint committee comprising the State PCB, Divisional Forest Officer, Bhiwani and the Additional District Magistrate, Bhiwani within two months by e-mail at judicialngt@gov.in preferable in the form of searchable PDF/OCR support PDF and not in the form of image PDF.

2.1 Compliance of order dated 20.8.2020 of Hon'ble National Green Tribunal

In compliance to order dated 20.8.2020, in OA No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & others, a Joint Committee was constituted by DM, Bhiwani. The Committee was headed by Additional Deputy Commissioner, Bhiwani as representative of District Magistrate, Bhiwani including Mining Officer, Bhiwani, Associate Geologist, Ground Water Cell, Bhiwani, Addl. District Forest Officer, Bhiwani, Regional Office HSPCB, Bhiwani and SDO, Nigana Water Service Sub Div., Bhiwani. The Committee members visited the site of mining project on 6.10.2020 and made the following observations.

i) **Ways in the forest area created illegally without having any valid permission. The mining equipment's/machines were found standing in the non-minable area.**
The 'Dadam hills minor' is a projected forest area under IFA, 1927 and same was found illegally mined.

ii) **The mining is done at the site about 200 feet depth, but actual depth of the mining pits will be assured by the inspection of the mining surveyor from Mining Department, Head Officer, Panchkula.**

iii) **The concerned Mining Officer stated that an approved mining plan as well as a progressive closure plan of same are already submitted by the said mining project proponent. The mining project is still in progress and closure plan will be implemented after closure of the mining.**

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iv) In the progressive closure plan, the depth is shown to be up to 42 meters.

v) During the inspection, the concerned Mining Officer stated that the said mining project has given following dimensions of mining pit as per approved mining plan:

(i) Length: 526 meter (ii) Width : 528 meter (iii) Depth: 78 meter (from the ground level). But no record provided at the site during inspection in this regard.

vi) The mining is not done in scientific manner.

vii) The concerned Assistant Geologist, Ground Water Cell reported that no bore well found in the lease mining area. The project is meeting water requirement for plantation, dust suppression & domestic purpose etc. through tankers from outside the mining area and also using the water stored within mining pits and water stored in pits cannot be identified at spot whether it is ground water or rain water and same will be identified within 7 days as assured by the concerned Assistant Geologist, Ground Water Cell.

Due to above non compliances, a show cause notice for the closure under section 5 of EP Act, 1986 was issued by Haryana State Pollution Control Board, Bhiwani to the said unit i.e M/s Govardhan mines & Mineral, village Dadam, Bhiwani vide letter no. 2633 dated 8.10.2020. The said project poponent submitted reply of show cause notice vide letter dated 22.10.2020.

The Regional Officer, Haryana State Pollution Control Board, Bhiwani vide letter no. 5235 dated 6.11.2020 recommended the closure action against the said firm under section 5 of Environment (Protection) Act, 1986 to the Chairman, Haryana State Pollution Control Board, Panchkula.

M/s Govardhan mines & Mineral made representation to the Chairman, Haryana State Pollution Control Board, Panchkula. Accordingly, the Regional Office, Haryana State Pollution Control Board, Bhiwani was asked to get the representation of M/s Govardhan mines & Mineral examined from all the departments who inspected the site and submit comprehensive report.

Mining Department, Forest Department and Assistant Geologist, Ground Water Cell examined the issues concerning to them thoroughly and submit their reports. These reports were considered in meeting dated 1.12.2020 convened by the Deputy Commissioner, Bhiwani with all concerned departments and in the said meeting, the reports submitted by the concerned departments are mentioned as under:

2.1.1 Mining Department

Joint Committee consisting of Sr. Geologist Head Office Panchkula, Mining Officer Bhiwani, Sr. Surveyor and officials of HARSAC inspected the area on date 3.11.2020. The detailed survey of the mine area was carried out with the help of DGPS instrument in the presence of concerned revenue officials i.e Hatka Girdaver and Patwari. The detailed survey was carried out with the help of DGPS for confirming the boundary coordinates of the mining lease area. The committee observed as under:

1. Boundary pillars around the mining lease area were found in order with GPS coordinate. Total 32 numbers of pillars were found to be established as per approved mining plan.
2. The maximum depth of the mining pits was found to be 109 meters from surface level at the time of inspection.
3. Some seepage water was seen in this pit during the inspection.
4. Systematic and scientific mining is regulated by the office of Director Mines Safety Ghaziabad and in case any violation is found in method of mining, they take the action accordingly and inform to the office of concerned Mining Officer, District Collector, Director General Mines and Geology, Haryana. But no such type of information is received from the Director Mines Safety Ghaziabad as reported by Mining Officer, Bhiwani.
5. Out of lease area in Khatauni No. 67//62min, Khasra no. 16//20/1 min, 21/1 min, 17//1 min, 9min, 10min, 12min, 13min, 14min, 16min, 17min, 18//6min, 7min, 14min haul road is being created and used by the contractor having approximate length 460 meters width 20 mtr and depth 0-15 mtr and DGPS reading of the haul road is N 28° 53' 12.46" E 75° 51' 24.053", N 28° 53' 14.350", E 75° 51' 28.133", N 28° 53' 10.851", E 75° 51' 34.937". But, no stone has been extracted from these Khasra numbers because the said area is consisting of ordinary clay/earth. Rest of the alleged area is found to be virgin area. It was also confirmed by the local revenue department too.
6. During the inspection, it was also found that no illegal mining was noticed in the forest area of Aravali plantation.

2.1.2 Forest Department

Additional Deputy Commissioner, Bhiwani submitted a letter bearing no, 1860 dated 17.11.2020 of DFO, Bhiwani. In the said letter, DFO has clarified that the illegal mining was done in Dadam hills area by M/s Sunder Marketing Associated. Illegal mining noticed on 22.12.20219, an FIR No. 587 dated 23.12.2019 was lodged at Police Station, Tosham against Sandeep etc. In the letter dated 17.11.2020 of DFO, Bhiwani, it has been stated that the said project proponent is now not using any Aravali plantation area for ways and not made any illegal mining and the same is also examined with the help of Google images obtained from HARSAC, Hisar. It appears that the illegal mining and illegal ways are created by previous project proponent and not by present mining project i.e. M/s Govardhan Mines & Minerals, Village Dadam, Bhiwani.

The Deputy Conservator of Forests, Bhiwani vide letter dated 21.12.2020 stated that illegal mining and illegal ways are created by previous project proponent M/s Sunder Marketing, Dadam and not by M/s Govardhan Mines & Minerals, Village Dadam, Bhiwani.

2.1.3 Asstt. Geologist, Ground Water Cell

According to report dated 3.11.2020 of Asstt. Geologist, Ground Water Cell, the water table data of selected wells available in surrounding alluvial formation is varying from 9.41 m to 18.52 m, whereas, the depth of mining pit is approx. 109 mtrs. as measured by the officials of mining department. This shows that presently, the surrounding water

level is having no interconnectivity with mining pits as the water table has not been encountered upto the depth of 109 m. So it is concluded that the water accumulated in mining pits is seepage from the cracks and fissures of the quartzite rock of Aravali system.

2.1.4 Department of Irrigation

The Executive Engineer, Jui Water Services, Bhiwani submitted a report dated 20.11.2020 stating that as per available records in the case of Omparkash & others V/s Raman & others in the Hon'ble Court of Sh. Sunil Kumar Dewan, ACJ (SD) Tosham, the Tehsildar, Tosham was appointed as Local Commissioner who had mentioned in his report dated 6.1.2016 that from RD 21100 to RD 22800 of Dadam distributary in a length of 1700 ft., the channel was damaged/ not existing for the last 10 years. It was further stated that the channel was mostly damaged by earlier mining operations.

2.1.5 Director, Mines Safety, Ghaziabad

The Deputy Commissioner, Bhiwani requested the Director, Mines Safety Ghaziabad to verify whether said project i.e. M/s Govardhan Mines and Minerals, Dadam Stone Mine is doing scientific mining or not. Subsequently, the Mining Officer, Bhiwani vide letter memo no. 1201 dated 18.12.2020 also requested the Director Mines Safety Ghaziabad to verify the facts. The Director Mines Safety Ghaziabad vide its letter dated 28.12.2020 submitted the observations and conclusions as under:

2.1.5.1 Observations

i) There were 25-30 number of pits dug within the lease hold area. The pit name was locally numbered for identification and convenience. The size of this pit was about 80-200m x 100m-200m.

ii) The size of pit no. 38 was about 80m x 60m x 18m. The height of benches were 5-9m and width was about 5-7m. A haul road leading to benches was provided. The Aravali forest land was located on the western part of excavation. Men and machinery were deployed by contractor. The size of pit no. 35 was about 60-65m(L)x40-45m(W)x8-9m(D). The height of bench was about 8-9m. Adjoining to this pit, forest land of Aravali was located on western side. The size of pit no. 31 was about 100-110m(L)x80-90m(W)x16-18m(D). The height of bench was about 8-10m. Adjoining to this pit, forest land of Aravali was located on southern side. Loading of stone was being carried on in these pits.

iii) The size of pits no. 22 was about 200m x 200m x 200m(D). The height of benches were about 9-10m. Drilling of holes were being carried on the bottom bench. The drill machine was provided with wet drilling arrangement. Management informed that the drill machine are provided with wet drilling arrangement. Some of the drill machines whose wet drilling mechanism was out of order were under repair.

iv) There were three portable fogger machines installed near the pit where loading operation was being carried out to settle the dust being generated during

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loading. It was informed that these foggers are moved to different pits where loading operations are carried on two to three dedicated tractor mounted water tanker was available for supplying water to these fogger machine.

v) Three water tankers with water spraying arrangement on the top (whirling type) were provided for wetting the haul roads and benches. Water spraying was being done on the haul roads and benches.

(vi) The danger zone was demarcated by means of red flag. The lease boundary was fenced by barbed wire. During inspection, it was observed that all staffs and work persons were found with safely gadgets like helmet and shoes.

(vii) An order under section 22(3) of the Mines (Development and Regulation) Act, 1952 was imposed in pit No. 12 vide directorate's letter No. 2169 dated 28.6.2019. No work was being carried out at in this pit. Men and machinery were not found deployed in this pit.

(viii) The records of attendance in form D were kept maintained. The employment register in Form B was kept maintained.

(ix) The deep hole drilling and blasting was carried out under the personnel supervision of assistant manager and foreman. The blasting time was reported between 1-4 PM. A signage of blasting time was displayed on board at several places. Transport of explosive in licensed van for blasting in the mine was done by the explosive supplier that was in agreement with owner of mine. The records of explosive used and return in RE 13 were being maintained by the explosive supplier and firing or shot were done by statutory persons appointed by the owner of mine.

(x) An efficient means of signaling by siren within the radius of 300 m from the place of firing was provided and in use.

(xi) High mast tower consisting of cluster of bulb was found installed in the haul roads around the quarry of the mines for lighting arrangements towards beyond day light hours.

(xii) There were crushers not belonging to owner of mine within the danger zone in North Eastern and North Western side. However, the crushers were located outside the danger zone from active working face. The fly rocks generated during the blasting was towards free face. It was informed by the management that in the adjoining fields, the leases were acquired by the lessee on rental basis. No signs of fly rocks were seen near the adjoining fields to the lease.

2.1.5.2 Conclusions

(i) It is to be noted that Mining lease for Dadam stone mines, Khasra No. 132, M/s Govardhan Mines & Minerals was granted by department of Mines & Geology, Government of Haryana. Consent to operate, consent to establish and environment clearance was granted by the State Authority.

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(ii) Inspection of Dadam mines, M/s Govardhan Mines & Minerals was carried out in accordance with Mines, Act, 1952.

(iii) Under constitution of India, safety welfare and health of workers employed in the mines is regulated by the Mines Act, 1952 and subordinate legislations framed under it. The Directorate a subordinate office under Ministry of Labour & Employment, Government of India and oversees the compliance of the provisions of the Mine Act, 1952 & the Rules under certain regulations for specific mining operations like deployment of heavy earth moving machinery & deep hole blasting.

(iv) Inspections are carried out in accordance with Mines Act, 1952 to oversee compliance.

(v) Scientific study is not carried out by the Directorate. However, Department of Mines & Geology may engage recognized scientific organization or institutions to carry out scientific study of the mine.

Action taken report based on report of Joint Committee dated 6.10.2020 and further reports submitted by the various departments in the meeting of Deputy Commissioner, Bhiwani in his meeting held on 1.12.2020 as mentioned above, was submitted by HSPCB, Regional Office, Bhiwani to the Hon'ble National Green Tribunal vide No. 538 dated 16.7.2021.

2.2 Consideration of report submitted by HSPCB vide No. 538 dated 16.7.2021 by the Hon'ble National Green Tribunal.

Action Taken Report submitted by HSPCB, Regional Office, Bhiwani vide No. 538 dated 16.7.2021 was considered by the Hon'ble National Green Tribunal vide its order dated 20.7.2021 in OA No. 169/2020 in the matter of Kuldeep Singh v/s State of Haryana and others, wherein, Hon'ble National Green Tribunal in Para nos. 1, 3, 10 and 12 has directed as under.

Para1.

Grievance in this application is against illegal mining in forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham, District Bhiwani and also unscientific mining outside forest area in violation of EC conditions. It is stated that there are FIRs, complaints and letters pointing out such illegalities.

Para 3.

Accordingly, the joint Committee has filed its report dated 16.07.2021 inter alia stating that another application on the same subject being OA No. 132/2020, Rakesh Dalal v. State of Haryana, has been dealt with by this Tribunal vide order dated 02.06.2021, therein, 2nd report was similar to the report now furnished that damage was found but the present project proponent (PP) was not responsible but it was the predecessor of this PP who had caused the damage. The report now filed states that inspection was first conducted by the Committee on 06.10.2020 finding violations by the PP. Based thereon, show cause notice dated 08.10.2020 was issued by the State PCB under Section 5 of the Environment (Protection) Act, 1986 and after considering the reply, the Regional Officer, State PCB recommended closure on 06.11.2020. However, the scenario underwent change after the meeting

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convened by the Deputy Commissioner, Bhiwani on 01.12.2020. Therein differing stands were presented by the mining, forest and ground water departments at variance with the findings in the site inspection report of the joint Committee. Such differing stands were noted by the Deputy Commissioner, Bhiwani, who directed the stakeholder Departments to examine the presentation of the project proponent for sending a report to the Chairman, State PCB. Accordingly, the Forest Department vide report dated 21.12.2020 and the Mining Department vide report dated 31.12.2020 sent their observations to the Deputy Commissioner, contrary to the findings in the site inspection report dated 6.10.2020. Based on later reports, the present report has been filed to the effect that no illegal mining has been done by the present PP. Illegal mining had been done by the predecessor of the project proponent.

Para no. 10

After referring to the above, it is pointed out on behalf of the applicant that the conclusion in the report that no illegal mining has been done by the PP is perverse for the following reasons: i. On inspection of the site on 06.01.2020 by a six-member Committee, encroachment of the protected forest area has been found. Further, mining has been found to have been done even beyond depth of 150 meters. Closure plan has not been given by the predecessor of the PP which was the responsibility of the Chief Secretary of the State. If mining closure plan has not been filed, the Chief Secretary of the State must explain or the successor i.e the PP must be held responsible in terms of the EC conditions and as required in terms of order of the Hon'ble Supreme Court in order dated 11.08.2017 in SLP (C) No. 19166/2017, M/s. Sunder Marketing Associates v. State of Haryana & Ors. inter alia directing:

> "33. Keeping in view the prayer made:
>
> (i) We permit the petitioner to continue its mining operations till 30th November, 2017 in accordance with the Mining Plan. On or before that date, it shall ensure implementation of the mining closure plan to the satisfaction of the concerned authorities in the State of Haryana.
>
> xxx.....xxx.....xxx.....
>
> (iv) All the laws applicable to the petitioner shall be strictly enforced by the State Government regardless of its apparent influence in high places. We make it clear that we will hold the Chief Secretary of the State of Haryana responsible for any lapse in this regard."

ii. ii. Mining was not being done in scientific manner. Ground water was being illegally extracted. Mining equipments were found in the non-mineable forest area. In IA No. 76/2021, which has been allowed by a

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separate order today, the applicant has inter alia filed 12 a copy of order of Mining Department dated 05.08.2020 directing the project proponent to close deep mining pits along the Eastern Boundary of the Mine, which also contradicts the report that the PP is not responsible for the violations. Further, report of the Assistant Geologist, Ground Water Cell, Bhiwani is to the effect that water table data of selected wells available on record in surrounding alluvial formation is from 9.41 mtrs to 18.52 mtrs., whereas the depth of mining pits is approx. 60 mtrs, as told by mining officer at the site. (iii) The report of the investigating officer in the FIR, exonerating the PP is unacceptable as equipments were seized on the spot in the mining area during the currency of the mining operations by the present project proponent.

Para 12.

Accordingly, while issuing notice to the PP - M/s. Govardhan Mines and Minerals, Hisar, we direct further inspection by eight-member joint Committee to be headed by Justice Pritam Pal*, former Judge of Punjab and Haryana High Court and comprising Ms. Urvashi Gulati,* 1former Chief Secretary, Haryana, Regional Officer, MoEF&CC, Chandigarh, nominees of CPCB, Indian Institute of Soil and Water Conservation, Research Centre, Chandigarh, Haryana State PCB, SEIAA Haryana and District Magistrate, Bhiwani. The CPCB and State PCB will act as nodal agency for coordination and compliance. The first meeting of the Committee may be convened within two weeks. The Committee may peruse the record, undertake visit to the site (by such of the members as may be decided by the Chairman) and conduct other proceedings online. The Committee may interact with the stakeholders and take assistance from any other individual/institution. The Committee may also study the satellite imagery maps, in coordination with the concerned authorities. The report of the Committee may be furnished within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF with a copy to the Chief Secretary, Haryana for remedial action in the light of the said report following due process of law.

A copy of the order dated 20.7.2021 of the Hon'ble National Green Tribunal is annexed as per **Annexure-A**

2.3 Compliance of order dated 20.7.2021 of Hon'ble National Green Tribunal as mentioned in para No.12 by the eight member committee.

The eight member Joint Committee under the Chairman of the Justice Pritam Pal, former Judge, Punjab and Haryana High Court and now as Chairman of the Monitoring Committee,, constituted by Hon'ble National Green Tribunal, perused the order dated 20.7.2021 of Hon'ble National Green Tribunal and decided to hold its first meeting on 3.8.2021 through VC.

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2.3.1 First meeting of the eight member Joint Committee on 3.8.2021 through VC

In compliance of order dated 20.7.2021 of the Hon'ble National Green Tribunal, as mentioned in Para No. 12, the eight member Joint Committee under the Chairmanship of the Justice Pritam Pal, former Judge, Punjab and Haryana High Court and now as Chairman of the Monitoring Committee, held its first meeting on 3.8.2021, wherein, the Chairman of the Joint Committee directed as under.

1. **Dr. Babu Ram, who has already been appointed as technical expert, Monitoring Committee by the Hon'ble National Green Tribunal, is taken as technical expert in eight members joint committee. He will also act as Member Secretary of the Joint Committee.**
2) **A sub-committee, consisting of following officers, is constituted to visit the stone mining site at Dadam Hill, Tosham, District Bhiwani on 20.08.2021.**
   i) **Sh. Bharat Bhushan, IAS, Chairman, SEIAA.**
   ii) **Senior Scientist, Indian Institute of Soil and Water Conservation, Research centre, Chandigarh.**
   iii) **Sh. K.K Garg, Scientist C/Deputy Director, MOEF.**
   iv) **Dr. Narender Sharma, Additional Director, CPCB.**
   v) **Dr. Babu Ram, former Member Secretary, PPCB.**
3) **The sub-committee may meet within 10 days at Chandigarh to identify all the issues involved in the case, the record in the case may be perused, satellite imagery maps may be studied and strategy to be adopted to resolve the issues in the matter may be chalked out.**
4) **During the site visit to be made to the stone mining site at Vill. Dadam Hill, Tosham, District Bhiwani on 20.08.2021, the stakeholders and other investigation officers who had jointly inspected the site on 06.10.2020, may also be asked to accompany the sub-Committee during site inspection. HSPCB, Regional Office, Bhiwani shall issue letter to the all the stakeholders to join the Sub-committee for site inspection on 20.08.2021.**
5) **After the receipt of the report of the sub-committee, eight members joint committee shall decide further course of action to be taken in the matter alongwith planning to visit the site in due course of time.**

The minutes of first meeting of eight member Joint Committee held under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court and now as Chairman of the Monitoring Committee on 3.8.2021 is Annexed as per **Annexure-B**

2.3.2 First meeting of subcommittee, constituted by the Chairman of the Joint Committee, held on 16.8.2021.

The subcommittee held its first meeting on 16.8.2021, wherein, it was mutually agreed upon to ask the following departments to submit the record/reports in the matter as under.

1. **Department of Forest**
   I. Demarcation of Aravalli forest area with coloured google earth images and GPS coordinates of the pillars.

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ii. Identification of two sites with coloured google earth images having an area of 0.8 hectares and 300 m^2 in the forest land, where illegal mining was observed.

iii. Investigation report w.r.t FIR no. 587 dated 23.12.2019.

iv. Status of action taken on the illegal mining done in above said areas.

v. Status of damage caused to the plantation area in Dadam distributary.

vi. Status of illegal mining, if any, done in the Dadam distributary covered under forest department.

2. Department of mining

i. GPS coordinates of the boundary pillars of old mining site, where the mining was done by the earlier project proponent namely M/S Sundar marketing Associate and existing mining site, where the present project proponent namely M/S Govardhan mines and Minerals is now doing the mining.

ii. GPS record with coloured google earth images showing the depth of 109 m at mining site.

3. JUI water services, irrigation department, Bhiwani.

i. Coloured photographs and google earth images of Dadam distributary in the years 2000 to 2007.

ii. Documents/reports alongwith coloured google earth images showing the damage caused to the Dadam distributary and year in which the damage was caused.

iii. The status of illegal mining done in the Dadam distributary.

iv. Action taken by the department of JUI water services against the violators.

v. Width of the Dadam distributary before and after its damaging.

4. State Environment Impact assessment Authority (SEIAA), Haryana

i. Copies of EIA reports of both the proponents based on which EC were granted.

ii. Copies of ECs granted to both the proponents (SEIAA).

5. Haryana State Pollution Control Board, Regional Office, Bhiwani

i. Action taken report filed in the Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana and Ors.

ii. Action taken report filed in the Hon'ble National Green Tribunal in OA no. 132 of 2020 in the matter of Rakesh Dalal Vs State of Haryana and Ors.

The said documents may be submitted before 20.8.2021.

A copy of minutes of the subcommittee held on 16.8.2021 is annexed as per **Annexure-C**

2.3.4 Visit of the subcommittee to the Dadam mining site, village Dadam, Tehsil Tosham on 20.8.2021.

The subcommittee decided to visit Dadam mining site, village Dadam, Tehsil Tosham on 20.8.2021 and accordingly, the mining site at village Dadam, Tehsil Tosham was visited on 20.8.2021. The report in brief is mentioned as under.

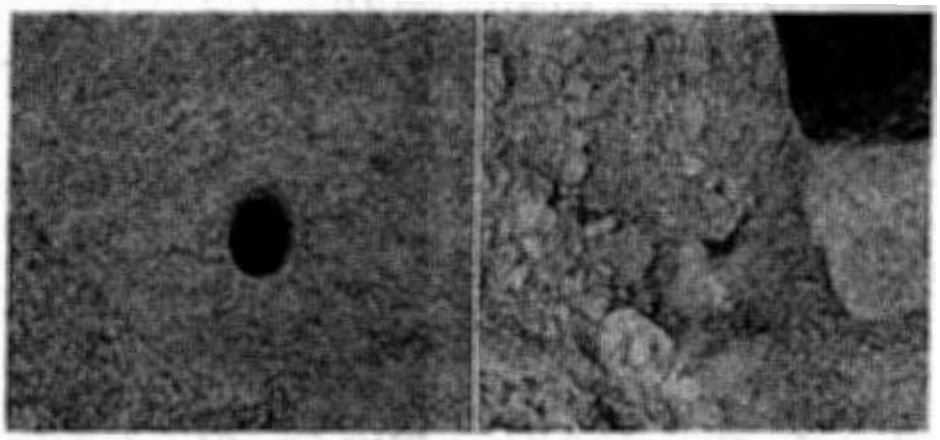
2.3.4.1 Pathway constructed in the forest area and illegal mining of 300 m^2 of area

The subcommittee visited the pathway, which has been constructed in the forest area with the permission of the department of forest, as informed by District Forest Officer, Bhiwani. The width of pathway as approved by Forest Department as 6m, whereas, the clearing of site, for construction of pathway, has been done beyond the width of 6m for which the present

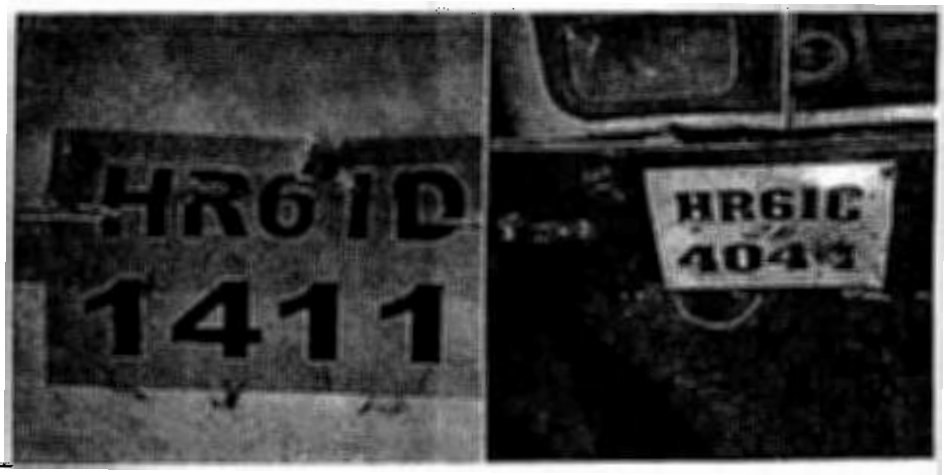
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proponent (M/S Govardhan Mines and Minerals) accepted their fault on the site. Moreover, deep drill holes were found constructed within and beyond 6m width of the path, which apprehends that the present project proponent namely M/s Govardhan Mines and Minerals had intention to conduct illegal mining in the forest area. However, due to catching of the persons on the spot for doing such illegal activity w.r.t mining, filing FIR against the persons and seizure of vehicles, found indulged in illegal mining, the work of mining in forest area was stopped and the pathway in forest area remained unconstructed at the site. However, illegal mining has been done in an area about 300m^2 as informed and the map shown by the department of forest.

The photographs showing the bore drill holes constructed in forest area within and beyond 6 m wide pathway are mentioned as per **plates 1 and 2.** Also, the photographs, taken by Department of Forest at the time of filing FIR and seizing of vehicles, were shown to the subcommittee, and the same are mentioned as **Plates 3 to 6.**



Plates 1 and 2: The photographs showing the bore drill holes constructed in forest area within and beyond 6 m wide pathway



Plates 3 and 4: **Vehicles used for carrying illegal mined material on the day of filing FIR against the person.**

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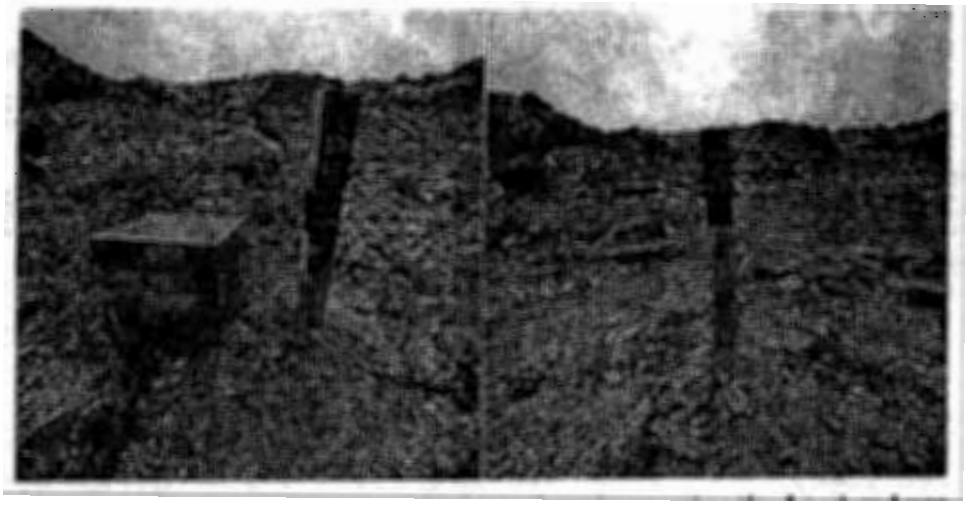
Plates 5: Drill machine used for making holes with an intention to conduct illegal mining.

Plate 6: Vehicle found standing with an intention to carry mined material.

2.3.4.2 Illegal mining having an estimated area of 0.8 hectares in the forest area.

The subcommittee has visited the area where illegal mining in forest area was found done in an area of about 0.8 hectares. The pillars installed at site indicating the forest area and non forest area were found intact. It was informed that the area of illegal mining in forest area was measured by using the Google earth images available during Feb, 2019. However, the sub committee was of the view that this area of illegal mining needs to be validated from HARSAC, Hisar.

The Photographs, showing the pillars demarcating the forest and non forest area, illegal mining done at site in an approximate area of 0.8 hectares, are mentioned as per **Plates 7 to 10.**



Plates 7 and 8: Photographs, showing the pillars demarcating the forest and non forest area, where illegal mining has been done in 0.8 hectares in forest area

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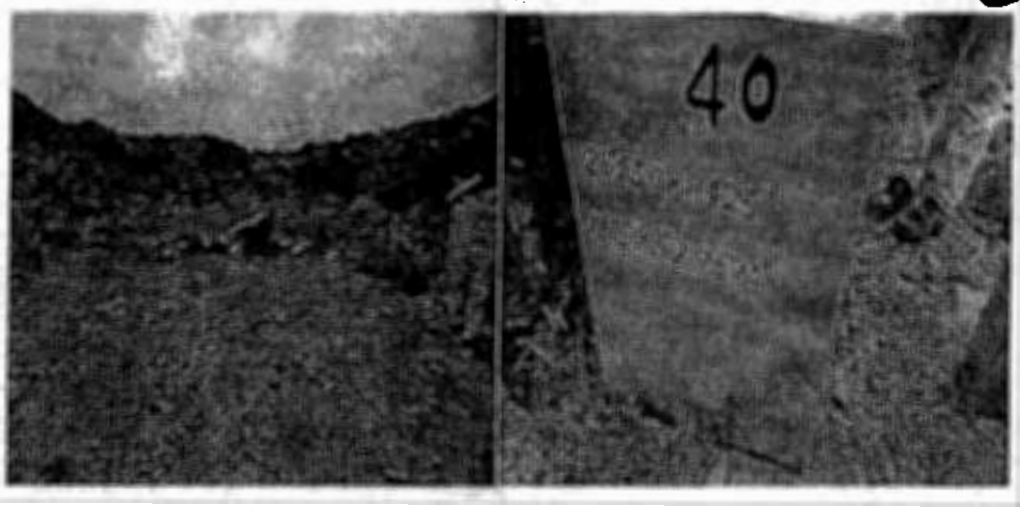


Plate 9: Photograph showing forest area where illegal mining in 0.8 hectares has been done

Plate 10: Photograph showing pillar demarcating forest and non-forest area

After visit to the area, the subcommittee decided as under:

(i) HARSAC, Hisar shall provide satellite images of the area where illegal mining has been done in forest area in 300 m^2 and 0.8 hectares for the year 2015 to June, 2021 and specific references of dates of mining leases of three project proponents, for which District Forest Officer, Bhiwani shall provide GPS coordinates of these areas to HARSAC, Hisar within 03 days. District Forest Officer, Bhiwani shall coordinate with the Director, HARSAC, Hisar for getting satellite images of the area for the said period.

(ii) District Forest Officer shall submit other documents to prove the illegal mining done in the area of about 300 m^2 and 0.8 hectare in the forest area.

(iii) Department of mining and Department of Forest shall provide all the documents mentioning illegal mining in non mining area during the period 2015 to 2019.

(iv) The department of forest shall submit copy of the permission granted to the project proponent (M/S Govardhan Mines and Minerals) for constructing pathway of 6m width within forest area.

(v) The department of forest shall submit the coloured photographs and Google earth images showing the area where illegal mining in forest area has been done in two stretches having an area of about 300 m^2 and 0.8 hectares.

(vi) The department of mining shall measure the dimensions of benches w.r.t their width and depth at various locations within 07 days and whether these have constructed as per the Mining plan approved by department of Mining.

(vii) Department of Police shall submit the copy of the FIR launched against the persons who were caught doing illegal mining in forest area and investigation report in the matter within 07 days.

2.3.4.3 Site at which mining has been done up to depth of 109m in mining area.

The subcommittee visited the mining site, where the mining has been done up to the depth of 109 m as earlier measured by department of Mines and Geology, Haryana. It

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was observed that the project proponent has been permitted to conduct mining up to 78m depth as per the mining plan submitted by it and approved by the department. However, the mining has been done up to the depth of 109 m, which is in violation of conditions of Environment Clearance and mining plan approved by the department.

The subcommittee also observed that water was found stagnated in the form of pond at the bottom of the mining site. The photographs, showing various features at site and water stagnating in the form of pond in deep mined area, where stone mining has been done up to the depth of 109 m, are mentioned as per Plates 11 and 12.



Plate 11: Photograph showing water stagnating in the form of pond in deep mined area, where mining has been done up to the depth of 109m



Plate 12: Photograph showing mining done in an area upto the depth of 109 m as measured by department of Mines and Geology, Haryana

The subcommittee has decided as under.

(i) The department of mining shall submit the reports of the verification of conditions of mining plan done during the 2015 to June, 2021.

(ii) Ministry of Environment and Forest, Regional Office, Chandigarh shall submit copy of the verification of reports of compliance of conditions of Environment Clearance granted to the project proponents during the year, 2015 to June, 2021, as submitted by the project proponents and verified by MOEF & CC.

(iii) HSPCB, Regional Office, Bhiwani shall submit the report of the compliance of conditions of consents granted to the project proponents during the year, 2015 to June, 2021, as submitted by the project proponents and verified by HSPCB.

(iv) The Central Groundwater Authority (CGWA) shall submit the data w.r.t water table in the region and whether the water table of the region can be intersected by mining up to 109 m as per the study conducted by department of Mines and Geology.

(v) HARSAC, Hisar shall provide satellite imagery of mining area where mining has been done up to the depth of 109 m for the year 2015 to June, 2021 and specific references of dates of mining leases of three project proponents, for which Department of Mining shall supply GPS coordinates of the area to HARSAC, Hisar within 03 days. District Forest Officer, Bhiwani shall coordinate with the Director, HARSAC, Hisar for getting satellite imageries of the area for the said period.

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2.3.4.4 Abandoned/damaged Dadam distributary/Minor constructed by department of Irrigation, Haryana.

The subcommittee visited the Dadam distributary/Minor, which has been constructed by the department of irrigation before the Year, 1980. During visit, the following observations were made by the sub committee.

(I) A Dadam distributary/Minor was constructed to supply the water for irrigation to the agriculture fields of the area. However, the farmers of nearby village, present at site, informed that the water was never seen in the distributary/Minor since its construction.

(ii) The distributary/Minor is in existence at some places, whereas, it has been either broken or has been eliminated at various locations.

(iii) The farmers claimed that mining lease holder has damaged the Dadam distributary/Minor and has constructed pathways for movement of vehicles.

(iv) At some places, overburden extracted from the roads constructed along the distributary/Minor, was found dumped at various places on the bank of distributary/Minor and distributary/Minor has come underneath the overburdened material.

The Photographs showing the Dadam distributary/Minor in existence, damaged and end of the distributary/ Minor are mentioned as per **Plates 13 to 16.**

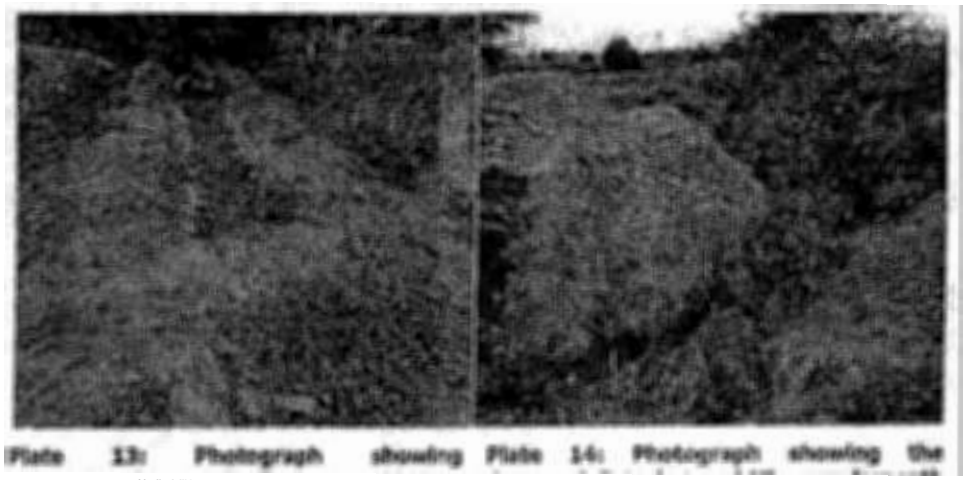


Plate 13: Photograph showing distributary/ Minor in existence

Plate 14: Photograph showing the damaged distrubutary/ Minor underneath the overburdened material

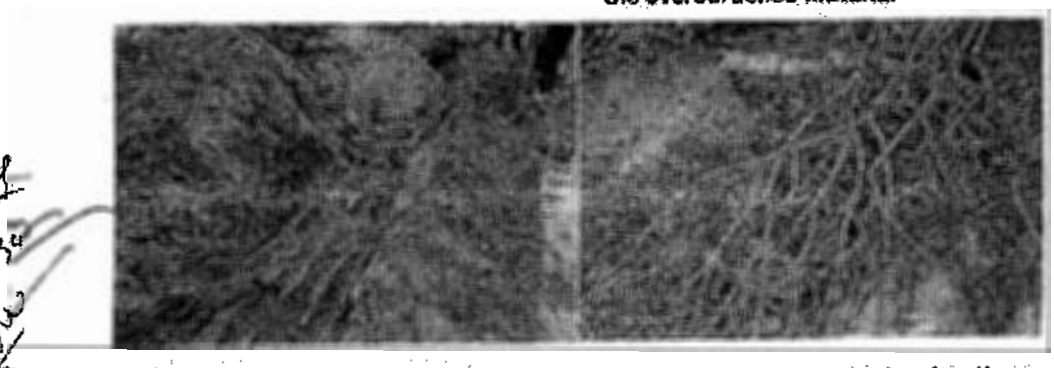


Plate 15: Photograph showing distributary/ Minor underneath overburdened material but cleared on the day of visit to show its existence to the committee.

Plate 16: Photograph showing the end of distributary/ Minor.

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After visit to the damaged distributor/Minor, the subcommittee decided to obtain the record w.r.t following points/issues from the concerned departments.

(i) The department of Irrigation shall provide data w.r.t Year of construction and commissioning of Dadam distributary/Minor, its total length and length passing near mining area, carrying capacity of water and the year of damaging the same.

(ii) The department of Revenue (Tehsildar of area) shall provide Khasra no. and ownership of the land adjoining to Dadam distributary/Minor and area, if any, captured by mining lease holder and year of capturing of the same.

(iii) The Department of Mining and Department of Irrigation shall submit the record regarding illegal mining done from Dadam distributary/Minor and its adjoining area.

(iv) HARSAC, Hisar shall provide satellite imageries of the Dadam distributory /Minor mentioning its status from the year, 2010 to June, 2021 and specific references of dates of mining leases of three project proponents, near the Mining project at village Dadam in Tosham Hills, Bhiwani, for which GPS coordinates shall be provided by the Department of Irrigation to HARSAC, Hisar within 03 days. District Forest Officer, Bhiwani shall coordinate with the Director, HARSAC, Hisar for getting satellite imageries of the area for the said period.

2.3.4.5 Interaction with applicants in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana and Ors and OA no. 132 of 2020 in the matter of Rakesh Dalal Vs State of Haryana and Ors and mining lease holder (M/s Govardhan Mines and Minerals) by the members of subcommittee in the presence of Deputy Commissioner, Bhiwani.

a) Interaction with applicants in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana and Ors and OA no. 132 of 2020 in the matter of Rakesh Dalal Vs State of Haryana and Ors.

The subcommittee in the presence of Deputy Commissioner, Bhiwani interacted with the applicants in OA No. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana and Ors and OA No. 132 of 2020 in the matter of Rakesh Dalal Vs State of Haryana and Ors, wherein, the applicant in OA No. 169 of 2020 informed that illegal mining has been done in the area by the present project proponent (M/S Govardhan Mines and Minerals) and illegal mining has also been done in his own land as well as private land of others. Therefore, the application before Hon'ble National Green Tribunal has been submitted by them.

The applicant in OA No. 132 of 2020 informed that illegal mining has been done by both the old and present project proponents. Besides, unscientific mining has been done in mining area, village Dadam. Therefore, they have submitted the application before Hon'ble National Green Tribunal.

After detailed deliberation, the subcommittee decided as under.

- **Both the applicants in OA No. 169 of 2020 and OA No. 132 of 2020 shall submit documents in support of their claim made before the subcommittee within 07 days in the Office of HSPCB, Regional Office, Bhiwani.**

b) Interaction of the subcommittee with the representatives of M/s Govardhan Mines and Minerals in the presence of Deputy Commissioner, Bhiwani.

The subcommittee also interacted with the representatives of M/s Govardhan Mines and Minerals in the presence of Deputy Commissioner, Bhiwani. It was claimed that illegal mining was done by the earlier project proponent. It was also informed by the proponent that M/s Govardhan Mines and Minerals has got conducted detailed study of the mining area before taking the said mining area on lease.

After detailed discussion, the subcommittee decided as under.

(i) M/S Govardhan Mines and Minerals shall submit all the documents in support their claim concerning to the matter in the office HSPCB, Regional Office, Bhiwani within 07 days.

(ii) All the concerned departments as mentioned above, applicants in OA no. 169 of 2020 and 132 of 2020 and Project Proponent namely M/s Govardhan Mines and Mineral shall submit all the required documents by 27.8.2021 in the office of Environment Engineer, HSPCB, Bhiwani and the said office shall make arrangements to get all the documents delivered in the office of Monitoring Committee, constituted by the Hon'ble National Green Tribunal, situated at Forest complex, Sector-68, SAS Nagar on 30.8.2021.

A copy of the report of the subcommittee containing recommendations w.r.t each action point is annexed as per **Annexure-D**

2.3.5 Second meeting of the subcommittee held on 4.9.2021.

The subcommittee held its next meeting with District level officers of District Bhiwani on 4.9.2021, **wherein, the observations/recommendations w.r.t each action point were made and the same have been mentioned in the minutes of the meeting, a copy of which is enclosed as per Annexure-E**

2.3.6 Second meeting of Joint Committee, constituted by Hon'ble National Green Tribunal on 17.9.2021

Based on the data/ information/documents submitted by the Department of Mining & Geology, Forest Department and Department of Jal Water Services on 3.11.2020, 17.11.2020 & 20.12.2020, 4.11.2020 and 20.11.2020, respectively, on the various points, as mentioned in OA No.169 of 2020, meetings held with the officers of concerned departments of District Bhiwani on 16.8.2021 and 4.9.2021 and visit to Dadam mining site by the subcommittee on 20.8.2021, the Joint Committee held its 2nd meeting on 17.9.2021 and detailed discussion on each point/data w.r.t. illegal mining in forest area in 300 m^2 and 0.8 hectares, mining done up to the depth of 200', illegal abstraction of ground water, unscientific mining in the mining area and

using damaged Dadam distributory at village Dadam as pathways for illegal mining. The point wise discussion was held as under.

2.3.6.1 Pathways constructed in forest area and illegal mining in 300 m^2 area.

The record indicate that District Forest Officer (DFO), Bhiwani vide his officer letter No. 2009 dated 24.12.2019, addressed to Chief Conservator of Forests, Hisar has reported that on the receipt of information about illegal mining in Aravali Plantation area on 22.12.2019 at 9:00 PM, the officers of Forest Department and Police inspected the area and 3 trucks, 01 poclain and 01 drill machine were found engaged in doing illegal mining in Aravali Plantation area.

The truck owner and his other companions ran away from the spot and only 01 person was caught and FIR was lodged in the police station, Tosham. The area, where the illegal mining was found, was near to 06 m wide road for passage of vehicles and the permission for the diversion of 0.504 hectares of forest land in favour of M/s Govardhan Mines and Minerals for access to mining area bearing Khasra No. 132 in village Dadam for use of forest land was granted by Ministry of Environment, Forest and Climate Change vide No.9HRB060/2019 CHA dated 25.9.2019 but illegal mining was found in Aravali plantation area (forest area) between approach road line marked as AB and BC. Further, the subcommittee during its visit to Dadam mining site on 20.8.2021, visited the pathway, which has been constructed in the forest area with the permission of the department of forest, as informed by District Forest Officer, Bhiwani, the width of pathway, as approved by Forest Department, is 6m, whereas, pathway has been constructed beyond the width of 6 m for which the present proponent (M/S Govardhan Mines and Minerals) accepted their fault on the site. Moreover, deep drill holes were found constructed within and beyond 6 m width of the path, which leads to apprehension that the present project proponent namely M/s Govardhan Mines and Minerals had intention to conduct illegal mining in the forest area. However, due to catching of the persons on the spot for doing such illegal activity w.r.t mining on 22.12.2019, filing FIR against the persons and seizure of vehicles, found indulged in illegal mining, the work of mining in forest area was stopped and the pathway in forest area remained unconstructed at the site. However, illegal mining has been done in an area about 300 m^2 as informed and the map shown by the department of forest.

The Joint Committee has also perused the record and it was observed that information regarding illegal mining in Aravali plantation area was received by the Department of Forest on 22.12.2019 and the officers of Forest Department and police inspected the area on 22.12.2019 and 03 trucks, 01 Podain and 01 drill machine were found engaged in doing illegal mining in Aravali plantation area and FIR was lodged vide No. 587 dated 23.12.2019 at Police Station, Tosham.

The area, where the illegal mining was found, was near to 6 m wide road for passage of vehicles and permission for use of 0.504 hectares of forest area has been granted by MOEF & CC vide No. 9HRB060/2019 CHA dated 25.9.2019 but illegal mining was found in plantation area between approach road line marked as AB and BC and a report in this regard was sent by the Dept. of Forest to Deputy Commissioner, Bhiwani, Superintendent of Police, SDO (Civil), Tosham, Mining Officer, Tehsildar Tosham and

SHO, Tosham stating that illegal mining was found in the plantation area between AB and BC and FIR of the same has been lodged vide No.587 dated 23.12.2019 in the police station, Tosham.

The record also indicates that Administrative officer, Thana Tosham has prepared progress/status report dated 19.8.2021 regarding theft of stone mined material from Dadam mining site and the facts mentioned in the report are briefly mentioned as under.

The officials of forest department and police, Tosham visited the mining site at Dadam based on telephonic message received at 9.00 PM on 22.12.2019 and it was observed that 01 truck bearing No. HR061C 4044 loaded with stones and 02 trucks No. HR061D 1411, and HR 061D 6014, 01 poclain and drill machine were found engaged in doing illegal mining in forest area. The persons who were doing illegal mining ran away from the spot and 01 person was caught. FIR No. 587 dated 23.12.2019 u/s 379 IPC and section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 was lodged.

The vehicles No. HR 61C 4044, No. HR 61D 1411 and No. HR 61D 6014, respectively, were released on 6.1.2020, 7.1.2020 and 7.1.2020 on Superdari on the directions of Hon'ble Court of SDJM, Tosham. Poclain machine and drill machines were released on 18.1.2021 and 8.4.2021, respectively, on Superdari on the directions of Hon'ble Court of SDJM, Tosham. The detailed progress report, prepared by Administrative Officer, Police Thana, Tosham on 19.8.2021 is annexed as per **Annexure-F.** The case is still pending in the court of SDJM, Tosham as per order dated 7.9.2021 and case has been adjourned to 1.11.2021.

Based on the record as mentioned above and visit of mining site done by subcommittee on 20.8.2021, it is evident that M/s Govardhan Mines and Minerals has done illegal mining in Aravali plantation area (non-minable area) in 300 m^2 area.

Therefore, the eight members Joint Committee recommends as under.

i) **The department of forest shall recover the cost of stones mined illegally in forest area (Aravali Plantation area) as per the methodology mentioned in order dated 26.2.2021 in OA No. 360 of 2015 in the matter of National Green Tribunal Bar Association vs union of India and Ors and order dated 19.2.2020 in MA No.16/2020 in OA No. 44 of 2016.**

ii) **HSPCB shall impose environmental compensation of suitable amount as a cost of damage caused to the environment by the project proponent for carrying out illegal mining in forest area (Araveli platation area).**

2.3.6.2 Illegal mining having an estimated area of 0.8 hectare in forest area

The Joint Committee has perused the record and it has been observed that that the officials of the Forest department were reporting from time to time about illegal mining by the mining lease holder in Aravali plantation area (outside mining lease area). The reports in this regard were submitted by the officials of forest department on 29.07.2019, 31.07.2019, 14.08.2019, letter dated 23.9.2019, 4.11.2019, 20.11.2019 and report dated 10.9.2019 of Mining Officer of the department, but nothing is clear about illegal mining done in an area (forest area).

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As per the record available, District Forest Officer has informed that the matter has been reported to Mining Officer many times that the GPS readings of Pillar I and J are not matching and there is illegal mining in front of pillar B between Pillars A and C, which could not be verified due to mismatching of GPS coordinates.

The Mining Inspector has stated in his report that joint inspection of the mining area was carried out on 10.9.2019 and illegal mining was found between Pillar B and C having an area with length and depth of 20-25 ft.

RFO, Tosham has reported vide letter dated 364 dated 21.12.2020 stating that illegal mining has been done near point B & C in an area of about 0.8 hectares by the then lease holder (M/S KSL Sunder Marketing Associate) prior to M/S Govardhan Mines and Minerals.

In the meeting, District Forest Officer had shown Google earth images showing 0.8 hectares of forest area illegal mined in the year, 2019, whereas, Dr. Sultan Singh, Principal Scientist, HARSAC was of view that images of Google earth cannot be considered for establishing the actual time period of illegal mining in 0.8 hectares of forest area. There is need to get the satellite imageries of the area.

During the meeting, Dr. Sultan Singh, Principal Scientist, HARSAC also informed that for satellite imageries of the area, where illegal mining has been done in 0.8 hectare of the area, National Remote Sensing Center, Hyderabad has been requested to provide satellite imageries.

Therefore, Joint Committee has decided as under.

i) **HARSAC, Hisar shall conduct survey of the area, get the GPS coordinates and satellite imageries for the period December, 2017 to December 2019. Dr. Sultan Singh, Principal Scientist, HARSAC, Hisar shall get the satellite imageries for the said period, interpret the data and prepare report in the matter at the earliest so that the report in this regard may be submitted to the Hon'ble National Green Tribunal.**

ii) **All the expenditure incurred during survey of Dadam Mine, getting satellite imageries of the area, interpretation of the data and preparation of report in the matter shall be made by Deputy Commissioner, Bhiwani under the District Mining Fund Scheme.**

The final report w.r.t illegal mining in 0.8 hectares of forest area in Dadam mining area shall be submitted after the receipt of report from HARSAC, Hisar.

2.3.6.3 Site at which mining has been done upto depth of 200 ft in mining area.

In compliance of order dated 20.8.2020 in OA No. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana, a Joint team headed by Additional Deputy Commissioner, Bhiwani visited the mining site on 6.10.2020 and during the inspection, the concerned mining officer stated that said mining project has dimensions of the mining pit as 536 m x 528 m x 78 m as per the approved mining plan.

Further, on the directions of Director General, Mines and Geology, Haryana, Panchkula, a team consisting of Senior Geologist, Head Office, Panchkula, Mining Officer Bhiwani, Senior Surveyor and officials of HARSAC inspected the mining lease area on 3.11.2020.

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The detailed survey of mining area was carried out with the help of DGPS instrument in the presence of concerned Revenue officials and observed that the maximum depth of mining pits was found to be 109 m from the surface level at the time of inspection.

The Department of Mines & Geology vide its letter No. 718 dated 5.8.2020 has stated that the mining in Eastern, Northern and South Eastern area of mine situated along the boundary pillars No. 13 to 19 has gone deep to a depth of 300 ft.

M/s Govardhan Mines and Minerals has submitted a document w.r.t. digital survey of Dadam Stone Mine at village Dadam, Tosham, done by M/s Shivom Engineers Associates Pvt. Ltd. on the request of Sh. Ved Pal Tanwar, Hisar on 16.4.2018 with DGPS instrument along with qualified survey team. The conclusion of the study was as under.

After study of the map prepared, it was observed that the mine depth at places is more than 100 mts, as per contours shown in drawing that is much below the ground water level which is 18.65 mts. The mining operations being undertaken are haphazard, unsystematic and unscientific without following the provisions laid down under the Mines Act 1952 and Rule and Regulations made there under.

The members of the Joint Committee observed that no such study was submitted by the project proponent (M/s Govardhan Mines and Minerals) earlier and it has submitted only after the filing the case by the applicant before the Hon'ble National Green Tribunal. Moreover, the study conducted by the private agency cannot be relied upon as the project proponent has got the study done on its own with its own vested interest.

The above reports indicate that the depth of mining has gone upto 109 m against the permitted depth of 78 m and hence has violated the conditions of the mining plan.

While asking by the Chairman of the Joint Committee to the Mining Department regarding statutory inspections of the mining site by the department, it was informed by the Mining Officer that the consolidated reports in compliance to order dated 11.8.2017 of Hon'ble Supreme Court of India passed in special leave appeal C No. 19166 of 2017 regarding Dadam Stone Mine of Distt. Bhiwani, are prepared after every 15 days and consolidated reports in this regard have been prepared vide number 4412/MB dated 1.9.2017, No. 86 dated 16.9.2017, No. 5900 dated 13.10.2017, No. 6343 dated 3.11.2017, No. 6703 dated 17.11.2017 and No. 7107 dated 30.11.2017. **The perusal of these consolidated reports submitted by the various departments to the Deputy Commissioner, Bhiwani and further to the Director, Mines and Geology Department, Haryana indicates that in these reports nothing has been mentioned about depth of any mining pit in the area up to which the mining has been done. Moreover, the compliance of Environment clearance has not been checked by the concerned regulatory authorities.**

Therefore, there is need to identify the project proponent who has done mining up to the depth of 109 m against the permissible depth of 78 m as mentioned in Mining Plan.

From the above record, reports and visit to the mining site by the subcommittee, it is clear that depth of mining has gone deep to 109 m but there is need to identify the project proponent who has done mining upto the

depth of 109 m against the permissible depth of 78 m. Therefore, the Joint Committee recommends as under.

i. **That HARSAC, Hisar shall get the satellite imageries for the period 2015 to 2020, interpret the data and shall prepare report. The said study report may be completed within 01 month.**

ii. **District Mining Officer shall provide order of Hon'ble Punjab and Haryana High Court and Hon'ble Supreme Court of India in the matter of illegal mining within 7 days.**

The final report on the said issue i.e fixing the responsibility of the project proponent who has done deep mining up to the depth of 109m (more than the permissible depth of 78 m as per mining plan) shall be submitted after the receipt of report of HARSAC, Hisar

2.3.6.4 Abandoned/damaged Dadam Distributory/ minor constructed by the Department of Irrigation.

From the record, it has been observed that the Executive Engineer, Jui W/S Division has informed to Additional Deputy Commissioner vide letter No. 10191-93 dated 20.11.2020 regarding use of canal land as carriage way, FIR was sent to SHO, Tosham vide letter dated 22.5.2019 and reminders dated 31.10.2019 and 3.1.2020 were issued to SHO, Tosham. As per record available in the case of OM Parkash & others V/s Raman and others in the court of ACJ (SD), Tosham, as directed by Hon'ble Court, Tehsildar, Tosham has reported that 1700 ft of canal has been damaged for the last 10 years.

The Department of Irrigation has further informed that on 08.10.2020, during the joint inspection, SDO, Nigana W/S stated that the said mining project is using the land of Dadam distributary/minor illegally for mining purposes and the land of distributary/minor was being used as carriage way by the vehicles of mining company and the same was also reported by the Executive Engineer Jui W/S, Division, Bhiwani in his report dated 20.11.2020.

The Executive Engineer, Jui W/S Division, Bhiwani has informed that Dadam distributary was constructed in the year 1976-77 from RD 0 to RD 20500. Later, it was extended upto RD 23500 during the year 1987-88. Its total length is 23500' and it passes through the Dadam mining area from RD 20500 to 23500. Its water carrying capacity is 19 cusecs. As per the report dated 06.01.2016 of local Commissioner, Dadam distributary was damaged for the last 10 years.

In the meeting on 17.9.2021, it was informed that demarcation of Dadam distributary has been done by the department of revenue except its small portion having deep area of 200-250 ft. The width of the Dadam distributary has been found 49.5 ft. from RD 20500 to 21300 and RD 22700 to 23500 and 143' from RD 21300 to 22700.

During the last meeting of the subcommittee held on 4.9.2021, the subcommittee has desired that the Department of Irrigation and Department of Mining shall measure the dimensions (length x breadth x depth) of the portion of length 200-250 ft. of Dadam distributary for which no demarcation has been done by the Department of Revenue within 7 days but no such measurements have been made by these two departments so far for which, the Chairman of the Joint Committee took a serious view.

During the discussion, Dr. Sultan Singh, Principal Scientist, HARSAC, Hisar was of the view that over burden along the Dadam distributary was found accumulated at various places and it was also being used as pathway for the vehicles.

The Joint Committee apprehends that the area, where deep digging of 200-250 ft. has been created, possibility of illegal mining done in distributary/minor area may be there.

After detailed discussion of the issue, the Joint Committee decided as under:

i. **HARSAC, Hisar shall get satellite imageries of Dadam distributary for the year 2015 to 2020, interpret the data and prepare report regarding illegal mining and using the damaged distributary as pathway for the movement of the vehicles of the mining lease holder in Dadam Mine Hill area.**

ii. **The Department of Irrigation, Bhiwani shall provide the record regarding existence of Dadam distributary in khasra No. 132 and record mentioning that the Dadam area, in which Dadam distributary passes, is also is a part of Dadam Mine Hill area, within 7 days.**

iii. **The Department of Irrigation and Mining shall jointly measure the dimensions (length x breadth x depth) of the Dadam distributary/mined area where deep pit of depth between 200-250 ft. has been observed, within 3 days.**

The final report on the issue shall be submitted after the receipt of data from the said departments.

2.3.6.5 Unscientific mining in the mining area by the project proponent.

It was submitted that Deputy Director of Mines Safety, Ghaziabad vide his report dated 04.01.2021, which was based on the inspection made on 28.12.2020, has submitted his report, which is briefly mentioned as under:

- There were 25-30 no. of mining pits dug within mining lease area.
- The pits have different sizes and height of the benches have been found between 5-9 m, 5-7 m, 9-10 m etc.
- Three portable fogger machines were found installed near the pits which are moved to different pits. Besides, three water tankers, with water spraying arrangements on the top, have been provided for wetting the haul roads and benches.
- The danger zone was found demarcated by means of red flag. The lease boundary wall was fenced with barbed wire. During inspection, it was observed that all the staff and work persons were wearing safety gadgets like helmets and shoes.
- The deep hole drilling and blasting was carried out under the personal supervision of Assistant Manager and Foreman. The blasting time was reported to be between 1-4 PM and a signage of blasting time was displayed on the board at 7 places.
- High mast tower consisting of clusters of bulb was found installed on the haul roads.

- Simplified mining scheme for working the mine in a scientific way by method of opencast mining has been approved by the department of Mines and Geology, Haryana.

  However, it has also been mentioned that scientific study is not carried out by the Directorate and Department of Mine and Geology may engage recognized scientific organisation or institution to carry out scientific study of the Mine area.

From the above report, submitted by the Deputy Director of Mines Safety Ghaziabad, the Joint Committee concludes as under.

(i) No unscientific mining has been done in Dadam Mine area and based on the recommendations/report submitted by the said department, the project proponent shall continue to conduct scientific mining at all the times.

(ii) The Joint Committee recommends that the Department of Mines and Geology may engage recognized scientific organization or institutions to carry out scientific study of the mine within 01 month as per the observation of Deputy Director of Mining Safety, Ghaziabad.

2.3.6.6 No bore well for abstraction of ground water in mining area.

The Assistant Geologist, Ground Water Cell informed that the depth of mine pit is 109 m from ground level as measured by the officials of mining department, which is having hard compact quartzite formation with some cracks and fissures. The ground water occurs in permeable geological formation known as aquifer. The aquifer is the water bearing formation having structure that permits appreciable water to move through it under ordinary field conditions. The ground water existence depends upon porosity, permeability and saturation with in any formation. **During investigation, the water accumulated in mining pit was only seepage of ground water through cracks and fissures.** The cracks and fissures were developed due to paleotectonics activity and blasting during mining. The exact water table could not be established in Dadam hill as no such studies and survey has been conducted by the department in Dadam hill region.

Besides, Central Ground water Board, Chandigarh submitted a report of visit of Dadam hill on 05.02.2021 and **it was mentioned that water accumulated in mining pits is the seepage of ground water from Quarzitic formation. Quartizes are forming low yield aquifer and tubewell constructed in quartzite generally yields 100-150 lpm of water only,** thus, the seepage found in pit is very minor and during rainy season, they may yield good quantity of water resulting in filling of mining pits. As the water table in the alluvial formation in surrounding areas of mines is 9.41 m to 18.52 m, the fracture in quartzite might be hydrologically connected to water tables of alluvial areas.

Based on the reports submitted by Assistant Geologist Ground Water Cell and Central Ground Water Board and literature study conducted by them, the Joint Committee concludes that no ground water abstraction has been done by the mining lease holder and water accumulated in mining pit is only seepage of groundwater through cracks and fissures.

Besides, the Chairman of the Joint committee further directed as under.

(i) All the expenditure incurred on preparation of satellite imageries, data interpretation and preparation of report on the activities No. 2.3.6.2, 2.3.6.3 and 2.3.6.4 as mentioned above, shall be paid by the Deputy Commissioner, Bhiwani from the District Mining Fund scheme.

(ii) The Director, Punjab and Haryana GDC, Survey of India, Chandigarh may submit satellite imageries of any of the above activities/action areas as mentioned above along with report on any of the point, if the same is available with them and data required for the same from the concerned departments may be mentioned.

(iii) The Joint Committee shall visit Dadam mining site at Village Dadam, Tehsil Tosham, District Bhiwani on 1.10.2021 and report may be prepared accordingly.

(iv) The Joint Committee may submit interim report to the Hon'ble National Green Tribunal, on the points where the Joint Committee is satisfied on the record based reports/data and inspection carried out by the subcommittee on 20.8.2021. Final report in the matter shall be submitted only after the receipt of the report along with recommendations by the HARSAC, Hisar/any other department.

A copy of the minutes of the eight member Joint Committee held under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court and now as Chairman of the Monitoring Committee is annexed as per **Annexure-G**

2.3.7 Visit to the mining site at Village Dadam, Tehsil Tosham, Bhiwani by the Joint Committee on 01.10.2021

In compliance to order dated 20.07.2021 as mentioned para No. 12, the eight member Joint Committee under the Chairmanship of Justice Pritam Pal, former Judge, Punjab and Haryana High Court and now as Chairman of the Monitoring Committee, constituted by the Hon'ble National Green Tribunal, along with officers of concerned departments visited the mining site at Village Dadam, Tehsil Tosham on 01.10.2021. The report of the Joint Committee on various issues is submitted as under.

2.3.7.1 Abandoned/damaged Dadam distributary/Minor constructed by department of Irrigation, Haryana and area around it.

The Joint Committee visited the Dadam distributary/Minor, which has been constructed by the Department of Irrigation before for the year 1980. During the visit, the joint committee has made the following observations.

I. A Dadam distributary/Minor was constructed to supply the water for irrigation of the agriculture fields of the area. However, the farmers of nearby village, present at site, informed that the water was never seen in the distributary/Minor since its construction.

II. The distributary/Minor is in existence at some places, whereas, it has been either broken or has been eliminated at various locations.

III. The farmers claimed that mining lease holder has damaged the Dadam distributary/Minor and has constructed pathways for movement of vehicles.

iv. At some places, overburden extracted from the roads constructed along the distributary/Minor, was found dumped at various places on the bank of distributary/Minor and distributary/Minor has come underneath the overburdened material.

v. The total length of Dadam distributary is 7.164 km, out of which about 01 km of Dadam distributary is passing through village Dadam and the part of same has been damaged.

vi. The department of Irrigation informed that during the visit to the Dadam distributary by the department on 06.10.2020, the said mining project was using the land of Dadam distributary/minor illegally or mining purposes and the land of Dadam distributary/minor was being used as pathway by the vehicles of mining company and the same was also reported by the Executive Engineer, Jui Water Services Division, Bhiwani in his report dated 20.11.2020.

vii. The Executive Engineer, Jui W/S Division, Bhiwani has informed that Dadam distributary was constructed in the year 1976-77 from RD 0 to RD 20500. Later, it was extended upto RD 23500 during the year 1987-88. Its total length is 23500 feet and it passes through the mining area from RD 20500 to 23500. Its water carrying capacity is 19 cusecs. As per the report of local Commissioner on dated 06.01.2016, Dadam distributary was damaged for the last 10 years.

During visit, it was observed that in another area almost parallel to the Dadam distributary and near to previously constructed weigh bridge, which is presently, not in operation, deep area was there which was being filled with earth/over-burden for which, the Joint Committee raised apprehension about digging of the area then filling it with earth/over-burden without any reason.

The photograph showing abandoned Dadam distributary as per Plate 1, which is mentioned as under.

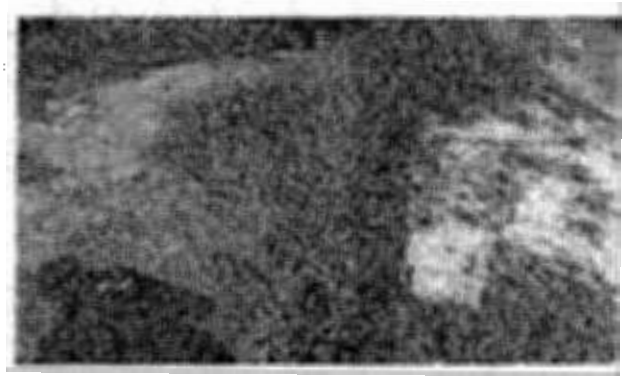


Plate-1 : Photograph showing damaged Dadam, Distributary at its tail end.

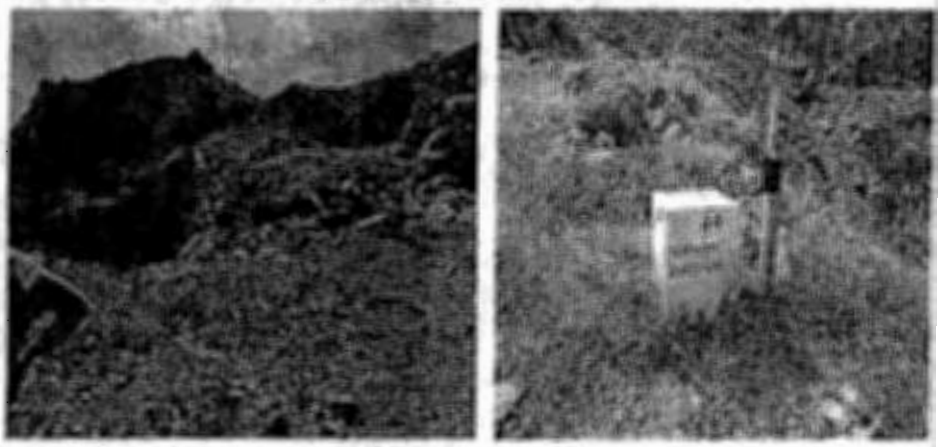
After detailed discussion on the issue at the site, the Chairman of the Joint Committee directed that the Department of Mines & Geology shall investigate the issue regarding digging and filling of the area parallel to the Dadam distributary/minor and near weigh bridge, which is presently not in operation, with an objective to check as to whether any illegal mining in that area was done by the project proponent. The said department shall submit the report within 07 days.

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2.3.7.2 Illegal mining having an estimated area of 0.8 hectares in the forest area.

The Joint Committee has visited the area where illegal mining in forest area was found done in an area of about 0.8 hectare as reported by the Department of Forest. DFO, Bhiwani, who was present during the visit, informed that the illegal mining in front of pillar B between A and C has been done. The Google earth images show that the illegal mining in an area of 0.8 hectare was done in the year 2019, whereas, Principle Scientist, HARSAC was of the view that the images of Google earth cannot be relied upon for establishing the actual time period of illegal mining in 0.8 hectares of forest area. Therefore, there is need to get the satellite imageries of the area, for which the survey of the area has been started by the scientists of HARSAC, as per the directions issued during the last meeting of the joint committee held on 17.09.2021.

The photographs showing illegal mining done in front of pillar B (0.8 hectares of area) are mentioned as per plates 2 & 3, are mentioned as under.



Plates 2 & 3 : Photographs showing illegal mining done in 0.8 hectares of area

After inspection of the site, the Chairman of the Joint Committee directed that HARSAC, Hisar shall complete the study and submit the report based on satellite imageries so as to sort out the issue with regard to illegal mining in an area of 0.8 hectares at the earliest.

2.3.7.3 Pathway constructed in the forest area and illegal mining of 300 m^2 of area

During the visit to the site on 1.10.2021, District Forest Officer (DFO), Bhiwani informed that on the receipt of information about illegal mining in Aravali Plantation area on 22.12.2019 at 9:00 PM, the officers of Forest Department and Police inspected the area and 3 trucks, 01 poclain and 01 drill machine were found engaged in doing illegal mining in Aravali Plantation area. The truck owner and his other companions ran away from the spot and only 01 person was caught and FIR was lodged in the police station, Tosham. The area, where the illegal mining was found, was near to 06 m wide road for passage of vehicles and the permission for the diversion of 0.504 hectares of forest land in favour of M/s Govardhan Mines and Minerals for access to mining area bearing Khasra No. 132 in village Dadam for use of forest land was granted by Ministry of Environment, Forest and Climate Change vide No. 9HRB060/2019 CHA dated 25.9.2019 but illegal

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mining was found in Aravali plantation area (forest area) between approach road line marked as AB and BC.

The subcommittee during its last visit to Dadam mining site on 20.8.2021, visited the pathway, which has been constructed in the forest area with the permission of the department of forest, as informed by District Forest Officer, Bhiwani. The width of pathway as approved by Forest Department is 6 m, whereas, pathway has been constructed beyond the width of 6 m for which the present proponent (M/S Govardhan Mines and Minerals) accepted their fault on the site. Moreover, deep drill holes were found constructed within and beyond 6 m width of the path, which lead to apprehension that the present project proponent namely M/s Govardhan Mines and Minerals had intention to conduct illegal mining in the forest area. However, due to catching of the persons on the spot for doing such illegal activity w.r.t mining on 22.12.2019, filing FIR against the persons and seizure of vehicles, found indulged in illegal mining, the work of mining in forest area was stopped and the pathway in forest area remained unconstructed at the site. However, illegal mining has been done in an area about 300 m^2 as informed and the map shown by the department of forest.

During the last meeting held on 17.9.2021, the Joint Committee has perused the record and it was observed that information regarding illegal mining in Aravali plantation area was received by the Department of Forest on 22.12.2019 and the officers of Forest Department and police inspected the area on 22.12.2019 and 03 trucks, 01 Poclain and 01 drill machine were found engaged in doing illegal mining in Aravali plantation area and FIR was lodged vide No. 587 dated 23.12.2019 at Police Station, Tosham. The area, where the illegal mining was found, was near to 6 m wide road for passage of vehicles and permission for use of 6 m wide road has been granted by MOEF & CC vide No. 9HR8060/2019 CHA dated 25.9.2019 but illegal mining was found in plantation area between approach road line marked as AB & BC (**Annexure-H**) and a report in this regard was sent by the Dept. of Forest to Deputy Commissioner, Bhiwani, Superintendent of Police, SDO (Civil), Tosham, Mining Officer, Tehsildar Tosham and SHO, Tosham stating that illegal mining was found in the plantation area between AB & BC and FIR of the same has been lodged vide No.587 dated 23.12.2019 in the police station, Tosham. The record also indicated that Administrative officer, Thana Tosham has prepared progress report dated 19.8.2021 regarding theft of stone mined material from Dadam mining site and the facts mentioned in the report are given as under:

The officials of forest department and police, Tosham visited the mining site at Dadam based on telephonic message received at 9.00 PM on 22.12.2019 and it was observed that 01 truck bearing No. HR061C 4044 loaded with stones and 02 trucks No. HR061D 1411, and HR 061D 6014, 01 poclain and drill machine were found engaged in doing illegal mining in forest area. The persons who were doing illegal mining ran away from the spot and 01 person was caught. FIR No. 587 dated 23.12.2019 u/s 379 IPC and section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957 was lodged. The vehicles No. HR 61C 4044, No. HR 61D 1411 and No. HR 61D 6014, respectively, were released on 6.1.2020, 7.1.2020 and 7.1.2020 on Superdari on the directions of Hon'ble Court of SDJM, Tosham. Poclain machine and drill machines were released on

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18.1.2021 and 8.4.2021, respectively, on Superdari on the directions of Hon'ble Court of SDJM, Tosham. The case is still pending in the court of SDJM, Tosham as per order dated 7.9.2021 and case has been adjourned to 1.11.2021.

Now, during the visit on 01.10.2021, it was observed by Joint Committee that illegal mining in Aravali plantation area has been done between the approach road line marked as AB and BC. Moreover, deep drill holes were found constructed within and beyond 06 m width of the path, which indicated that illegal mining has been done in the area. It was further informed that the area, where the illegal mining was found, was near to 6 m wide road for passage of vehicles and permission for the same has been granted by MOEF & CC vide No. 9HRB060/2019 CHA dated 25.9.2019 but illegal mining was found in plantation area between approach road line marked as AB & BC and a report in this regard was sent by the Dept. of Forest to Deputy Commissioner, Bhiwani, Superintendent of Police, SDO (Civil), Tosham, Mining Officer, Tehsildar Tosham and SHO, Tosham stating that illegal mining was found in the plantation area between AB & BC and FIR of the same has been lodged vide No.587 dated 23.12.2019 in the police station, Tosham.

The photographs showing illegal mining in an area of 300 m^2 are mentioned as per plates 4 & 5, given below.

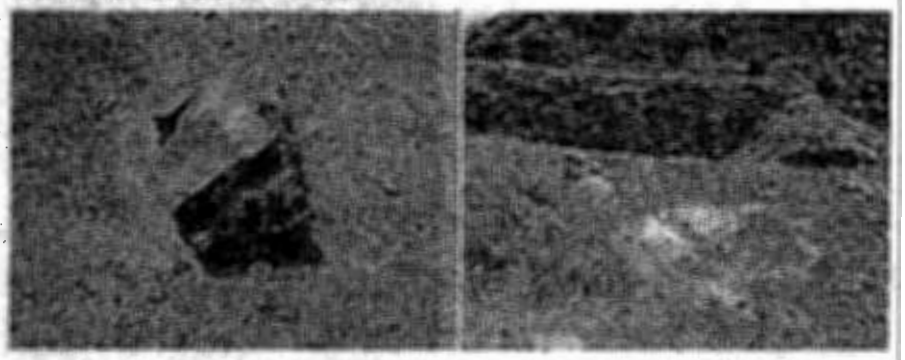


Plate 4 & 5 : Photographs showing illegal mining in an 300 m^2 of area

After detailed discussion on the issue on the site and as concluded in the last meeting of the Joint Committee held on **17.9.2021 based on the record/documents, it is evident that M/s Govardhan Mines and Minerals has done illegal mining in Aravali plantation area (non-minable area) in 300 m^2 area and the Joint Committee decided that it may be mentioned in the interim report to be submitted before the Hon'ble National Green Tribunal.**

2.4 Site at which mining has been done up to depth of 109 m in mining area

It was informed by the department of Mining that on the directions of Director General, Mines and Geology, Haryana, Panchkula, a team consisting of Senior Geologist, Head Office, Panchkula, Mining Officer Bhiwani, Senior Surveyor and officials of HARSAC inspected the mining lease area on 3.11.2020. The detailed survey of mining area was carried out with the help of DGPS instrument in the presence of concerned Revenue officials and observed that the maximum depth of mining pits was found to be 109 m from the surface level at the time of inspection.

The Department of Mines & Geology vide its letter No. 718 dated 5.8.2020 has stated that the mining in Eastern, Northern and South Eastern area of mine situated along the boundary pillars No. 13 to 19 has gone deep to a depth of 300 ft.

The Joint Committee also observed that deep mining upto level of 109 m has been done in the mining area which is more than the permissible depth of 78 m as per Mining Plan submitted by the project proponent .

However, there is need to identify the project proponent and time period during which deep mining up to the depth of 109 m against the permissible depth of 78 m has been done.

The photographs showing deep mining done upto 109 m in the mining area are mentioned as per plates 6 & 7.

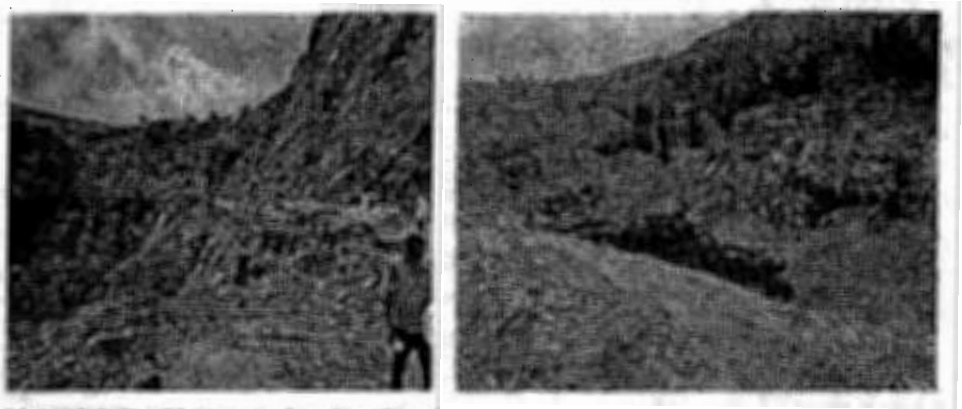


Plate 6 & 7 : Photographs showing deep mining done up to depth of 109 m in the mining area

After detailed discussion and visit to the site, the Chairman of the Joint Committee directed that that HARSAC, Hisar shall complete the study, which has been started by the Scientists of HARSAC, Hisar and based on the study, satellite imageries for the period 2015 to 2020 may be prepared and the data may be interpreted, and report may be submitted at the earliest.

2.5 No bore well for abstraction of ground water in mining area.

The Joint Committee was informed that the depth of mine pit is 109 m from ground level as measured by the officials of mining department and as per the report dated 3.11.2020 of Assistant Geologist, Ground Water Cell and version of CGWA, there is hard compact quartzite formation with some cracks and fissures. The ground water occurs in permeable geological formation known as aquifer. The aquifer is the water bearing formation having structure that permits appreciable water to move through it under ordinary field conditions. The ground water existence depends upon porosity, permeability and saturation with in any formation. **During field investigation, it was concluded that water table data of selected wells available in surrounding alluvial formation is from 9.41 m to 18.52 m, whereas, the depth of mining pit is approximately 109 m as measured by the officials of Mining Department. This shows that presently, the surrounding water level is having no inter connectivity with mining pits, as the water table has not been encountered up to the depth of 109 m and the water accumulated in mining pit is seepage**

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from the cracks and fissures of the quartzite rock of Aravali system. The cracks and fissures were developed due to paleotectonics activity and blasting during mining. The exact water table could not be established in Dadam hill as no such studies and survey has been conducted by the department in Dadam hill region.

Besides, Central Ground water Board, Chandigarh submitted a report of visit of Dadam hill on 05.02.2021 and **it was mentioned that water accumulated in mining pits is the seepage of ground water from quarzitic formation. Quartizes are forming low yield aquifer and tubewell constructed in quartzite generally yields 100-150 lpm of water only,** thus, the seepage found in pit is very minor and during rainy season, they may yield good quantity of water resulting in filling of mining pits. As the water table in the alluvial formation in surrounding areas of mines is 9.41 m to 18.52 m, the fracture in quartzite might be hydrologically connected to water tables of alluvial areas.

Also, the literature study conducted by Ground Water Cell and Centre Ground Water Board indicate that the water accumulated in mining pit is due to seepage of ground water through cracks and fissures.

The joint committee noted the observations and decided that the report on the said point may be mentioned in the interim report to be submitted before the Hon'ble National Green Tribunal based on facts mentioned above.

1.0 Other issues.

During visit to the Dadam mining site, members of Baba Mungia Committee met the Chairman of the Joint Committee and gave representation stating that Baba Mungia Mandir, which is thousands years old, has been broken by the management of M/S Goverdhan Mines and Minerals. Baba Mungia Committee has requested that legal action be taken against the said firm.

After hearing the grievances of the members of Baba Mungia Committee, the Chairman of the Joint Committee directed that the representation made by the said committee may be sent to the Deputy Commissioner, Bhiwani to take immediate action on the issue as per the provisions of the law.

A copy of report on visit to Dadam mining site by the eight member Committee under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court and now as Chairman of the Monitoring Committee on 1.10.2021 is annexed as per **Annexure-I**

3.0 Conclusions and recommendations:

Based on the data, record, reports of various departments viz., Department of Mining and Geology, Department of forest, Jui Water Services and Department of Ground Water Cell, District Bhiwani, detailed discussions held with the officers of concerned departments on 16.8.2021, 4.9.2021, 17.9.2021 by the subcommittee and Joint Committee and field inspection carried out by the subcommittee on 20.8.2021 and Joint Committee on 1.10.2021, the following conclusions and recommendations are made.

A) Illegal Mining in forest area (non minable area) in 300m² area in Dadam mining Hills in village Dadam, Tehsil Tosham.

Keeping in view the facts mentioned in para No. 2.3.6.1 and 2.3.7.3, the Monitoring Committee concludes the issue regarding illegal mining in forest area in 300 m^2 in Dadam mines hills as under:

M/s Govardhan Mines and Minerals has done illegal mining in Aravali plantation area (forest area) in 300 m^2 area between approach line (Pathways) AB and BC.

Therefore, the eight members Joint Committee recommends as under.

i) **The Department of Forest shall recover the cost of stones mined illegally in forest area (Aravali Plantation area) as per the methodology mentioned in order dated 26.2.2021 in OA No. 360 of 2015 in the matter of National Green Tribunal Bar Association vs union of India and Ors and order dated 19.2.2020 in MA No.16/2020 in OA No. 44 of 2016.**

ii) **HSPCB shall impose environmental compensation of suitable amount as a cost of damage caused to the environment by the project proponent for by carrying out illegal mining in forest area (Araveli platation area) and damaging ecology and ecosystem.**

B) Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.

Regarding illegal mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham, eight members Joint Committee concludes as under.

During the visit of the subcommittee and eight members Joint Committee to the mining site near Araveli Plantation area at village Dadam near pillars A, B and C on 20.8.2021 and 1.10.2021, it was informed that the illegal mining in Aravali Plantation area (forest area) in front of pillar B between A and C has been done. The Google earth images, as produced by District Forest Officers, show that the illegal mining in an area of 0.8 hectare was done in the year 2019, whereas, Principle Scientist, HARSAC was of the view that the images of Google earth cannot be relied upon for establishing the actual time period of illegal mining in 0.8 hectares of forest area. Therefore, there is need to get the satellite imageries of the area, for which the survey of the area has been started by the scientists of HARSAC, Hisar as per the

directions issued during the last meeting of the joint committee held on 17.09.2021. **Therefore, Joint Committee recommends as under.**

Principal Scientist, HARSAC, Hisar shall complete the study, who has been started at the Dadam Mining site and submit the report based on satellite imageries at the earliest so as to sort out the issue with regard to illegal mining in an area of 0.8 hectares at the earliest.

C) **Illegal mining in Dadam mining area done up to depth of 109 m.**

On the directions of Director General, Mines and Geology, a team consisting of Senior Geologist, Head Office, Panchkula, Mining Officer Bhiwani, Senior Surveyor and officials of HARSAC inspected the mining lease area on 3.11.2020. **The detailed survey of mining area was carried out with the help of DGPS instrument in the presence of concerned Revenue officials and observed that the maximum depth of mining pits was found to be 109 m from the surface level at the time of inspection.**

M/s Govardhan Mines & Minerals, stone mining lease holder in Dadam mine hills, was asked to submit a copy of receipt of Department of Mining & Geology or Department of Forest or any other department in the year, 2018 regarding submission of study report conducted by M/s Shivom Engineers Associates Pvt. Ltd. mentioning the depth of mining at places is more than 100 m in the year, 2018. However, no such receipt has been submitted by M/s Govardhan Mines & Minerals.

Therefore, the identification of the project proponent and time period during which illegal deep mining done up to the depth of 109 m against the permissible depth of 78 m shall be made after the completion of study by the scientists of HARSAC, Hisar at Dadam mining site and submission of report by HARSAC, Hisar.

D) **Illegal abstraction of ground water in Dadam mining area.**

Depth of mine pit is approximately 109 m from ground level as measured by the officials of mining department and as per the report dated 3.11.2020 of Assistant Geologist, Ground Water Cell and version of CGWA, there is hard compact quartzite formation with some cracks and fissures. The ground water occurs in permeable geological formation known as aquifer. The aquifer is the water bearing formation having structure that permits appreciable water to move through it under ordinary field conditions. The ground water existence depends upon porosity, permeability and saturation with in any formation.

During field investigation by the Ground Water Cell, it was concluded that water table data of selected wells available in surrounding alluvial formation is from 9.41 m to 18.52 m, whereas, the depth of mining pit is approximately 109 m as measured by the officials of Mining Department. This shows that presently, the surrounding water level is having no inter connectivity with mining pits, as the water table has not been encountered up to the depth of 109 m and the water accumulated in

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mining pit is seepage from the cracks and fissures of the quartzite rock of Aravali system.

Therefore, the Joint Committee concludes that water accumulated in mining pit having depth of 109 m is seepage from the cracks and fissures of the quartzite rock of Aravali system and no ground water abstraction in mining area has been made.

E) Unscientific mining in the mining area by the project proponent

Deputy Director of Mines Safety, Ghaziabad vide his report dated 04.01.2021, which was based on the inspection made on 28.12.2020, has submitted his report, which is briefly mentioned as under.

- There were 25-30 no. of mining pits dug within mining lease area.
- The pits have different sizes and height of the benches have been found between 5-9 m, 5-7 m, 9-10 m etc.
- Three portable fogger machines were found installed near the pits which are moved to different pits. Besides, three water tankers, with water spraying arrangements on the top, have been provided for wetting the haul roads and benches.
- The danger zone was found demarcated by means of red flag. The lease boundary wall was fenced with barbed wire. During inspection, it was observed that all the staff and work persons were wearing safety gadgets like helmets and shoes.
- The deep hole drilling and blasting was carried out under the personal supervision of Assistant Manager and Foreman. The blasting time was reported to be between 1-4 PM and a signage of blasting time was displayed on the board at 7 places.
- High mast tower consisting of clusters of bulb was found installed on the haul roads.
- Simplified mining scheme for working the mine in a scientific way by method of opencast mining has been approved by the department of Mines and Geology, Haryana.

However, it has also been mentioned that scientific study is not carried out by the Directorate and Department of Mine and Geology may engage recognized scientific organisation or institution to carry out scientific study of the Mine area.

From the above, the eight member Joint Committee concludes that no unscientific mining has been done in Dadam Mine area and the project proponent shall continue to conduct scientific mining at all the times based on the recommendations/report submitted by the Department of Mines Safety, Gaziabad.

The Joint Committee further recommends that the Department of Mines and Geology, Bhiwani may engage recognized scientific organization or institutions to carry out scientific study of the mine within 01 month as per the observation of Deputy Director of Mining Safety, Ghaziabad.

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F) Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.

Based on the data, record and reports submitted by the Department of JUI Water services as mentioned at para 2.3.6.4, 2.3.7.1 and further report of Sub Divisional Officer, Nigana W/S Division, Bhiwani submitted vide his office letter No.65356 dated 22.9.2021 that joint measurement was carried out by the department of Irrigation and Mining department from RD 20500 to 23500 of Dadam distributary. The width of the damaged portion of Dadam distributary could not be measured due to ups and downs. The depth of pillar No. 15 of mining was found about 50' below the bed level of Dadam distributary in Khasra No. 132.

The eight member Joint Committee is of the view that both of these departments could not measure the dimensions of the damaged portion of Dadam distributary. Therefore, eight member Joint Committee concluded and recommended as under.

i. **HARSAC, Hisar shall conduct the study of damaged Dadam distributary between RD 20500 to 23500 and shall prepare satellite imageries of the area for the year 2015 to 2021, interpret the data and submit the report regarding illegal mining done in the portion, where the depth of mining pit has gone down to 200-250 ft and the time period during which, the said mining was done. The report may include illegal mining done and using the damaged distributary as pathway for movement of vehicles of mining lease holder in Dadam mine hill. The said study report alongwith the recommendations may be submitted to the eight members Joint Committee within 01 month.**

ii. **Deputy Commissioner, Bhiwani shall fix the responsibility of the mining lease holder or other persons, who has damaged the Dadam distributary and the cost of the repair of the damaged portion of Dadam distributary may be recovered from the concerned agency and estimate for repairing of damaged portion of Dadam distributary may be prepared by the department of Irrigation within 15 days. The damaged Dadam distributary may be repaired within 03 months.**

iii. **Department of Mines & Geology shall investigate the issue regarding digging and filling of the area parallel to the Dadam distributary/minor and near weigh bridge, which is presently not in operation, with an objective to check as to whether any illegal mining in that area was done by the project proponent. The said department shall submit the report within 07 days.**

3.1 Other recommendations

1. **The Mining Officer should be the competent authority to specify the transport route which shall be used by the vehicles used by the mining lease holders so that it may route through atleast one of the mining check posts established by the Department. There should be complete restriction**

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on loading & transport of mined material during night hours (7:00 PM to 6:00 AM), since this is the time window which is used for maximum evasion. Lessee should give a list of vehicles to the Mining Officer which should be entered into the portal. The list of permitted vehicles should be shared with the Police Department and with the mining check posts. Any vehicle which is not in the list given by the lessees, should simply be impounded. All these vehicles should be made GPS enabled by the lessee and their movement should be accessible by the Mining Department through a central access login.

2. Advance Technological Drones may be provided to the Mining department to take prompt action against illegal mining activity.
3. The State of Haryana shall also implement the directions issued in para no.28 of order dated 26.02.2021 in OA No. 360 of 2015 by way of getting conduct visit to the mining lease sites by a five member committee, headed and coordinated by the SEIAA and comprising CPCB (wherever it has regional office), State PCB and two expert members of SEAC dealing with the subject. Such inspection must be conducted at least thrice for each lease i.e. after expiry of 25% the lease period, then after 50% of the period and finally six months before expiry of the lease period for midway correction and assessment of damage, if any.
4. The Government of Haryana may issue appropriate notification to implement the Judgment of Hon'ble NGT dated 26.02.2021 in the matter of *National Green Tribunal Bar Association* vs. *Virender Singh* (OA No. 360/2015) regarding seizure and penalties on vehicles found doing illegal mining, specifically paragraphs 8 and 9 of the judgment and for imposing penalties on violators for releasing of vehicles engaged in illegal mining as per formula approved in para 12 of the said order taking into account the net present value (NPV) of the environmental damage and not merely loss of royalty.
5. As per the provisions of section 22 of the Mines and Minerals (Development & Regulation) Act, 1957 [(MMDR Act, 1957)], there is provision that no court shall take cognizance of any offence punishable under this Act or any rules made thereunder except upon complaint in writing made by a person authorized in this behalf by the Central Govt. or State Govt. As such, the police can not register an FIR against the violator on the complaint of any citizen/individual. There is need to amend the said section of MMDR, Act, 1957 to the extent that police department should have powers to register FIR against the violators.
6. The Mining Department may create an online app which can be used by all officers authorized for compounding so that an alert can be generated for vehicle numbers in case of repeat violations are occurred. In all such cases, FIR should be registered and the case should be sent to Court for trial & conviction.

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7. For transporting of stones from mining area, only one or two roads may be fixed and notified by department of Mining and all the mined materials should be routed only through these roads. The check posts may be constructed on these roads. There shall be total restriction on the movement of trucks carrying/transporting mined stones on the other non notified roads.
8. The department of Mining/Geology shall provide Geo fencing on mining lease area in Dadam mining hills within 03 months.
9. Mining lease holder shall provide advance technological GPS on the declared/registered vehicles deployed for transportation of mined material having their connectivity with the office of Deputy Commissioner, Bhiwani, Police department and Mining Department, Bhiwani within 03 months so that their movement can be tracked and can be monitored by the Department of Mining and Police and prompt action may be taken against the illegal mining operator.
10. For monitoring illegal stone mining at Dadam mining site, there should be a provisions of checking transport permits, printing of transport permit on security papers, invisible ink mark, fugitive ink background and unique barcode system. The department of Mining shall provide said documents to the monitoring teams or District Level Special Task Force at District level within 06 months. The Monitoring team deployed for checking of vehicles/trucks carrying mined material should be in a position to check the validity of Transport permit or receipt by scanning them using website, mobile phone application and SMS etc.
11. There should be a mechanism at district level to generate the system which may enable the authorities to develop periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation and total lifting. The system can be used to generate auto mails or SMS.

Dr. Narender Sharma,
Additional Director, CPCB

Dr. K.K Garg,
Scientist-C/Deputy Director,
MOEF

Dr. Babu Ram
Technical Expert,
Monitoring Committee

Dr. O.P.S. Khola,
ICAR-IISWC, Regional Station,
Chandigarh

RK Sapra,
Member, SEAC

Ms. Urvashi Gulati,
Former Chief Secretary of Haryana and now as member of the Monitoring Committee

Justice Pritam Pal
Former Judge, Punjab and Haryana High Court, Now as Chairman of Monitoring Committee

ANNEXURE - R21

Item No. 04 (Court No. 1)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(By Video Conferencing)

Original Application No. 169/2020
(I.A. No. 161/2021: For intervention on behalf of intervenors)

Kuldeep Singh — Applicant

Versus

State of Haryana & Ors. — Respondent(s)

Date of hearing: 18.01.2022

CORAM: **HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON**
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Applicant: Ms. Pallvi Hooda, Advocate
Mr. Aseem Mehrotra, Advocate for Applicant in I.A 161/2021

Respondent(s): Mr. Pinaki Misra, Senior Advocate with Ms. Sunita Sharma, Advocates for M/s Govardhan Mines and Minerals
Mr. Rahul Khurana, Advocate for HSPCB

ORDER

1. Grievance in this application is against illegal mining in forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham, District Bhiwani and also unscientific mining outside forest area in violation of EC conditions. It is stated that there are FIRs, complaints and letters pointing out such illegalities but no remedial action is taken.

2. The matter was considered earlier in the light of reports from the statutory regulators. Last order is dated 20.07.2021. By the said order, while issuing notice to the project proponent (PP), the Tribunal

constituted an eight-member joint Committee headed by Justice Pritam Pal, former Judge of Punjab and Haryana High Court to ascertain facts and also sought report from the Chief Secretary, Haryana in the light of report to be submitted by the said Committee.

3. For background of the matter, it will be appropriate to reproduce the operative part of the last order:-

"

4. Accordingly, the joint Committee has filed its report dated 16.07.2021 inter alia stating that another application on the same subject being OA No. 132/2020, Rakesh Dalal v. State of Haryana, has been dealt with by this Tribunal vide order dated 02.06.2021. Therein, report was similar to the report now furnished that damage was found but the present project proponent (PP) was not responsible but it was the predecessor of this PP who had caused the damage. ***The report now filed states that inspection was first conducted by the Committee on 06.10.2020 finding violations by the PP. Based thereon, show cause notice dated 08.10.2020 was issued by the State PCB under Section 5 of the Environment (Protection) Act, 1986 and after considering the reply, the Regional Officer, State PCB recommended closure on 06.11.2020. However, the scenario underwent change after the meeting convened by the Deputy Commissioner, Bhiwani on 01.12.2020.*** *Therein differing stands were presented by the mining, forest and ground water departments at variance with the findings in the site inspection report of the joint Committee. Such differing stands were noted by the Deputy Commissioner, Bhiwani, who directed the stakeholder Departments to examine the presentation of the project proponent for sending a report to the Chairman, State PCB. Accordingly, the Forest Department vide report dated 21.12.2020 and the Mining Department vide report dated 31.12.2020 sent their observations to the Deputy Commissioner, contrary to the findings in the site inspection report dated 6.10.2020. Based on later reports, the present report has been filed to the effect that no illegal mining has been done by the present PP. Illegal mining had been done by the predecessor of the project proponent.*

5. We have heard learned Counsel for the parties and perused the record.

6. Learned Counsel for the applicant submitted that order of this Tribunal dated 02.06.2021 in OA No. 132/2020 may not be treated as final as the Tribunal did not have the benefit of any assistance from the side of the applicant and thus patent illegalities which exist in mining by the PP could not be pointed out. The Tribunal has merely directed further action in terms of the report without any discussion in absence of objections thereto. Conclusion in the report is patently perverse and against the record. It is pointed out that the

inspection reports submitted on 06.10.2020 by the six-member Committee headed by Addl. Deputy Commissioner, Bhiwani and including Mining Officer, Bhiwani, Assistant Geologist, Ground Water Cell, Bhiwani, Addl. District Forest Office, Bhiwani, SDO Nagina, Water Service and Sub Div. Bhiwani could not be deviated from without any factual basis. The reports clearly find the PP responsible for the violations. The PP is successor of the earlier mining lessee and responsible for the continuing violations which are of serious nature. Subsequent reports by the Mining and the Forest Department cannot be held to be reliable in view of earlier reports. The reports are similar but separate for the two OAs filed before the Tribunal. The Tribunal passed two separate orders in the said OAs seeking reports. In OA 132/2020, report is reproduced below:

*1. **Regarding illegal mining by M/s Govandhan Mines at Dadam, Tosham, Bhiwani Haryana.***
***Observation** – During the inspection it is observed that the sand mining project has **illegally created ways in the forest area without having any valid permission.** At the time of inspection, the mining equipment's/machines are also found standing in the non-minable forest area.*
The Dadam Hill Minor is a protected forest area under IFA, 1927 and same is found illegally mined at the time of the inspection.

*2. **It is alleged that mining is done upto 150 meters which is not permisstble.***
***Observation** – During the inspection, the concerned mining officer stated that **the mining is done at the site about 200 feet depth.** But actual depth of the mining pits will be assured by the inspection of the mining surveyor from Mining Dept., Head Office, Panchkula within 7 days as mentioned by concerned mining officer.*

*3. **The Mining Company has not given a closure plan.***
Observation** – During the inspection the concerned mining officer stated that an approved mining plan as well as a progressive closure plan of same is already submitted by the said mining project and the mining project is still in progress and **closure plan will be implemented after closure of the mining.

*4. **In the progressive closure plan, the depth is shown to be up to 42 meters.***
***Observation** – During the inspection the concerned mining officer stated that the said mining project has given following dimensions of mining pit as per approved mining plan:*
(i) Length: 536 meters (ii) Width : 528 meters (iii) Depth : 78 meters (from ground level). But no record provided at the site during inspection in this regard.

*5. **Mining is not being done in a scientific manner.***
***Observation** —During inspection the concerned mining officer stated that the mining is not done in scientific manner i.e.*

benches of 9- meters height and 9-meter width are not properly formed.

6. ***Ground water is also being illegally extracted.***
Observation *– During the inspection the concerned Assistant Geologist, Ground Water Cell reported that no bore well found in the lease mining area. The project is meeting water requirement for plantation, dust suppression and domestic etc. through tankers from outside the mining area and also using the waters stored within mining pits and water stored in pits cannot be identified at spot whether it is groundwater or rain water and same will be identified within 7 days as assured by the concerned Assistant Geologist, Ground Water Cell.*

7. ***The applicant has annexed a letter addressed to the Additional Chief Secretary, Mines and Geology Department pointing out irregularities in the process of mining.***
Observation *– During the inspection the concerned officer stated that he is not aware about the said communication because the letter number and date are not mentioned. During the inspection the concerned SDO, Irrigation Department stated that the said mining project is using the land of Dadam distributary illegally for mining purpose."*

Report on same day in OA 169/2020 on the subject of illegal mining in the forest area is as follows:

"Point: Grievance in this application is against alleged illegal mining in forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham, District Bhiwani. The applicant has relied upon FIR, complaints and letters in support of the allegation.

Observation *— During the inspection it is observed that the said mining project has illegally created ways in the forest area without having any valid permission. At the time of inspection, the mining equipment's/machines are also found standing in the non-minable forest area.*
The Dadam Hill Minor is a protected forest area under IFA, 1927 and same is found illegally mined at the time of the inspection.

At the time of inspection, the team has also reported following observations:

During the inspection, the concerned mining officer stated that ***the mining is done at the site about 200 feet depth.*** *But actual depth of the mining pits will be assured by the inspection of the mining surveyor from Mining Dept., Head Office, Panchkula within 7 days as mentioned by concerned mining officer. At the time of inspection the concerned mining officer also stated that an approved mining plan as well as a progressive closure plan of same is already submitted by the said mining project and the mining project is still in progress*

and closure plan will be implemented after closure of the mining.

During the inspection the concerned mining officer stated that the said mining project has given following dimensions of mining pit as per approved mining plan:

(i) Length: 536 meter (ii) Width: 528 meter (iii)Depth: 78 meter (from ground level).

At the time of inspection, the concerned mining officer mentioned that the ***mining is not done in scientific manner i.e. benches of 9-meter height and 9-meter width are not properly formed.***

During the inspection the concerned Assistant Geologist, Ground Water Cell reported that no bore well found in the lease mining area. The project is meeting water requirement for plantation, dust suppression & domestic etc., through tankers from outside the mining area and also using the water stored within mining pits and ***water stored in pits cannot be identified at spot whether it is groundwater or rain water and same will be identified within 7 days as assured by the concerned Assistant Geologist, Ground Water Cell.***
The concerned SDO, Irritation Department at time of inspection stated that the said mining project is using the land of Dadam distributary illegally for mining purpose."

7. *Show cause notice for closure dated 08.10.2020 issued by the State PCB issued as follows:*

"Whereas an NGT order dated 21.07.2020 OA No. 169/2020 titled as Kuldeep Versus State of Haryana and order dated 20.08.2020 OA No. 132/2020 titled as Rakesh Dalal Versus State of Haryana

Whereas a joint team constituted by Worthy Deputy Commissioner, Bhiwani and headed by Addl. Deputy Commissioner, Bhiwani including Mining Officer, Bhiwani, Assistant Geology, Ground Water Cell, Bhiwani, Addl. District Forest Office, Bhiwani, and SDO Nigana, Water Service, Sub Div. Bhiwani visited the site of mining project on 06.10.2020 Whereas during inspection, following deficiencies are observed by the joint team :-

1. ***You have created illegal ways in the forest area without having any valid permission.***
2. *The mining equipment's/machines are also found standing in the non-minable forest area.*
3. ***The Dada Hill Minor is a protected forest area under IFA, 1927 and same is found illegally mined at the time of inspection.***
4. ***During the inspection the concerned mining officer stated that the mining is not done in***

scientific manner i.e. benches of 9-meter height and 9-meter width are not properly formed.

5. ***During inspection water found standing in mining pits clarify your position whether it is ground water or rain water.***
6. ***Your project is found using land of Dadam Distributary illegally for mining purpose.***

Whereas unit will be liable to pay the environmental compensation in the terms of direction of the Board issued by order no. HSPCB/PLG/2019/6043-75 dated 29.04.2019 as assessed by the Board as per methodology defined.

Whereas you are not complying with the conditions of Env. Clearance issued by Competent Authority i.e. MoEF & CC, New Delhi.

In view of the above, you are hereby directed to show cause for 15 days, as to ***why closure/legal action may not be taken under Section 5 of 15 of EP Act, 1986 taken against your unit besides disconnection of electric supply and captive powers for non-compliance of the provisions of the said Acts and CTO granted previously vide No. 7841923 dated 08.08.2020 for the period 01.10.2020 to 30.09.222 may not be withdrawl.***

Section 5 of 1986 notwithstanding anything contained in any other law, But subject to the provision of this Act. The Central Government may, in the exercise of its powers and performance of its function shall be bound to comply with such directions.

Explanations; For the avoidance of doubts, it is hereby declared that the power to Issue directions under this section includes the power to direct:-

(a) The Closure, prohibition or regulation of any industry operation or process or
(b) The stoppage or regulation of supply of electricity, water or any other service."

8. The minutes of the meeting dated 01.12.2020 presided over by Deputy Commissioner, Bhiwani show that the Deputy Commissioner noticed the contradictory stands of the Forest Department - stand in the report dated 06.10.2020 based on the site inspection and contradictory stand in the report in the letter dated 17.11.2020. The observations are reproduced below:

"

- *During the meeting* ***Worthy Deputy commissioner, Bhiwani has raised concerned over dismantling of Dadam miner canal and SDO Irrigation, Bhiwani was present during the meeting on 01.12.2020 has stated that the said canal lying dismantled since for long time and Mining project is using land of this canal area without taking any permission from Irrigation department. The Ld. Deputy***

Commissioner, Bhiwani directed irrigation department to verify the exact time period in the said when the said canal was dismantled & list of officers responsible for not taking appropriate action against the violators during that period. The Deputy Commissioner also directed to irrigation department, Bhiwani to rebuilt the said canal and to ensure the availability of water for irrigation upto the tail.

- ***At the time of meeting Ld. Deputy Commissioner, Bhiwani asked forest department to clarify the exact time period when Illegal mining was carried out and who has done illegal mining & also directed to assess total area & quantity of mineral illegally extracted and approximate cost of the material.***

  The worthy Deputy commissioner, Bhiwani also shows concern regarding self contradictory reports submitted by forest department, Bhiwani in last three months which may bring adverse remark against the officers involved in verification of compliance status of Hon'ble NGT orders.
  The Deputy commissioner, Bhiwani directed DFO, Bhiwani to submit the clear-cut recommendation/report on the reply submitted by the unit personally.

- *During inspection worthy Deputy commissioner, Bhiwani asked Assistant Geologist groundwater table, Bhiwani to clarify whether the said mining project has intersected the ground water cell.* ***The Ld. Deputy Commissioner, Bhiwani also directed to verify where the water reported by the team on 06.10.2020*** *disappeared. The assistant Geologist ground water cell told that he will recommend case of the project for further verification from central ground water Board.*

- *At the time of inspection the mining officer, Bhiwani stated that as per recent survey conducted on 03.11.2020 by the team consisting of Senior Geologist Head office, Mining officer, Bhiwani, Senior surveyor, Surveyor and official of HARSAC, the detail survey of the mine area was carried out with the help of DGPS instruments in the presence of concerned revenue official i.e. Halka Girdawar & Patwari, The revenue officials gave the reference point as red stone chakbandi for detail survey. But no illegal mining was found. The boundary pillars of the mining lease area were found in the order with GPS coordinates as per approved mining plan.*

  The mining officer stated that ***to verify scientific mining status, the case of this project already recommended to Director General Mines & Safety, Ghaziabad because***

the matter regarding scientific mining relates to DG mines and safety, Ghaziabad and reminder has also sent in this regard.

The mining officer, Bhiwani was asked by Ld. Deputy commissioner regarding dues of the M/s Goverdhan Mines & Minerals, Dadam, Mining officer stated that ***73.49 Crore are pending on account of royalty/dead rent, R & R and interest against M/s Goverdhan Mines & Minerals, Dadam. Which is already intimate to Director General Mines & Geology, Panchkula for necessary action and Worthy Deputy commissioner, Bhiwani directed to send reminder to higher authority again for necessary compliance immediately.***

- *The Ld. Deputy commissioner directed to all the stake holder departments to examine the presentation received from the said project proponent within 15 days from date of meeting i.e. 01.12.2020. So that report can be sent to the Chairman, HSPCB, Panchkula to decide closure case of the unit."*

9. *Further report of the Forest Department dated 21.12.2020 is as follows:*

> *"3. As far as the extent of illegal mining area is concerned, RFO, Tosham has reported vide letter no. 364 dated 21.12.2020 that* ***illegal mining has been done near point B & C in an area of about 0.8 hectare by the then lease holder (KSL Sunder Marketing Associate) prior to M/s Goverdhan Mines and Minerals. Further 300 Sqm area of illegal mining was found for which FIR No.587 dated 23.12.2019 has been registered.*** *Further, it is informed that forest department does not have any technique to estimate the quantity of mineral extracted and its cost. Hence for the extent of illegal mining i.e. 0.8 hectare in area and 300 sqm of area, the quantity of minerals extracted and cost may be sought from the Mining department."*

10. *Report of the Mining Department dated 28.12.2020 is as follows:*

> ***"6.0 Observations:***
>
> i. *There were 25-30 numbers of pits dug within the lease hold area. The pit name was locally numbered for identification and convenience. The size of these pits was about 80-200 m X 100m-200m.*
> ii. *The size of pit no. 38 was about 80mx60mx18m. The height of benches were 5-9m and width was about 5-7m. A haul road leading to benches was provided. The Aravali forest land was located on the western part of the excavation. Men and machinery were deployed by contractor. The size of pit no. 35 was about 60-65m(L)x40-45m(W)x8m-9m(D). The height of bench was about 8-9m.*

Adjoining to this pit, forest land of Aravali was located on western side. The size of pit no. 31 was about 100-110 m(L)x80- 90m(W)x 16-18m(D). The height of bench was about 8-10m. Adjoining to this pit, forest land of Aravali was located on southern side. Loading of stone was being carried on in these pits.

iii. *The size of pit no. 22 was about 200mx200mx20m(D) The height of benches were about 9-10m. Drilling of holes were being carried on the bottom bench. The drill machine was provided with wet drilling arrangement (photograph enclosed) Management informed that the drill machines whose wet drilling mechanism was out of order were under repair.*

iv. *There were three portable foggers machines installed near the pit where loading operation was being carried on to settle the dust being generated during loading. It was informed that these foggers are moved to different pits where loading operations are carried on. Two to three dedicated tractor mounted water wanker was available for supplying water to these fogger machine.*

v. *Three water tankers with water spraying arrangement on the top (whirling type) were provided for wetting the haul roads and benches (photograph enclosed). Water spraying was being done on the haul roads and benches.*

vi. *The danger zone was demarcated by means of red flag (photograph) enclosed). The lease boundary was fenced by barbed wire. During inspection it was observed that a staffs and work persons were wearing safety gadgets like helmet and shoes.*

vii. *An order under section 22(3) of the Mines Act, 1952 was imposed in pit no. 12 vide this Directorate's letter no. 2169 dated 28.05.2019. No work was being carried out at in this pit. Men and machinery were not found deployed in this pit.*

viii. *The records of attendance in form D were kept maintained. The employment register in Form-B was kept maintained (copy enclosed).*

ix. *The deep hole drilling and blasting was carried out under the personnel supervision of assistant manager and foreman. The blasting time was reported to be between 1-4pm. A signage of blasting time was displayed on board at several places (photograph enclosed). Transport of explosive in license van for blasting in the mine was done by the explosive supplier that was in agreement with the owner of mine. The records of explosive used and return in RE-13 were being maintained by the explosive supplier (copy enclosed) and firings of shot were done by statutory persons appointed by the owner of mine.*

x. *An efficient means of signaling by siren within the radius of 300m from the place of firing was provided and in use (photograph enclosed).*

xi. *High mast tower consisting of clusters of bulb was found installed on the haul roads around the quarry of the mine (photograph enclosed for lighting arrangement to work beyond day light hours.*

xii. ***There were crushers not belonging to owner of mine within the danger zone in north eastern and north western side. However, the crusher were located outside the danger zone from active working face.*** *The fly rocks generated during the, blasting was towards free face. It was informed by the management that the adjoining field to the lease were acquired by the lessee on rental basis. No signs of fly rocks were seen near the adjoining field to the lease.*

7. CONCLUSION

1) *It is to be noted that, Mining lease for Dadam Stone Mine, Khasra No. 132, Ms. Goverdhan Mines& Minerals was granted by department of Mines & Geology, Government of Haryana. Consent to operate, consent to establish and environment clearance was granted by the state authority simplified Mining Scheme for working the mine in a scientific way by method of opencast mining has been approved by department of Mines B Geology, Haryana.*
2) *Inspection of Dadam stones Mines, Ms. Goverdhan mines &Minerals was carried out in accordance with the Mines Act, 1952.*
3) *Under constitution of India, Safety welfare and health of workers employed in the mines is regulated by the Mines Act, 1952 and subordinate legislations framed under it. This Directorate, a subordinate office under Ministry of Labour & Employment, Government of India administers and oversees the compliance of the provisions of the Mines Act, 1952 & the Rules, Regulations and Bye-laws framed there under. Beside this Directorate grants permission under certain Regulations for specific mining operations like Deployment of Heavy Earth Moving Machinery & deep hole blasting.*
4) *Inspections are carried out in accordance with Mines Act, 1952 to oversee compliance.*
5) ***Scientific study is not carried out by this Directorate. However, Department of Mines & Geology may Engage recognized scientific organization or institutions to carry out scientific study of the mine.***
6) *This inspection was carried out solely on the request of mining, officer, Bhiwani without prejudice to any other law in place.*
7) *Mining officer, Bhiwani may be addressed. Letter is put up."*

11. After referring to the above, it is pointed out on behalf of the applicant that the conclusion in the report that no illegal mining has been done by the PP is perverse for the following reasons:

i. *On inspection of the site on 06.01.2020 by a six-member Committee, encroachment of the protected forest area has*

been found. Further, mining has been found to have been done even beyond depth of 150 meters. Closure plan has not been given by the predecessor of the PP which was the responsibility of the Chief Secretary of the State. If mining closure plan has not been filed, the Chief Secretary of the State must explain or the successor i.e the PP must be held responsible in terms of the EC conditions and as required in terms of order of the Hon'ble Supreme Court in order dated 11.08.2017 in SLP (C) No. 19166/2017, M/s. Sunder Marketing Associates v. State of Haryana & Ors. inter alia directing;

"33. Keeping in view the prayer made:

(i) We permit the petitioner to continue its mining operations till 30th November, 2017 in accordance with the Mining Plan. ***On or before that date, it shall ensure implementation of the mining closure plan to the satisfaction of the concerned authorities in the State of Haryana.***

xxx.....xxx.....xxx.....

(iv) All the laws applicable to the petitioner shall be strictly enforced by the State Government regardless of its apparent influence in high places. ***We make it clear that we will hold the Chief Secretary of the State of Haryana responsible for any lapse in this regard."***

(ii) Mining was not being done in scientific manner. Ground water was being illegally extracted. Mining equipments were found in the non-mineable forest area. In IA No. 76/2021, which has been allowed by a separate order today, the applicant has inter alia filed a copy of order of Mining Department dated 05.08.2020 directing the project proponent to close deep mining pits along the Eastern Boundary of the Mine, which also contradicts the report that the PP is not responsible for the violations. Further, report of the Assistant Geologist, Ground Water Cell, Bhiwani is to the effect that water table data of selected wells available on record in surrounding alluvial formation is from 9.41 mtrs to 18.52 mtrs., whereas the depth of mining pits is approx. 60 mtrs, as told by mining officer at the site.

(iii) The report of the investigating officer in the FIR, exonerating the PP is unacceptable as equipments were seized on the spot in the mining area during the currency of the mining operations by the present project proponent.

12. ***We have considered the objections of the applicant and find that the same require consideration after due opportunity to the PP and after obtaining a further credible report.***

13. ***Accordingly, while issuing notice to the PP - M/s. Govardhan Mines and Minerals, Hisar, we direct further inspection by eight-member joint Committee to be headed by Justice Pritam Pal*, former Judge of Punjab and Haryana***

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High Court and comprising Ms. Urvashi Gulati,* former Chief Secretary, Haryana, Regional Officer, MoEF&CC, Chandigarh, nominees of CPCB, Indian Institute of Soil and Water Conservation, Research Centre, Chandigarh, Haryana State PCB, SEIAA Haryana and District Magistrate, Bhiwani. The CPCB and State PCB will act as nodal agency for coordination and compliance. *The first meeting of the Committee may be convened within two weeks. The Committee may peruse the record, undertake visit to the site (by such of the members as may be decided by the Chairman) and conduct other proceedings online. The Committee may interact with the stakeholders and take assistance from any other individual/institution.* ***The Committee may also study the satellite imagery maps, in coordination with the concerned authorities.*** *The report of the Committee may be furnished within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF with a copy to the Chief Secretary, Haryana for remedial action in the light of the said report following due process of law.*

14. ***The Chief Secretary, Haryana may give action taken report in the light of the report of the Committee. The report may also comment on the conduct of the Forest and Mining Departments in giving contradictory reports and also contradictory stand of the investigating officer that no mining was done by the present project proponent while equipments were seized during currency of the mining by the present project, based on which FIR was lodged and during site inspection by six-member Committee on 6.10.2020 violations were recorded."***

3. In pursuance of above, interim report dated 13.10.2021 has been filed by the Committee constituted by this Tribunal. The Committee has found that illegal mining was done in Aravali plantation area. The Forest Department has to recover cost of stone mined illegally and State PCB has to impose environmental compensation. Study with regard to period for which such illegal deep mining was done up to depth of 109 m against the permissible depth of 78 m have not been completed. In Dadam mined area, there was no unscientific mining. The Committee also found damage to the Dadam distributory, illegal mining where depth of mining pit had gone down to 200-250 ft. The recommendations include specifying transport route for the vehicles, restriction on loading

* They comprise Monitoring Committee for several environmental issues in the State of Haryana

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and transportation during night, giving the list of permitted vehicles to the Authorities, use of drone technology, regular inspections, seizure of vehicles used in illegal mining, providing geo-fencing on mining leased area, providing GPS on the vehicles, checking of transport permits and more rigorous monitoring. Conclusions and recommendations are extracted below:-

"3.0 Conclusions and recommendations

Based on the data, record, reports of various departments viz., Department of Mining and Geology, Department of forest, Jal Water Services and Department of Ground Water Cell, District Bhiwani, detailed discussions held with the officers of concerned departments on 16.8.2021, 4.9.2021, 17.9.2021 by the subcommittee and Joint Committee and field inspection carried out by the subcommittee on 20.8.2021 and Joint Committee on 1.10.2021, the following conclusions and recommendations are made

A) Illegal Mining in forest area (non minable area) in 300m 2 area in Dadam mining Hills in village Dadam, Tehsil Tosham.

Keeping in view the facts mentioned in para No. 2.3.6.1 and 2.3.7.3, the Monitoring Committee concludes the issue regarding illegal mining in forest area in 300 m 2 in Dadam mines hills as under:

M/s Govardhan Mines and Minerals has done illegal mmmg in Aravali plantation area (forest area) in 300 m 2 area between approach line (Pathways) AB and BC.

Therefore, the eight members Joint Committee recommends as under

i) *The Department of Forest shall recover the cost of stones mined illegally in forest area (Aravali Plantation area) as per the methodology mentioned in order dated 26.2.2021 in OA No. 360 of 2015 in the matter of National Green Tribunal Bar Association vs union of India and Ors and order dated 19.2.2020. in MA No.16/2020 in OA No. 44 of 2016.*

ii) *HSPCB shall impose environmental compensation of suitable amount as a cost of damage caused to the environment by the project proponent for by carrying out illegal mining in forest area (Araveli platation area) and damaging ecology and ecosystem.*

B) Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.

Regarding illegal mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham, eight members Joint Committee concludes as under.

During the visit of the subcommittee and eight members Joint Committee to the mining site near Aravali Plantation area at village Dadam near pillars A, B and C on 20.8.2021 and 1.10.2021, it was informed that the illegal mining in Aravali Plantation area (forest area) in front of pillar B between A and C has been done. The Google earth images, as produced by District Forest Officers, show that the illegal mining in an area of 0.8 hectare was done in the year 2019, whereas, Principle Scientist, HARSAC was of the view that the images of Google earth cannot be relied upon for establishing the actual time period of illegal mining in 0.8 hectares of forest area. Therefore, there is need to get the satellite imageries of the area, for which the survey of the area has been started by the scientists of HARSAC, Hisar as per the directions issued during the last meeting of the joint committee held on 17.09.2021. Therefore, Joint Committee recommends as under.

Principal Scientist, HARSAC, Hisar shall complete the study, who has been started at the Dadam Mining site and submit the report based on satellite imageries at the earliest so as to sort out the issue with regard to illegal mining in an area of 0.8 hectares at the earliest.

C) Illegal mining in Dadam mining area done up to depth of 109 m.

On the directions of Director General, Mines and Geology, a team consisting of Senior Geologist, Head Office, Panchkula, Mining Officer Bhiwani, Senior Surveyor and officials of HARSAC inspected the mining lease area on 3.11.2020. The detailed survey of mining area was carried out with the help of DGPS instrument in the presence of concerned Revenue officials and observed that the maximum depth of mining pits was found to be 109 m from the surface level at the time of inspection.

M/s Govardhan Mines & Minerals, stone mining lease holder in Dadam mine hills, was asked to submit a copy of receipt of Department of Mining & Geology or Department of Forest or any other department in the year, 2018 regarding submission of study report conducted by M/s Shivom Engineers Associates Pvt. Ltd. mentioning the depth of mining at places is more than 100 m in the year, 2018. However, no such receipt has been submitted by M/s Govardhan Mines & Minerals.

Therefore, the identification of the project proponent and time period during which illegal deep mining done up to the depth of 109 m against the permissible depth of 78 m shall be made after

the completion of study by the scientists of HARSAC, Hisar at Dadam mining site and submission of report by HARSAC, Hisar.

D) Illegal abstraction of ground water in Dadam mining area.

Depth of mine pit is approximately 109 m from ground level as measured by the officials of mining department and as per the report dated 3.11.2020 of Assistant Geologist, Ground Water Cell and version of CGWA, there is hard compact quartzite formation with some cracks and fissures. The ground water occurs in permeable geological formation known as aquifer. The aquifer is the water bearing formation having structure that permits appreciable water to move through it under ordinary field conditions. The ground water existence depends upon porosity, permeability and saturation with in any formation.

During field investigation by the Ground Water Cell, it was concluded that water table data of selected wells available in surrounding alluvial formation is from 9.41 m to 18.52 m, whereas, the depth of mining pit is approximately 109 m as measured by the officials of Mining Department. This shows that presently, the surrounding water level is having no inter connectivity with mining pits, as the water table has not been encountered up to the depth of 109 m and the water accumulated in mining pit is seepage from the cracks and fissures of the quartzite rock of Aravali system.

Therefore, the Joint Committee concludes that water accumulated in mining pit having depth of 109 m is seepage from the cracks and fissures of the quartzite rock of Aravali system and no ground water abstraction in mining area has been made.

E) Unscientific mining in the mining area by the project proponent

Deputy Director of Mines Safety, Ghaziabad vide his report dated 04.01.2021, which was based on the inspection made on 28.12.2020, has submitted his report, which is briefly mentioned as under

- *There were 25-30 no. of mining pits dug within mining lease area.*
- *The pits have different sizes and height of the benches have been found between 5-9 m, 5-7 m, 9-10 m etc.*
- *Three portable fogger machines were found installed near the pits which are moved to different pits. Besides, three water tankers, with water spraying arrangements on the top, have been provided for wetting the haul roads and benches.*
- *The danger zone was found demarcated by means of red flag. The lease boundary wall was fenced with barbed wire. During inspection, it was observed that all the staff and work persons were wearing safety gadgets like helmets and shoes.*

- *The deep hole drilling and blasting was carried out under the personal supervision of Assistant Manager and Foreman. The blasting time was reported to be between 1-4 PM and a signage of blasting time was displayed on the board at 7 places.*
- *High mast tower consisting of clusters of bulb was found installed on the haul roads.*
- *Simplified mining scheme for working the mine in a scientific way by method of opencast mining has been approved by the department of Mines and Geology, Haryana.*

However, it has also been mentioned that scientific study is not carried out by the Directorate and Department of Mine and Geology may engage recognized scientific organisation or institution to carry out scientific study of the Mine area. From the above, the eight member Joint Committee concludes that no unscientific mining has been done in Dadam Mine area and the project proponent shall continue to conduct scientific mining at all the times based on the recommendations/ report submitted by the Department of Mines Safety, Gaziabad.

The Joint Committee further recommends that the Department of Mines and Geology, Bhiwani may engage recognized scientific organization or institutions to carry out scientific study of the mine within 01 month as per the observation of Deputy Director of Mining Safety, Ghaziabad.

F) Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.

Based on the data, record and reports submitted by the Department of JUI Water services as mentioned at para 2.3.6.4, 2.3.7.1 and further report of Sub Divisional Officer, Nigana W/S Division, Bhiwani submitted vide his office letter No.65356 dated 22.9.2021 that joint measurement was carried out by the department of Irrigation and Mining department from RD 20500 to 23500 of Dadam distributary. The width of the damaged portion of Dadam distributary could not be measured due to ups and downs. The depth of pillar No. 15 of mining was found about 50' below the bed level of Dadam distributary in Khasra No. 132.

The eight member Joint Committee is of the view that both of these departments could not measure the dimensions of the damaged portion of Dadam distributary. Therefore, eight member Joint Committee concluded and recommended as under.

i. *HARSAC, Hisar shall conduct the study of damaged Dadam distributary between RD 20500 to 23500 and shall prepare satellite imageries of the area for the year 2015 to 2021, interpret the data and submit the report regarding illegal mining done in the portion, where the depth of mining pit has gone down to 200-250 ft and*

the time period during which, the said mining was done. The report may include illegal mining done and using the damaged distributary as pathway for movement of vehicles of mining lease holder in Dadam mine hill. The said study report alongwith the recommendations may be submitted to the eight members Joint Committee within 01 month.

ii. *Deputy Commissioner, Bhiwani shall fix the responsibility of the mining lease holder or other persons, who has damaged the Dadam distributary and the cost of the repair of the damaged portion of Dadam distributary may be recovered from the concerned agency and estimate for repairing of damaged portion of Dadam distributary may be prepared by the department of Irrigation within 15 days. The damaged Dadam distributary may be repaired within 03 months.*

iii. *Department of Mines & Geology shall investigate the issue regarding digging and filling of the area parallel to the Dadam distributary/minor and near weigh bridge, which is presently not in operation, with an objective to check as to whether any illegal mining in that area was done by the project proponent. The said department shall submit the report within 07 days.*

3.1 Other recommendations

1. *The Mining Officer should be the competent authority to specify the transport route which shall be used by the vehicles used by the mining lease holders so that it may route through atleast one of the mining check posts established by the Department. There should be complete restrictionon loading & transport of mined material during night hours (7:00 PM to 6:00 AM), since this is the time window which is used for maximum evasion. Lessee should give a list of vehicles to the Mining Officer which should be entered into the portal. The list of permitted vehicles should be shared with the Police Department and with the mining check posts. Any vehicle which is not in the list given by the lessees, should simply be impounded. All these vehicles should be made GPS enabled by the lessee and their movement should be accessible by the Mining Department through a central access login.*

2. *Advance Technological Drones may be provided to the Mining department to take prompt action against illegal mining activity.*

3. *The State of Haryana shall also implement the directions issued in para no.28 of order dated 26.02.2021 in OA No. 360 of 2015 by way of getting conduct visit to the mining lease sites by a five member committee, headed and coordinated by the SEIAA and comprising CPCB (wherever it has regional office), State PCB and two expert members of SEAC dealing*

with the subject. Such inspection must be conducted at least thrice for each lease i.e, after expiry of 25°/o the lease period, then after 50°/o of the period and finally six months before expiry of the lease period for midway correction and assessment of damage, if any.

4. The Government of Haryana may issue appropriate notification to implement the Judgment of Hon'ble NGT dated 26.02.2021 in the matter of National Green Tribunal Bar Association vs. Virender Singh (OA No. 360/2015) regarding seizure and penalties on vehicles found doing illegal mining, specifically paragraphs 8 and 9 of the judgment and for imposing penalties on violators for releasing of vehicles engaged in illegal mining as per formula approved in para 12 of the said order taking into account the net present value (NPV) of the environmental damage and not merely loss of royalty

5. As per the provisions of section 22 of the Mines and Minerals (Development & Regulation) Act, 1957 [(MMDR Act, 1957)], there is provision that no court shall take cognizance of any offence punishable under this Act or any rules made thereunder except upon complaint in writing made by a person authorized in this behalf by the Central Govt. or State Govt. As such, the police cannot register an FIR against the violator the complaint of any citizen/individual. There is need to amend the said section of MMDR, Act, 1957 to the extent that police department should have powers to register FIR against the violators.

6. The Mining Department may create an online app which can be used by all officers authorized for compounding so that an alert can be generated for vehicle numbers in case of repeat violations are occurred. In all such cases, FIR should be registered and the case should be sent to Court for trial & conviction.

7. For transporting of stones from mining area, only one or two roads may be fixed and notified by department of Mining and all the mined materials should be routed only through these roads. The check posts may be constructed on these roads. There shall be total restriction on the movement of trucks carrying/transporting mined stones on the other non notified roads.

8. The department of Mining/Geology shall provide Geo fencing on mining lease area in Dadam mining hills within 03 months.

9. Mining lease holder shall provide advance technological GPS on the declared/registered vehicles deployed for transportation of mined material having their connectivity with the office of Deputy Commissioner, Bhiwani, Police department and Mining Department, Bhiwani within 03 months so that their movement can be tracked and can be

monitored by the Department of Mining and Police and prompt action may be taken against the illegal mining operator.

10. *For monitoring illegal stone mining at Dadam mining site, there should be a provisions of checking transport permits, printing of transport permit on security papers, invisible ink mark, fugitive ink background and unique barcode system. The department of Mining shall provide said documents to the monitoring teams or District Level Special Task Force at District level within 06 months. The Monitoring team deployed for checking of vehicles/trucks carrying mined material should be in a position to check the validity of Transport permit or receipt by scanning them using website, mobile phone application and SMS etc.*

11. *There should be a mechanism at district level to generate the system which may enable the authorities to develop periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation and total lifting. The system can be used to generate auto mails or SMS."*

4. In further report dated 10.01.2022 it is mentioned that satellite imagery maps of the Dadam stone mining site are not available. Director General, Science and Technology Park, Pune (Maharashtra) has been approached.

5. The PP has also filed affidavit dated 24.10.2021 to the effect that there is no bore-well or illegal extraction of ground water. Blasting is properly controlled. Damage was caused by the previous lease holder and there is no encroachment of forest area.

6. We note that an incident in the area took place resulting in loss of lives which aspect of the matter is being considered in *O.A No.01/2022, In re: News item published in The Indian Express Newspaper dated 02.01.2022 titled "Four killed in Haryana mine landslide"*, now listed for hearing on 05.04.2022.

7. As found by the Committee, there has been illegal mining including in the forest area and also beyond the permitted depth. Though the

Committee has observed that there was no illegal mining in the mining area, the said observation appears to refer to the time of inspection as the Committee has recorded its conclusion about earlier illegal mining. The Committee has observed that there was no ground water extraction but explanation of the PP that the ground water was privately procured but it is difficult to accept explanation in absence of such private sources being identified. As found in the order dated 20.07.2021 and in the report of the Committee, there was mining even beyond depth of 150 mtrs. Closure plan have not been given by the predecessor of the PP which is to be ensured by the Chief Secretary of the State. There is order of the Mining Department dated 05.08.2020, requiring the PP to close deep mining pits.

8. Thus, while directing recommended remedial action against illegal mining in the light of report of the Committee and in pursuance of order dated 20.07.2021 by the State PCB and Mining Department, to be overseen by the Member Secretary CPCB, we find it unnecessary that the joint Committee may wait for procurement of satellite imagery, if the same is not readily available and can make its final conclusions by undertaking ground truthing and drawing inferences from the available material.

9. Let the joint Committee give its final report by March 31, 2022. The Chief Secretary, Haryana may also file action taken report in pursuance of order of this Tribunal dated 20.07.2021 and report of the joint Committee by March 31, 2022. The reports may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

List for further consideration on 05.04.2022.

A copy of this order be forwarded to the Joint Committee, MoEF&CC, CPCB, (Regional Office, Chandigarh), National Disaster Management Authority, GoI, Director General of Mines Safety, GoI, PCCF (HoFF), Haryana, SEIAA, Haryana, State PCB and District Magistrate, Bhiwani and the Chief Secretary, Haryana by e-mail for compliance.

I.A. No. 161/2021 is intervention is allowed so as to permit making of submissions during the hearing.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Brijesh Sethi, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

January 18, 2022
Original Application No. 169/2020
(I.A. No. 161/2021)
AB

Annexure-J

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संयुक्त निरीक्षण रिपोर्ट

आज दिनांक 23.12.2019 को गांव खाडग स्थित खसरा नं० 132 जहां से M/s. Govardhan Mines and Minerals Hisar, द्वारा 6 मीटर चौड़ा रास्ता वन विभाग से Forest Clearance के तहत लिया हुआ है जो कि मार्क (Line) AB, BC, CD, DE, EF लीज ऐरिया (Attach Map) से आरंभ होकर प्रयोक्ता एजेंसी की निजी भूमि को मिलाता है, का संयुक्त मौका निरीक्षण किया गया। निरीक्षण के समय श्री विपिन कुमार सिंह, आई०एफ०एस०, उप वन संरक्षक, भिवानी, श्री जयप्रकाश, वन क्षेत्रिक अधिकारी, लोशाम, श्री राजेश कुमार, खनन निरीक्षक, माईनिंग विभाग तथा प्रयोक्ता एजेंसी के प्रतिनिधि उपस्थित थे। मौका पर Line AB,& BC के मध्य अवैध रूप से खनन होना पाया गया। जिसकी एफ०आई०आर० थाना लोशाम में दिनांक 22.12.2019 को दर्ज करवाई जा चुकी है।

V. K. Singh

खनन निरीक्षक,
माईनिंग विभाग।

वन क्षेत्रिक अधिकारी,
लोशाम।

उप वन संरक्षक,
भिवानी।

पृष्ठांकन : 2066-72 दिनांक 24/12/19

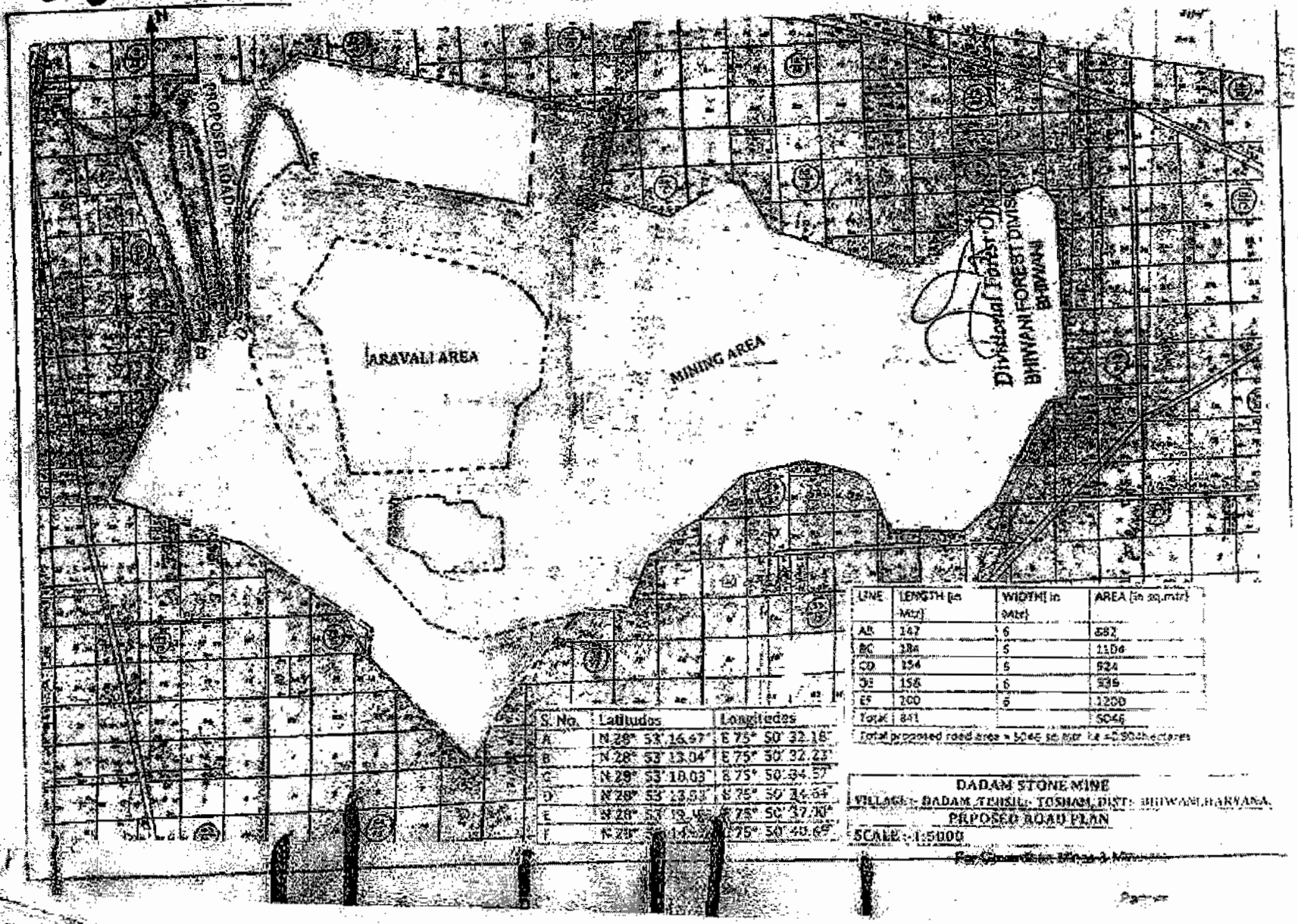
इसकी एक प्रति निम्न को सूचनार्थ एवं आगामी आवश्यक कार्यवाही हेतु प्रेषित है:-

1. जिला उपायुक्त, भिवानी।
2. पुलिस अधीक्षक, भिवानी।
3. उप मण्डल अधिकारी, (नाग) लोशाम।
4. जिला खनन अधिकारी, खान एवं भू-विज्ञान विभाग, भिवानी।
5. वन क्षेत्रिक अधिकारी, लोशाम।
6. तहसीलदार, लोशाम।
7. थाना प्रभारी, लोशाम।

V. K. Singh

उप वन संरक्षक,
भिवानी।

103.



S. No.	Latitudes	Longitudes
A	N 28° 53' 16.97"	E 75° 50' 32.18"
B	N 28° 53' 13.04"	E 75° 50' 32.23"
C	N 28° 53' 10.03"	E 75° 50' 34.57"
D	N 28° 53' 13.93"	E 75° 50' 36.64"
E	N 28° 53' 19.4[illegible]	E 75° 50' 37.70"
F	N 28° [illegible]	E 75° 50' 40.69"

LINE	LENGTH (in Mtr)	WIDTH (in Mtr)	AREA (in sq.mtr)
AB	147	6	882
BC	184	6	1104
CD	154	6	924
DE	156	6	936
EF	200	6	1200
Total	841		5046

Total proposed road area = 5046 sq.mtr i.e. =0.504hectares

DADAM STONE MINE

VILLAGE:- DADAM, TEHSIL:- TOSHAM, DIST:- BHIWANI, HARYANA.

PROPOSED ROAD PLAN

SCALE :- 1:5000

For Commissioner Mines & Minerals

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ANNEXURE-H

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आजादी का अमृत महोत्सव

Telephone (0120) 2711987
(Office)
Website www.dgms.gov.in
Email gzbdgms-dgms@gmail.com

भारत सरकार / Government of India

श्रम एवं रोजगार मंत्रालय / Ministry of Labour & Employment

खान सुरक्षा महानिदेशालय / Directorate General of Mines Safety

गाजियाबाद क्षेत्र, गाजियाबाद / Ghaziabad Region, Ghaziabad

कमरा संख्या -101 - 102, प्रथम तल, बीएसएनएल ... टेलीफोन एक्सचेंज के पास, सेक्टर-11, इन्दिरापुरम, गाजियाबाद -201002

संख्या:DDMS/GR/2022/162 दिनांक 01/03/2022

प्रेषक:

खान सुरक्षा उपनिदेशक,

गाजियाबाद क्षेत्र, गाजियाबाद

सेवा में,

Regional officer
Haryana State Pollution Control Board,
SCF-32 Opp. Community Centre, Sector-13, HSVP, Bhiwani

Subject: proceeding of the site visit on dated 04.02.2022 in compliance of Hon'ble NGT order dated 03.01.2022 in OA No. 01 of 2022 as the Indian Express Newspaper dated 02.01.2022 titled "Four Killed in Haryana Mining Landslide" -Regarding

Sir,

Please refer to your email dated 15.02.2022, directing me to submit the extent of violations of safety norms in the Dadam Stone mine, Khasra no. 132, belonging to M/s Goverdhan Mines & Minerals by project proponent & precautions/safety measures to be taken to avoid recurrence of such incident in the mining area.

In reference to point no. **1 (f)** and **1(i)** regarding extent of violations by Project Proponent and **4 (a)** regarding precautions to be taken to avoid recurrence of such incidents in the mining area, details are given below:

Point no. 1 (f) of the proceeding of the site visit: The incident occurred in Pit no. 37 & 38 and safety norms are to be verified. The Mines Safety Department shall submit the violations of safety norms by the Project proponent at the accident site.

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Comments: Following violations of the Regulations were observed under the Metalliferous Mines Regulation, 1961, framed under the Mines Act, 1952:

1.0 Regulation 106(3):The sides of opencast working were not kept adequately benched, sloped and secured so as to prevent danger from fall of sides. Only single bench of height about 30-40m was formed on the Eastern & Western Side of Pit No. 37 & 38.

2.0 The height and width of the benches were found not formed as per the guidelines mentioned in permission issued for use of HEMMs under Regulation 106(2)(b) of the Metalliferous Mines Regulation, 1961 vide letter no. 516936/NZ/Ghaziabad Region/Perm/2021/9178 dated 29.05.2021. Those guidelines are reproduced below:

Condition no. 2.1 (b): Height of benches in alluvium shall not exceed three meters (3.0m) and that in overburden as well as in hard and compact mineral formation shall not exceed six meters (6m) or the maximum digging height/ depth of the machine deployed thereat for digging, excavation or removal, whichever is less.

Condition no. 2.1 (c): Width of any bench shall not be less than-

1. Width of widest machine plying on the bench plus 2m, or

2. If dumpers ply on the bench, 3 times the width of the dumper or

3. The height of the bench, whichever is more.

Condition no. 2.2:The sides in overburden and mineral benches shall be kept sloped, to prevent danger from fall of sides. Over all slope quarry face towards Hang wall side should not exceed 45 degree.

Point no. 1 (i): DGMS are required to provide the safety measures to be undertaken to avoid any recurrence of such accident including those operational activities which prevent the accident.

DGMS may also provide comments/ input whether to continue the stone mining in the leased area or particularly for the pits where accident took place and if so what further steps to be taken to isolate the accidental area from rest of the leased mining area.

Comments on point no. 1(i): Following safety measures to be undertaken to avoid any recurrence of such type of accident including those operational activities which prevent the accident:

1. The sides should be adequately benched, sloped or secured so as to prevent danger from fall of sides. Height of bench in hard and compact ground should not exceed 6m and sides of the bench should be sloped at angle of not more than 60 degrees from the horizontal. Width of benches should not be less than the height.

2. No loose stone or debris should be allowed to remain within a distance of three metres from the edge or side of the excavation.

3. Undercutting of face or side should not be allowed.

4. Formation of benches and sloping of sides in mine should be done from top downwards only.

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5. Persons should not be engaged at the quarry floor or at the bottom of the high walls, or on ledges made in the high-walls.

6. All approaches to the bottom of high sides should be kept securely and effectively fenced so as to prevent any inadvertent entry of persons.

7. Safety Management Plan/Risk Assessment should be prepared to identify the potential hazards in the mine. Based on the Risk Assessment, mitigation measures should be evaluated and adopted.

8. Scientific Study to design, control and monitoring of pit by scientific agency of the repute should be carried out for scientific and safe mining.

Comments on point no. 1(i): Following input by DGMS to continue the stone mining in the leased area.

Stone mining in the leased area of Dadam stone mine owned by M/s Goverdhan Mines and Minerals may be carried out subject to following conditions strictly complied with:

(i) Height of benches in alluvium shall not exceed three meters (3.0m) and that in overburden as well as in hard and compact mineral formation shall not exceed six meters (6m) or the maximum digging height/ depth of the machine deployed thereat for digging, excavation or removal, whichever is less.

(ii) Width of any bench shall not be less than-

- Width of widest machine plying on the bench plus 2m, or
- If dumpers ply on the bench, 3 times the width of the dumper or
- The height of the bench, whichever is more.

(iii) The sides in overburden and mineral benches shall be kept sloped, to prevent danger from fall of sides. Over all slope quarry face towards Hang wall side should not exceed 45 degree.

(iv) Formation of benches and sloping of sides in mine shall be done from top downwards only.

(v) All approaches to the bottom of high sides should be kept securely and effectively fenced so as to prevent any inadvertent entry of persons.

Comments on point no. 1(i): Following input by DGMS to continue mining in the pits where accident took place and if so what further steps to be taken to isolate the accidental area from rest of the leased mining area.

(i) As informed by management, lease boundary of mine in pit no. 37 & 38 has reached up to the boundary of forest land and Arawali plantation land towards Western and Eastern side respectively. There is no area, owned by mine owner is left towards Eastern and Western side to form benches of proper dimensions. If adequate area towards Eastern and Western side of the pit no. 37 & 38 is made available to the mine owner/ lessee for formation of proper benches,then mining can be done by owner after forming proper benches from top down wards only as per the provisions stipulated in Metalliferous Mines Regulations, 1961 read with condition of permission letter no. 516936/NZ/Ghaziabad Region/Perm/2021/9179 dated 29.05.2021.

(ii) If adequate area towards Eastern and Western side of the pit no. 37 & 38 is not made available to the mine owner/ lessee for formation of proper benches, then stone mining is not possible. In such case pit no. 37 & 38 shall be kept isolated completely from every entrance by erecting and maintaining substantial fencing around the excavation.

Also top of the Pit no. 37 & 38 shall be kept securely fenced to prevent any person from entering or falling therein.

Point no. 4(a): Details of Safety Precautions to be taken by the project proponent in the mine lease area to avoid recurrence of such incident in future.

Comments on point no. 4(a): Following safety precautions should be taken by the project proponent in the mine lease area to avoid recurrence of such incident in future.

1. The sides of the opencast working should be adequately benched, sloped or secured so as to prevent danger from fall of sides. Height of bench in hard and compact ground should not exceed 6m and sides of the bench should be sloped at angle of not more than 60 degrees from the horizontal. Width of benches should not be less than the height.
2. No loose stone or debris should be allowed to remain within a distance of three metres from the edge or side of the excavation.
3. Undercutting of face or side should not be allowed.
4. Formation of benches and sloping of sides in mine should be done from top downwards only.
5. Persons should not be engaged at the quarry floor or at the bottom of the high walls, or on ledges made in the high-walls.
6. All approaches to the bottom of high sides should be kept securely and effectively fenced so as to prevent any inadvertent entry of persons.
7. Safety Management Plan/Risk Assessment should be prepared to identify the potential hazards in the mine. Based on the Risk Assessment, mitigation measures should be evaluated.
8. Scientific Study to design, control and monitoring of pit by scientific agency of the repute should be carried out for scientific and safe mining.

Submitted for your kind perusal please.

2/3/2017

(Anil Kumar Das)
Dy. Director of Mines Safety
Ghaziabad Region, Ghaziabad

ANNEXURE-5

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OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal
in OA No. 360 of 2018 in the matter Shree Nath Sharma Vs Union of India & Ors and other Environmental issues.
(Official Address: Tower No.5, 4th Floor, Forest Complex, Sector 68, SAS Nagar) Tel. No. 0172-2298091
Email: cecswm6006@gmail.com

To

The Deputy Commissioner,
Bhiwani

No. CMC/2022/612
Dated: 28.1.2022

Subject: Minutes of the meeting held under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court and now as Chairman of the Joint Committee regarding availability of high resolution satellite imageries of Dadam stone mine for the period 2015-2021 for investigation of the issues regarding illegal mining in an area of 0.8 hectare in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 27.1.2022 at 11.00 AM through Video conferencing.

Please find enclosed herewith minutes of the meeting held under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court and now as Chairman of the Joint Committee regarding availability of high resolution satellite imageries of Dadam stone mine for the period 2015-2021 for investigation of the issues regarding illegal mining in an area of 0.8 hectare in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary// minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 27.1.2022 at 11.00 AM through Video conferencing for your kind information please.

It is requested that the concerned officers of the District Administration be directed to convey the minutes of the meeting to all the concerned departments with the request to take necessary action on the points relating to them and action taken report be submitted within 10 days.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/613 Dated: 28.1.2022

A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchukla for information and necessary action please. He is requested to take necessary action on point no. 4 as mentioned in the minutes of the meeting.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/614 Dated: 28.1.2022

A copy of the above is forwarded to the Director HARSAC, Hisar for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Endst. No. CMC/2022/615 Dated: 28.1.2022

A copy of the above is forwarded to the Principal Scientist, HARSAC, Gurugram for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/616 Dated: 28.1.2022

A copy of the above is forwarded to the State Mining Engineer, Mines & Geology Department, Haryana for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/617 Dated: 28.1.2022

A copy of the above is forwarded to the District Forest Officer, Department of Forest, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/618 Dated: 28.1.2022

A copy of the above is forwarded to the Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/619 Dated: 28.1.2022

A copy of the above is forwarded to the Mining Officer, Department of Mines & Geology, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/620 Dated: 28.1.2022

A copy of the above is forwarded to the Executive Engineer, JUI Water Services Irrigation Department, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Minutes of the Meeting held under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court and now as Chairman of the Joint Committee regarding availability of high resolution satellite imageries of Dadam stone mine for the period 2015-2021 for investigation of the issues regarding illegal mining in an area of 0.8 hectare in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 27.1.2022 at 11.00 AM through Video conferencing

The following were present during the meeting:-

Sr. No.	Name and designation of the authority/officer in the Deptt.	Designation in the Joint Committee
1	Justice Pritam Pal, Former Judge, Punjab & Haryana High Court.	Chairman
2	Ms Urvashi Gulati, IAS, (Retd.) former Chief Secretary, Haryana.	Member
3	Sh. R.K Sapra IFS (Retired), Member, State Expert Appraisal Committee	Member
4	Dr. OPS Khola, ICAR-Indian Institute of Soil & Water Conservation, Research centre, Chandigarh	Member
5	Dr. K.K Garg, Deputy Director/ Scientist-C, Ministry of Environment, Forest & Climate Change, Regional Office, Chandigarh.	Member
6	Dr. Babu Ram, Technical Expert, Monitoring Committee.	Technical Expert

The list of the officers of State of Haryana, present in the meeting, is as per **Annexure-1.**

The Chairman of the Joint committee apprised that in compliance to order dated 20.7.2021 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors, the Joint Committee submitted its interim report to the Hon'ble National Green Tribunal vide letter No. CMC/2021/390 dated 13.10.2021. However, final report in the matter could not be submitted due to non availability of high resolution satellite imageries of the Dadam stone mines for the year 2015-2021 on the following issues.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**

ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**

iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

In order to get high resolution satellite imageries of Dadam stone mine on said points, the Joint Committee had taken up the matter with Deputy Commissioner, Bhiwani on 29.10.2021 and 11.11.2021 and further with the Chief Secretary, State of Haryana in the meeting held on 23.12.2021. In the said meeting, the Chief Secretary directed Dr. Sultan Singh, Principal Scientist, HARSAC to get the estimate from the agencies concerned and make them available to Deputy Commissioner, Bhiwani latest by 24.12.2021, on receipt of which Deputy Commissioner, Bhiwani shall immediately release amount to the concerned so that imageries are made available to the Committee for finalizing their report.

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In compliance to directions given by the Chief Secretary, State of Haryana in the meeting held on 23.12.2021, Deputy Commissioner, Bhiwani vide his office letter No. 169/2020/Dadam 1429 dated 31.12.2021 has requested the Director General, Science & Technology Park, Pune to provide the required satellite imagery data as per the Spatial resolution and also send the invoice of the same at the earliest.

Since, the next date of hearing in the matter before the Hon'ble Tribunal was fixed on 18.1.2022, therefore, the Chairman of the Joint Committee has submitted the progress on action taken and requested for extension in time for finalization of the report of the Joint Committee to the Hon'ble National Green Tribunal vide No. CMC/2021/566 dated 10.1.2022.

The Hon'ble National Green Tribunal has considered the interim report dated 13.10.2021 as well as request letter dated 10.1.2022 of the Joint Committee in its order dated 18.1.2022 and has directed in Para No. 7, 8 and 9 as under:

7. ***As found by the Committee, there has been illegal mining including in the forest area and also beyond the permitted depth. Though the Committee has observed that there was no illegal mining in the mining area, the said observation appears to refer to the time of inspection as the Committee has recorded its conclusion about earlier illegal mining. The Committee has observed that there was no ground water extraction but explanation of the PP that the ground water was privately procured but it is difficult to accept explanation in absence of such private sources being identified. As found in the order dated 20.07.2021 and in the report of the Committee, there was mining even beyond depth of 150 mtrs. Closure plan have not been given by the predecessor of the PP which is to be ensured by the Chief Secretary of the State. There is order of the Mining Department dated 05.08.2020, requiring the PP to close deep mining pits.***

8. ***Thus, while directing recommended remedial action against illegal mining in the light of report of the Committee and in pursuance of order dated 20.07.2021 by the State PCB and Mining Department, to be overseen by the Member Secretary CPCB, we find it unnecessary that the Joint Committee may wait for procurement of satellite imagery, if the same is not readily available and can make its final conclusions by undertaking ground truthing and drawing inferences from the available material.***

9. ***Let the Joint Committee give its final report by March 31, 2022. The Chief Secretary, Haryana may also file action taken report in pursuance of order of this Tribunal dated 20.07.2021 and report of the Joint Committee by March 31, 2022. The reports may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.***

Now, the matter has been further listed on 5.4.2022.

On sending the invoice for satellite imageries data of Dadam mine area of district Bhiwani by HARSAC Hisar vide letter dated 21.1.2022, Mining Officer-cum-Member Secretary, Distt. Mineral foundation, Bhiwani vide his office letter dated 24.1.2022, has deposited Rs. 2,51,607/- to the Director HARSAC Hisar, for providing satellite imageries data of Dadam mine area.

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Thereafter, the detailed discussion on the following issues was held:

1. **Procurement of ground water from private agency by M/S Govardhan Mines & Minerals for suppression of dust and plantation etc. in Dadam mine area.**

As per the observations of the Hon'ble National Green Tribunal in para no. 7 of order dated 18.1.2022 that the project proponent has given the explanation that ground water was privately procured but it is difficult to accept explanation in the absence of such private sources being identified.

After detailed discussion, it was directed that the mining officer, Bhiwani shall take an undertaking alongwith receipt of the payment given to the private agency by M/S Govardhan Mines & Minerals for procuring ground water for mining activity within 7 days.

2. **Submission of Mining Closure Plan by the predecessor of the project proponent (by M/S Govardhan Mines & Minerals).**

The State mining officer informed that since mining activity has been continued in Dadam mining area and closure plan can be submitted at the end of the mining at mining site, as such, in this particular case, mining plan can be submitted only when the mining activity shall be reaching to its closing.

After discussion in the issue, it was directed that State mining officer shall submit a copy of minutes of the meeting held under the Chairmanship of Chief Secretary, Haryana w.r.t. mining closer plan issue and the same may be submitted to the Joint committee within 10 days.

3. **Submission of mining plan by the Department of Mining.**

The District Forest Officer, Bhiwani informed that green belt of 7.5 m width at the periphery of Dadam mining area has not been provided by M/s Govardhan Mines and Minerals, which is essentially to be provided by the mining lease holder as per the mining plan of the area.

The Joint committee observed that mining plans by the earlier project proponent i.e. M/s Sunder Marketing Associates as well as present proponent i.e. M/s Govardhan Mines and Minerals, have not been submitted to the Joint committee. Further, as per the report dated 28.12.2020 of Deputy Director of mines safety Ghaziabad, the sizes of the benches have been found varying between 5-10 mtr. and all steps of safety w.r.t mining have been taken.

It was directed that mining plan submitted by M/s Sunder Marketing Associates and M/s Govardhan Mines and Minerals may be submitted by the Mining Department within 10 days. Mining Officer, Department of Mines & Geology, Bhiwani shall coordinate the matter.

4. **Continuation of membership of Sh. R.K. Sapra, IFS (Retd.), Member SEAC, Haryana as member of Joint committee.**

Sh. R.K. Sapra, IFS (Retd.), Member SEAC and also as member of Joint committee informed that the tenure of SEAC as well as SEIAA, Haryana is going to expire on 29.1.2022. He requested the Chairman of the Joint committee to intimate as to

whether he may be continued to work with the Joint committee till the finalization of the matter.

It was informed that the Hon'ble National Green Tribunal in para no. 12 of its order dated 20.7.2021 has clarified that the committee may interact with the stake holder and take assistance from any other individual/institution. **Accordingly, the Chairman of the Joint committee directed that R.K. Sapra, IFS (Retd.), may be co-opted as member with the Joint committee till the finalization of the matter. The facilities like vehicle etc on the day of meeting / visit to the site shall be provided by HSPCB.**

5. **Sharing of reports to be submitted by Deputy Commissioner, Bhiwani and the committee constituted by the Hon'ble National Green Tribunal in OA No. 01 of 2022 titled as news item published in the Indian Express newspaper dated 2.1.2022- Four killed in Haryana mine land slide.**

The Chairman of the Joint committee directed that the report to be submitted by Deputy Commissioner, Bhiwani and the Committee constituted in OA No. 01 of 2022 titled as news item published in the Indian Express newspaper dated 2.1.2022- Four killed in Haryana mine land slide, may be shared with the Joint committee. **The Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani shall coordinate the matter.**

6. **Submission of documents /data /information available with any other department and flagging of the same w.r.t illegal and unscientific mining in Dadam mine area.**

Joint committee desired that any document / data/ information available with any other department relating to the matter may be brought to the notice of the Joint Committee and the same may be provided. **The Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani shall coordinate the issue.**

7. **Submission of high resolution satellite imageries of Dadam stone mine for investigation of the pending issues by HARSAC Hisar.**

It was apprised that final report in the matter is pending due to non-availability of high resolution satellite imageries of Dadam stone mines for the year 2015-2021 on the following issues:

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

The Director, HARSAC Hisar and Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram assured that satellite imageries alongwith analysis data of these satellite imageries for the period 2016 to 2020, as mentioned in their letter dated 21.1.2022, shall be submitted within 10 days.

The Joint committee noted the commitment made by the HARSAC, Hisar and the Chairman of the Joint Committee directed that HARSAC Hisar shall

ensure that satellite imageries of Dadam stone mine and analysis data of these imageries may be provided to Joint committee within 10 days.

8. **Fixing the meeting to scrutinize the record w.r.t. Dadam mining site in compliance to order dated 18.1.2022 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 01.02.2022 at 11:00 AM in the committee room, Haryana State Pollution Control Board, C-11, Sector 6, Panchkula.**

The Technical Expert of the Joint Committee apprised that due to joint meeting to be held between the Chairman of Monitoring Committee, constituted by Hon'ble National Green Tribunal in OA No. 596 of 2020 in the matter of Vikram Ahuja Vs State of Punjab and others and Chief Secretary, Punjab, has been fixed on 31.1.2022, as such, the meeting of the Joint committee with the DFO, Department of Forest, Bhiwani, Mining Officer, Department of Mines and Geology, Bhiwani and the Executive Engineer, JUI, W/S Division, Bhiwani may be postponed to 1.2.2022 at 11:00 AM.

The Chairman of the Joint committed directed that the meeting to scrutinize the record w.r.t. Dadam mining site in compliance to order dated 18.1.2022 in OA No. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana and others may be held on 1.2.2022 at 11:00 AM.

RK Sapra,
Member, SEAC

Dr. K.K Garg,
Scientist-C/Deputy Director,
MOEF

Dr. Babu Ram
Technical Expert,
Monitoring Committee

Dr. C.P.S. Khola,
ICAR-IISWC, Regional Station,
Chandigarh

Ms. Urvashi Gulati, IAS (Retd.),
Former Chief Secretary,
Haryana

Justice Pritam Pal
Former Judge, Punjab & Haryana High Court,
Now as Chairman of the Monitoring Committee

Annexure - 1

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List of officers who attended meeting under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court and now as Chairman of the Joint Committee regarding availability of high resolution satellite imageries of Dadam stone mine for the period 2015-2021 for investigation of the issues regarding illegal mining in an area of 0.8 hectare in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA No. in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 27.01.2022 at 11.00 AM through Video conferencing.

Sr. No.	Officer Name and Designation
1.	Sh. R.S. Dhillon (IAS) Deputy Commissioner, Bhiwani
2.	Sh. Parvesh Sharma, SME, Mines and Geology Deptt. Haryana
3.	Sh. Jitender Ahlawat, (IFS) DFO, Bhiwani
4.	Sh. R.K.Bhonsle, Regional Officer, HSPCB, Bhiwani
5.	Sh. Bhupender Singh, MO, Bhiwani
6.	Sh. Chander Parkash, Asstt. Geologist, Ground Water Cell, Bhiwani
7.	Sh. Anshul, AEE, Irrigation Department, Bhiwani
8.	Sh. Dharmpal Suptt. O/o DFO, Bhiwani

ANNEXURE - 6

OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal
in OA No. 360 of 2018 in the matter Shree Nath Sharma Vs Union of India & Ors and other Environmental issues.

(Official Address: Tower No.5, 4th Floor, Forest Complex,
Sector 68, SAS Nagar) Tel. No. 0172-4298091
Email: cecpwin@gmail.com

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To

The Deputy Commissioner,
Bhiwani

No. CMC/2022/621
Dated: 2.2.2022

Subject: **Minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectare in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 1.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.**

Please find enclosed herewith minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectare in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 1.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula for your kind information please.

It is requested that the concerned officer of the District Administration be directed to convey the minutes of the meeting to all the concerned departments with the request to take necessary action on the points relating to them so that final report in the matter may be submitted well before 31.3.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/622 Dated: 2.2.2022
A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchukla for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/623 Dated: 2.2.2022
A copy of the above is forwarded to the State Mining Engineer, Mines & Geology Department, Haryana for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/624 Dated: 2.2.2022
A copy of the above is forwarded to the District Forest Officer, Department of Forest, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/825 Dated: 2.2.2022

A copy of the above is forwarded to the Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Endst. No. CMC/2022/826 Dated: 2.2.2022

A copy of the above is forwarded to the Mining Officer, Department of Mines & Geology, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/827 Dated: 2.2.2022

A copy of the above is forwarded to the Executive Engineer, JUI Water Services Irrigation Department, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectare in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 1.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.

The following were present during the meeting:

Sr. No.	Name and designation of the authority/officer in the Deptt.	Designation in the Joint Committee
1.	Sh. R.K Sapra IFS (Retired), Member, State Expert Appraisal Committee.	Member
2.	Dr. Narender Sharma, Additional Director, Central Pollution Control Board, Regional Directorate, Chandigarh.	Member
3.	Dr. K.K Garg, Deputy Director/ Scientist-C, Ministry of Environment, Forest & Climate Change, Regional Office, Chandigarh.	Member
4.	Dr. Babu Ram, Technical Expert, Monitoring Committee.	Technical Expert

The list of the District Level Officers of District Bhiwani, present in the meeting, is as per **Annexure-1**.

1.0 Background

It was apprised that in compliance to order dated 20.7.2021 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors, the Joint Committee submitted its interim report to the Hon'ble National Green Tribunal vide letter No. CMC/2021/390 dated 13.10.2021. However, final report in the matter could not be submitted due to non availability of high resolution satellite imageries of the Dadam stone mines for the year 2015-2021 on the following issues.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

2.0 Meeting of the Joint Committee held under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court on 27.1.2022

Regarding investigation of issues as mentioned above, the meeting under the Chairmanship of Justice Pritam Pal, Former Judge, Punjab & Haryana High Court and now as Chairman of the Joint Committee was held on 27.1.2022, the minutes of which are annexed as per **Annexure-2**

In the said meeting, the Chairman of the Joint Committee directed that the meeting to scrutinize the record w.r.t. Dadam mining site in compliance to order dated 20.7.2021 and 18.1.2022 in OA No. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana and others may be held on 1.2.2022 at 11:00 AM.

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3.0 Scrutinizing the record / documents for investigation of issues i, ii and iii, as mentioned above, by members of the Joint Committee on 1.2.2022.

The members of the sub Committee, as listed above, assembled in the Committee Room, HSPCB, Panchkula on 1.2.2022 and scrutinized the documents of the following departments

1. Department of Forest, Bhiwani
2. Department of Jui W/S, Bhiwani
3. Haryana State Pollution Control Board, Regional Office, Bhiwani

The said departments submitted the documents as under:

3.1 Documents pertaining to Department of Forest

Sub Committee scrutinized the documents of the Department of Irrigation and Water Resources (Jui W/S division Bhiwani) and following documents have been obtained for their further study to investigate the issue w.r.t illegal mining in an area of 0.8 hectare in forest area.

- Letter No. 1123 dated 19.8.2021 mentioning the Google Earth and GPS coordinates of Aravalli plantation area, illegal mining sites on coloured Google Earth images, copy of Superintendent of Police, Bhiwani bearing letter No. 29441 dated 19.8.2021, letter No. 1811 dated 20.11.2019, letter No. 2055 dated 23.12.2019 and letter No. 286 dated 23.9.2019 along with inspection report of Sh. Rajesh Kumar, Mining Inspector regarding illegal mining in Aravalli plantation area in Dadam mining site.

3.2 Department of Irrigation and Water Resources (Jui W/S Division Bhiwani)

It was informed that as per the record available in the case of Om Parkah V/s Raman & Ors in the court ACJ (SD), Tosham, as directed by the Hon'ble Court, Tehsildar, Tosham has reported vide his report dated 6.1.2016 that 1700 ft of Dadam disributary has been damaged for the last 10 years.

Sub Committee informed that in the meeting of the Joint Committee held on 17.9.2021, it was informed that demarcation of Dadam distributary has been done by the Deptt. of Revenue except its small portion having deep area of 200-250 ft. Therefore, in the said meeting, it was directed by the Chairman of Joint Committee that the Deptt. of Irrigation and Mining shall jointly measures the dimensions (length, breadth and depth) of Dadam distributary/ mined area where deep pit of depth between 200-250 ft has been observed. However, in the report submitted by the SDO, Nigana, W/S Sub-division, Bhiwani addressed to the Executive Engineer, Jui W/S Bhiwani under intimation to the Monitoring / Joint Committee that the joint measurement was carried out by the Irrigation and Mining departments from RD 20500 to 23500 of Dadam distributary. The width of the damaged portion of Dadam distributary could not be measured due to ups and downs. The depth of pillar No. 15 of mining was found at approximately 50 ft below the bed level of Dadam distributary in Khasra No. 132.

After detailed discussion on the issue, sub Committee asked the Department of Irrigation and Water Resources (Jui W/S division Bhiwani) to measure length, breadth and depth of the portion of the Dadam distributary, where mining upto the depth of 200-250 ft has been done and report may be submitted to the sub Committee within 07 days.

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3.3 Haryana State Pollution Control Board, Regional Office, Bhiwani

The Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani has submitted a document sent by M/S Govardhan Mines and Mineral to the Chairman Haryana State Pollution Control Board, Panchkula regarding reply of Show cause for closure under section 5/15 of EPA 1986 for violation of EC and revocation consent to operate under Water Act, 1974 and Air Act,1981.

Sub Committee asked the Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani to send the copy of letter written by Chairman HSPCB to his office, wherein, the comments of all the concerned departments have been sought within 03 days

3.4 Department of Mining & Geology, Bhiwani

The Mining Officer, Department of Mining and Geology, Bhiwani informed telephonically that due to visit of the State Level Committee w.r.t incidental issues took place recently in Dadam mining area, Bhiwani, it will not be possible for him to join the Joint Committee to get scrutinize the documents. It was assured by him that the office of Joint/Monitoring Committee shall be attended on 3.2.2022 for submission the required documents.

The Joint Committee considered the request of the Mining Officer, Deptt. of Mining & Geology, Bhiwani and desired that the Mining Officer, Deptt. of Mining & Geology may submit its documents on 3.2.2022.

4.0 Next meeting of the sub Committee

It was mutually decided that the next meeting of the sub Committee shall be held on 11.2.2022 at 11.00 AM in the Committee Room, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula. In the said meeting, documents submitted by Deptt. of Forest, Deptt. of Irrigation and Water Resources (Jui W/S division), Deptt of Mining & Geology and Haryana State Pollution Control Board shall be examined and inferences may be drawn, based on documents, if possible. Sub Committee may also look for satellite imageries of Dadam stone mining area to be submitted by HARSAC, Hisar w.r.t pending issues as mentioned in aforesaid para. Thereafter, eight members Joint Committee may conclude its report well before the next date of hearing i.e 31.3.2022.

RR Sapra,
Member, SEAC

Dr. K.K Garg,
Scientist-C/Deputy Director, MOEF

Dr. Narender Sharma
Additional Director, Central Pollution Control Board,
Regional Directorate,
Chandigarh.

Dr. Babu Ram 2-2-2022
Technical Expert,
Monitoring Committee

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Officers who attend meeting on dated 1.2.2022
OA No. 684 of 2020

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S no.	Name of officer	Designation	Signature
1.	Rahul Sharma	Executive Engineer, Tw w.s. Div. Bhiwani	Rahul 01/2/22
2.	R.K Bhanwala	RO HSPCB, Bhiwani Regn.	1/2/22
3.	Dr. K. K. Garg	DI Director, MOEFCC	01/02/2022
4.	R K Sapra	Member, Joint Committee	
5.	Sh Narender Sharma	AO, CPCB	1/2/22
6.	Dharmender Sigl	Patwari (Forest)	1/2/2022
7.	Anshul Kadian	SDO, Nigdu w.s. S/Dn. Jhajjar, Bhiwani	01/02/22
8.	Dharam Pal	Deputy Supdt. O/o DFO Bhiwani	1/2/22

ANNEXURE-7

OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal
in OA No. 360 of 2018 in the matter Shree Nath Sharma Vs Union of India & Ors and other Environmental issues.

(Official Address: Tower No.5, 4th Floor, Forest Complex, Sector 68, SAS Nagar) Tel. No. 0172-2298091
Email: cmcdep360@gmail.com, ceesvm506@gmail.com

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To

The Deputy Commissioner,
Bhiwani

No. CMC/2022/696
Dated: 14.2.2022

Subject: **Minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 11.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.**

Please find enclosed herewith minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 11.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula for your kind information please.

It is requested that the concerned officer of the District Administration be directed to convey the minutes of the meeting to all the concerned departments with the request to take necessary action on the points relating to them and submit the documents/information/data, as desired by the Sub Committee in its meeting held on 11.2.2022 so that final report in the matter may be submitted well before the time given by Hon'ble National Green Tribunal in its order dated 18.1.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/697 Dated: 14.2.2022
A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchkula for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/698 Dated: 14.2.2022
A copy of the above is forwarded to the State Mining Engineer, Mines & Geology Department, Haryana for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Endst. No. CMC/2022/) ? Dated: 14.2.2022

A copy of the above is forwarded to the District Forest Officer, Department of Forest, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 17.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 700 Dated: 14.2.2022

A copy of the above is forwarded to the Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 17.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 701 Dated: 14.2.2022

A copy of the above is forwarded to the Mining Officer, Department of Mines & Geology, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 17.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 702 Dated: 14.2.2022

A copy of the above is forwarded to the Executive Engineer, JUI Water Services Irrigation Department, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 17.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 703 Dated: 14.2.2022

A copy of the above is forwarded to the Assistant Geologist, Groundwater Cell, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 17.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 11.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.

The following were present during the meeting:

Sr. No.	Name and designation of the authority/officer in the Deptt.	Designation in the Joint Committee
1	Sh. R.K Sapra IFS (Retired), Member, State Expert Appraisal Committee.	Member
2.	Dr. Narender Sharma, Additional Director, Central Pollution Control Board, Regional Directorate, Chandigarh.	Member
3	Dr. K.K Garg, Deputy Director/ Scientist-C, Ministry of Environment, Forest & Climate Change, Regional Office, Chandigarh.	Member
4	Dr. Babu Ram, Technical Expert, Monitoring Committee.	Technical Expert

The list of the District Level Officers of District Bhiwani, present in the meeting, is as per Annexure-1.

1.0 Background

It was apprised that in compliance to order dated 20.7.2021 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors, the Joint Committee submitted its interim report to the Hon'ble National Green Tribunal vide letter No. CMC/2021/390 dated 13.10.2021. However, final report in the matter could not be submitted due to non availability of high resolution satellite imageries of the Dadam stone mines for the year 2015-2021 on the following issues.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

Further, the Hon'ble National Green Tribunal after considering the interim report of the joint Committee, submitted on 13.10.2021, has directed in para no.7,8 and 9, which are reproduced as under:

7. As found by the Committee, there has been illegal mining including in the forest area and also beyond the permitted depth. Though the Committee has observed that there was no illegal mining in the mining area, the said observation appears to refer to the time of inspection as the Committee has recorded its conclusion about earlier illegal mining. The Committee has observed that there was no ground water extraction but explanation of the PP that the ground water was privately procured but it is difficult to accept

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explanation in absence of such private sources being identified. As found in the order dated 20.07.2021 and in the report of the Committee, there was mining even beyond depth of 150 mtrs. Closure plan have not been given by the predecessor of the PP which is to be ensured by the Chief Secretary of the State. There is order of the Mining Department dated 05.08.2020, requiring the PP to close deep mining pits.

8. Thus, while directing recommended remedial action against illegal mining in the light of report of the Committee and in pursuance of order dated 20.07.2021 by the State PCB and Mining Department, to be overseen by the Member Secretary CPCB, we find it unnecessary that the joint Committee may wait for procurement of satellite imagery, if the same is not readily available and can make its final conclusions by undertaking ground truthing and drawing inferences from the available material.

9. Let the joint Committee give its final report by March 31, 2022. The Chief Secretary, Haryana may also file action taken report in pursuance of order of this Tribunal dated 20.07.2021 and report of the joint Committee by March 31, 2022. The reports may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

2.0 scrutinizing the record/documents for investigation of the pending issues i), ii), iii) as per order dated 20.7.2021 and compliance of directions issued in para no.7 and 8 of order dated 18.1.2022 in OA no. 169 of 2020.

In order to scrutinize the record/documents submitted by the various departments as directed in the last meeting of the Sub committee held on 1.2.2022, department wise documents were examined by the sub committee in its meeting held on 11.2.2022 as under.

2.1 Meeting of the Sub committee held on 11.2.2022 at 11:00 AM in the committee room, Haryana State Pollution Control Board office, Panchkula.

On the directions of the Chairman of Joint Committee in the meeting held on 27.1.2022, the Sub committee held its 1st meeting on 1.2.2022 at 11:00 AM, wherein, the Sub committee scrutinized the record/ documents for investigation of the issues i), ii) and iii) as mentioned above, pertaining to the departments of Forest, Department of Irrigation & Water Resources (JUI W/S Division Bhiwani), Haryana State Pollution Control Board, Regional Office Bhiwani and Department of Mining and Geology, Bhiwani.

Accordingly, now the departments have submitted the documents, which have been scrutinized/ examined by the Sub committee in the meeting held on 11.2.2022. The observations of the Sub committee on the documents/ data /information submitted by the departments are mentioned as under:

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2.1.1 Documents pertaining to the department of Forest (Illegal Mining in forest area in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.)

In the last meeting held on 1.2.2022, the following documents were obtained from the department of Forest for further study to investigate the issue w.r.t. illegal mining in an area of 0.8 hectares in forest area.

- Letter No. 1123 dated 19.8.2021 mentioning the Google Earth and GPS coordinates of Aravalli plantation area, illegal mining sites on coloured Google Earth images, copy of Superintendent of Police, Bhiwani bearing letter No. 29441 dated 19.8.2021, letter No. 1811 dated 20.11.2019, letter No. 2055 dated 23.12.2019 and letter No. 286 dated 23.9.2019 along with inspection report of Sh. Rajesh Kumar, Mining Inspector regarding illegal mining in Aravalli plantation area in Dadam mining site.

The Sub committee held detailed discussion on the said documents and the District Forest Officer has been directed to provide the google earth images for the year 2015 to 2020 especially, in view of the letters written by Distt. Forest Officer to the Mining Office, Department of Mines & Geology, Bhiwani vide letter no. no. 286 dated 23.9.2019, letter no. 1811 dated 20.11.2019, letter no. 2055 dated 23.12.2019 alongwith inspection report Sh. Rajesh Kumar Mining Inspector, who has reported that illegal mining has been done in a portion of 20-25 Ft between the pillars A & C in front of pillar B.

The sub committee desired that the said documents/Google earth images for the period 2015 to 2020, as mentioned above, may be submitted to the Sub committee on 17.2.2022 through special messenger so as to enable the Sub committee to draw its inferences in the matter.

2.2.2 Department of Mining & Geology, Bhiwani (Illegal mining in Dadam mining area done upto the depth of 109 metres)

It was informed that on the directions of the Director General, Mines and Geology, Haryana , Panchkula, a team consisting of Senior Geologist, Head Office Panchkula, Mining officer, Bhiwani, Senior Surveyors, Head office, Panchkula had inspected the mining lease area on 3.11.2020 and detailed survey of mining area was carried out with the help of DGPS instrument in the presence of concerned revenue officials and observed that maximum depth of mining pit was found to be 109 metres from the surface level at the time of inspection.

Further, the department of Mines and Geology vide letter no. 718 dated 5.8.2020 has stated that mining along pillars no. 13 and 19 has gone deep upto a depth of 300 Ft.

After detailed discussion on the record provided by the department of Mining and Geology, the Sub Committee has desired that the department of Mining and Geology shall submit the record/documents mentioning the year in which mining upto the depth of 109 meter and 300 ft. along boundary pillar no. 13 and 19, as mentioned in its letter no. 718 dated 5.8.2020. The said report may be submitted to the Sub committee on 17.2.2022 .

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2.2.3. Department of Irrigation and Water Resources (JUI W/S Division Bhiwani) (Abandoned/damaged Dadam Distributary/minor constructed by the Department of Irrigation.)

It was informed that in the meeting of the Joint Committee held on 17.9.2021 and 27.1.2022 that demarcation of Dadam distributary has been done by the Deptt. of Revenue except its small portion having deep area of 200-250 ft. Therefore, in the said meeting, it was directed by the Chairman of Joint Committee that the Deptt. of Irrigation and Mining shall jointly measures the dimensions (length, breadth and depth) of Dadam distributary/ mined area where deep pit of depth between 200-250 ft has been observed. However, in the report submitted by the SDO, Nicana, W/S Sub-division, Bhiwani addressed to the Executive Engineer, Jui W/S Bhiwani under intimation to the Monitoring / Joint Committee that the joint measurement was carried out by the Irrigation and Mining departments from RD 20500 to 23500 of Dadam distributary. The width of the damaged portion of Dadam distributary could not be measured due to ups and downs. The depth of pillar No. 15 of mining was found at approximately 50 ft below the bed level of Dadam distributary in Khasra No. 132.

Now, the documents shown by the Department of Irrigation and Water Resources (JUI W/S Division) to the sub committee on 11.2.2022 indicate that the measurement of length, breadth and depth of the portion of Dadam distributory where mining upto depth of 200-250 ft has not been completed so far. Sub committee directed the department of Irrigation and Water Resources shall submit the report regarding measurement of length, breadth and depth of the portion of Dadam distributory, where mining upto depth of 200-250 ft has been done, by 17.2.2022.

3.0 Compliance of the directions as mentioned in para no.7 and 8 of order dated 18.1.2022 of the Hon'ble National Green Tribunal in OA No. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana.

The Hon'ble National Green Tribunal in its order dated 18.1.2022, as mentioned in para no.7, has observed that the Joint committee has reported that there was no ground water extraction but explanation of the project proponent that ground water was privately procured can not be accepted in the absence of such private sources being identified.

Accordingly, the following issues were taken up for discussion in the meeting of the Joint Committee held on 27.1.2022.

3.1 Procurement of ground water from private agency by M/S Govardhan Mines & Minerals for suppression of dust and plantation etc. in Dadam mine area.

As per the observations of the Hon'ble National Green Tribunal in para no. 7 of order dated 18.1.2022 that the project proponent has given the explanation that ground water was privately procured but it is difficult to accept explanation in the absence of such private sources being identified. Accordingly, in the meeting of the Joint Committee held on 27.1.2022, it was directed as under.

After detailed discussion, it was directed by the Joint committee that the mining officer, Bhiwani shall take an undertaking alongwith receipt of the payment given to

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the private agency by M/S Govardhan Mines & Minerals for procuring ground water for mining activity within 7 days.

In compliance to the directions of Joint Committee, Mining Officer, Department of Mining & Geology, Bhiwani has submitted the documents regarding procurement of ground water from private agency by M/s Govardhan Mines and Minerals for suppression of dust and plantation etc. in Dadam mining area.

The Sub committee has scrutinized the documents regarding procurement of ground water from private agency by the mining lease holder and it was observed that the registration number of each tractor tanker and truck tanker deployed by each of the private agency namely M/s Pal & Pal Group, Shri Rajesh s/o Tara Chand and Shri Rajat Sharma has not been mentioned. Moreover, the undertaking with these private agencies has been made since 1.12.2020, whereas, the present mining lease holder i.s. M/s Govardhan mines and minerals has started its mining operation at Dadam mining site on 25.2.2019.

The Sub committee desired that the Mining officer, department of Mines and Geology, Bhiwani shall get the details of each of truck tankers and tractor tankers with registration number of each vehicle and capacity of these truck tankers and tractor trolleys deployed by each agency alongwith their agreement made by mining lease holder with private agencies and details of the payments made to the private agencies for supplying water from 25.2.2019 to date. These documents may be submitted by 17.2.2022.

3.2 Submission of mining closure plan by the predecessor of the project proponent (M/s Govardhan Mines and Minerals).

During the meeting of the Joint Committed held on 27.1.2022, the Chairman of the Joint Committee directed that State Mining Officer shall submit a copy of the minutes of the meeting held under the chairmanship of Chief Secretary, Haryana w.r.t. mining closure plan issue and same may be submitted to the Joint Committee within 10 days.

Now, the State Mining Officer vide his letter no. DMG/HY/OA No. 169 of 2020/825 dated 4.2.2022, has submitted the Mining Plan including progressive mine closure plan of Dadam stone mine submitted by M/s KJSL-Sunder JV (predecessor of M/s Govardhan Mines & Minerals). However, no report is available w.r.t. implementation of the progressive mining closure plan submitted by M/s KJSL Sunder JV, which was further taken up for implementation by M/s Sunder Marketing Associates.

After discussion on the issue, the Sub committee directed as under:

I) **Mining Officer, department of Mining and Geology shall submit the report regarding implementation of the Mining closure plan, report regarding leaving 7.5 metres wide barrier along the boundary of the lease area which was to further developed into green belt by planning trees of suitable varieties and keeping the surface green by planting grass and bushes by the Sunder Marketing Associates.**

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ii) **The Mining Officer, department of Mines and Geology has also not submitted the report regarding implementation of the progressive mining closure plan, providing benches of 10mx10m, providing green belt of 7.5m width at the periphery of Dadam mining area and steps taken to maintain 33% of the total area i.e. 16.1271 hectares to be covered under plantation along the lease period by M/s Govardhan Mines & Minerals. The said documents may be submitted by 17.2.2022.**

iii) **The mining department, Department of Mines & Geology, shall also submit the report regarding closing of deep mining pits as per order dated 5.8.2020 of the department (the same has been mentioned in para no. 7 of the order dated 18.1.2022). The report by the said department may be submitted by 17.2.2022.**

iv) **Haryana State Pollution Control Board, Regional Office, Bhiwani shall submit the report regarding steps taken by M/s Govardhan Mines & Minerals to control dust emissions generated during drilling and other mining operations by 17.2.2022.**

3.3. Submission of high resolution satellite imageries of Dadam stone mine and analysis data of these imageries for the years 2016 to 2020 by HARSAC Hisar

During the meeting of the Joint Committee held on 27.1.2022, the Director, HARSAC Hisar and Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram assured that satellite imageries alongwith analysis data of these satellite imageries for the period 2016 to 2020, as mentioned in their letter dated 21.1.2022, shall be submitted within 10 days.

The Joint committee noted the commitment made by the HARSAC, Hisar and the Chairman of the Joint Committee directed that HARSAC Hisar shall ensure that satellite imageries of Dadam stone mine and analysis data of these imageries may be provided to Joint committee within 10 days.

Also, as per the telephonic communication made on 4.2.2022 with Sultan Singh, Principal Scientist, HARSAC, Gurugram by the Technical Expert of the Joint Committee, it was assured that the said high resolution imageries and analysis data of these imageries for the years 2016 to 2020 shall be submitted by 18.2.2022.

Therefore, the Sub Committee in its meeting held on 11.2.2022 desired that the said high resolution imageries and analysis data of these imageries of Dadam stone mine for the years 2016 to 2020 may be submitted by 18.2.2022 so that Joint Committee may conclude its final report well before the time given to the Joint Committee by the Hon'ble National Green Tribunal in its order dated 18.1.2022.

4.0 Next meeting of the sub committee on the issues as mentioned above 21.2.2022

The matter has been discussed with the Chairman of the Joint Committee and members of the sub committee and it has been decided that the next meeting of the sub committee on the issues as mentioned above shall be held on 21.2.2022 at 11.00 AM in the Committee Room,

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Haryana State Pollution Control Board, C-11, Sector-6, Panchkula. Therefore, all the members of the joint committee are requested to attend the meeting on 21.2.2022 at 11:00 AM.

All the said departments are requested to submit report data/ information on the points relating to them as desired by the sub committee in its meeting held on 11.2.2022 by 17.2.2022

RK Sapra,
Member Secy.

Dr. Narender Sharma
Additional Director, Central Pollution Control Board,
Regional Directorate,
Chandigarh.

Dr. K.K Garg,
Scientist-C/Deputy Director, MOEF

Dr. Babu Ram
Technical Expert,
Monitoring Committee

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Annexure-1

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Officers who Attend Meeting on dated 11.2.2022 OA No 169 of 2020

Sr No	Name of Officer	Designation	Signature
1.	Dr. Naresh Sharma	AD, CPCB, Vnl	11/2/22
2.	Saquib	STA-NG, CGWB, Chd	11/2/22
3.	Dr. K.K. Garg Dy. Director, MoEF&CC	DD, MoEF	11/02/2022
4.	Chander Prakash	Asstt. Geologist Ground water cell, Govt	11/2
5.	Anshul Kadian	SDO Irrigation	11/02/2022
6	R K Sapra	Expert	
7.	Prema Chauhan	Environmental Engineer GHM	
8.	Sanjay Sinha	Mining Officer	
9.	JITENDER AHLAWAT IFS	DCF Bhiwani	

ANNEXURE-8

OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal
in OA No. 360 of 2018 in the matter Shree Nath Sharma Vs Union of India & Ors and other Environmental issues.

(Official Address: Tower No.5, 4th Floor, Forest Complex, Sector 68, SAS Nagar) Tel. No. 0172-2298091
Email: cmcdelp360@gmail.com.

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To

The Deputy Commissioner,
Bhiwani

No. CMC/2022/729
Dated: 22.2.2022

Subject: **Minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 21.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.**

Please find enclosed herewith minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 21.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula for your kind information please.

It is requested that the concerned officer of the District Administration be directed to convey the minutes of the meeting to all the concerned departments with the request to take necessary action on the points relating to them and submit the documents/information/data, as desired by the Sub Committee in its meeting held on 21.2.2022 so that final report in the matter may be submitted well before the time given by Hon'ble National Green Tribunal in its order dated 18.1.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/730 Dated: 22.2.2022
A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchukla for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/731 Dated: 22.2.2022
A copy of the above is forwarded to the State Mining Engineer, Mines & Geology Department, Haryana for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Endst. No. CMC/2022/ 732 Dated: 22.2.2022

A copy of the above is forwarded to the District Forest Officer, Department of Forest, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 28.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 733 Dated: 22.2.2022

A copy of the above is forwarded to the Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 28.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 734 Dated: 22.2.2022

A copy of the above is forwarded to the Mining Officer, Department of Mines & Geology, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 28.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 735 Dated: 22.2.2022

A copy of the above is forwarded to the Executive Engineer, JUI Water Services Irrigation Department, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 28.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 736 Dated: 22.2.2022

A copy of the above is forwarded to the Director, HARSAC, Hisar for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 737 Dated: 22.2.2022

A copy of the above is forwarded to Dr. Sultan Singh, Principal Scientist, HARSAC-Node, Gurugram for information and necessary action please. He is requested to provide the high resolution satellite imageries and analysis data of these imageries of the Dadam stone mines for the year 2016-2020 by 10.3.2022 so that Joint Committee may conclude its final report well before the time given to the Joint Committee by the Hon'ble National Green Tribunal in its order dated 18.1.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 21.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.

The following were present during the meeting:

Sr. No.	Name and designation of the authority/officer in the Deptt.	Designation in the Joint Committee
1	Sh. R.K Sapra IFS (Retired), Member, State Expert Appraisal Committee.	Member
2	Dr. OPS Khola, Principal Scientist, Indian Institute of Soil & Water Conservation, Research centre, Chandigarh	Member
3	Dr. Narender Sharma, Additional Director, Central Pollution Control Board, Regional Directorate, Chandigarh.	Member
4	Dr. K.K Garg, Deputy Director/ Scientist-C, Ministry of Environment, Forest & Climate Change, Regional Office, Chandigarh.	Member
5	Dr. Babu Ram, Technical Expert, Monitoring Committee.	Technical Expert

The list of the District Level Officers of District Bhiwani, present in the meeting, is as per **Annexure-1.**

1.0 Background

It was apprised that in compliance to order dated 20.7.2021 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors, the Joint Committee submitted its interim report to the Hon'ble National Green Tribunal vide letter No. CMC/2021/390 dated 13.10.2021. However, final report in the matter could not be submitted due to non availability of high resolution satellite imageries of the Dadam stone mines for the year 2015-2021 on the following issues.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

Further, the Hon'ble National Green Tribunal after considering the interim report of the Joint Committee, submitted on 13.10.2021, has directed in para no.7,8 and 9, which are reproduced as under:

> **7. As found by the Committee, there has been illegal mining including in the forest area and also beyond the permitted depth. Though the Committee has observed that there was no illegal mining in the mining area, the said**

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observation appears to refer to the time of inspection as the Committee has recorded its conclusion about earlier illegal mining. The Committee has observed that there was no ground water extraction but explanation of the PP that the ground water was privately procured but it is difficult to accept explanation in absence of such private sources being identified. As found in the order dated 20.07.2021 and in the report of the Committee, there was mining even beyond depth of 150 mtrs. Closure plan have not been given by the predecessor of the PP which is to be ensured by the Chief Secretary of the State. There is order of the Mining Department dated 05.08.2020, requiring the PP to close deep mining pits.

8. Thus, while directing recommended remedial action against illegal mining in the light of report of the Committee and in pursuance of order dated 20.07.2021 by the State PCB and Mining Department, to be overseen by the Member Secretary CPCB, we find it unnecessary that the joint Committee may wait for procurement of satellite imagery, if the same is not readily available and can make its final conclusions by undertaking ground truthing and drawing inferences from the available material.

9. Let the joint Committee give its final report by March 31, 2022. The Chief Secretary, Haryana may also file action taken report in pursuance of order of this Tribunal dated 20.07.2021 and report of the joint Committee by March 31, 2022. The reports may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

2.0 Compliance of the directions given by the sub Committee, constituted by the Chairman of the Eight member Joint Committee, in the last meeting held on 11.2.2022 to the various departments w.r.t the issues relating to them.

2.1 Department of Forest (Illegal Mining in forest area in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.)

In the last meeting held on 11.2.2022, the District Forest Officer was directed to provide the google earth images for the year 2015 to 2020 especially, in view of the letters written by Distt. Forest Officer to the Mining Office, Department of Mines & Geology, Bhiwani vide letter no. no. 286 dated 23.9.2019, letter no. 1811 dated 20.11.2019, letter no. 2055 dated 23.12.2019 alongwith inspection report of Sh. Rajesh Kumar Mining Inspector, who has reported that illegal mining has been done in a portion of 20-25 Ft between the pillars A & C in front of pillar B by 17.2.2022 so as to enable the sub committee to draw the inferences in the matter.

Now, the District Forest Officer vide his office letter No. 2548 dated 18.2.2022 has submitted the Google earth imageries of 22.5.2016, 9.1.2019 and 8.7.2019 mentioning the status of the mining area in between pillars A & C in front of pillar B in the mining area.

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The sub committee has taken these Google earth imageries of 22.5.2016, 9.1.2019 and 8.7.2019 of Dadam mining area on record and these Google earth images shall be analyzed after the submission of high resolution satellite imageries to be submitted by HARSAC, Hisar.

2.2 Department of Mining & Geology, Bhiwani (illegal mining in Dadam mining area done upto the depth of 109 metres)

In the last meeting held on 11.2.2022, the Sub Committee had desired that the department of Mining and Geology shall submit the record/documents mentioning the year in which mining upto the depth of 109 meter and 300 ft. along boundary pillar no. 13 and 19, as mentioned in its letter no. 718 dated 5.8.2020. The said report may be submitted to the sub committee on 17.2.2022.

The Mining Officer, Department of Mining & Geology, Bhiwani informed that notice was issued to M/s Govardhan Mines & Minerals vide his office letter No. 718 dated 5.8.2020. However, he has to check as to whether reply in the matter has been submitted by the said mining lease holder.

After detailed discussion on the issue, the Mining Officer was directed to submit the copy of the notice issued vide No. 718 dated 5.8.2020 to M/s Govardhan Mines & Minerals, reply of the notice submitted by the said mining lease holder and action taken by the department of Mines & Geology in the matter by 28.2.2022.

2.3 Department of Irrigation and Water Resources (JUI W/S Division Bhiwani) (Abandoned/damaged Dadam Distributary/minor constructed by the Department of Irrigation.)

In the last meeting of the sub committee held on 11.2.2022, the documents shown by the Department of Irrigation and Water Resources indicated that the measurement of length, breadth and depth of the portion of Dadam distributary where mining upto depth of 200-250 Ft has not been completed so far. Therefore, the sub committee directed the department of Irrigation and Water Resources shall submit the report regarding measurement of length, breadth and depth of the portion of Dadam distributary, where mining upto depth of 200-250 ft has been done, by 17.2.2022.

Now, the Department of Irrigation & Water Resources (JUI W/S Division Bhiwani) has submitted the survey report carry out by M/s BDN surveyor solution on 9.2.2022.

The sub committee has perused the survey report submitted by the department and it was observed that only the length and breadth of the various sections of Dadam distributary, where mining has been done, have been marked, whereas, the volume of mining done in the Dadam distributary has not been measured. Moreover, the volume of the mining lease area falling within the Dadam distributary has also not been measured.

After detailed discussion on the issue, the sub committee desired that the Department of Irrigation & Water Resources (JUI W/S Division Bhiwani) shall

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measure the volume of the portion of Dadam distributary, where mining has been done and volume of mining lease area, falling within the Dadam distributary, by 28.2.2022.

2.4 Procurement of ground water from private agency by M/S Govardhan Mines & Minerals for suppression of dust and plantation etc. in Dadam mine area.

During the last meeting held on 11.2.2022, the sub committee desired that the Mining officer, department of Mines and Geology, Bhiwani shall get the details of each of truck tankers and tractor tankers with registration number of each vehicle and capacity of these truck tankers and tractor trolleys deployed by each agency alongwith their agreement made by mining lease holder with private agencies and details of the payments made to the private agencies for supplying water from 25.2.2019 to date. These documents may be submitted by 17.2.2022.

The Mining Officer informed that the data w.r.t details of each of the truck tankers and tractor tankers with registration No. of each vehicle and capacity of these truck tankers and tractor trolleys deployed by each agencies along with their agreement made by the mining lease holder with private agencies and the details of the payments made to the private agencies for supplying of water from 25.2.2022 to date, have not been procured so far from M/s Govardhan Mines & Minerals.

The sub committee desired that the Mining Officer, Department of Mining & Geology Shall submit the above details by 28.2.2022.

2.5 Submission of mining closure plan by the predecessor of the project proponent (M/s Govardhan Mines and Minerals).

During the last meeting held on 11.2.2022, the State Mining Officer vide his letter no. DMG/HY/OA No. 169 of 2020/825 dated 4.2.2022, had submitted the Mining Plan including progressive mine closure plan of Dadam stone mine submitted by M/s KJSL-Sunder JV (predecessor of M/s Govardhan Mines & Minerals). However, no report was available w.r.t. implementation of the progressive mining closure plan submitted by M/s KJSL Sunder JV, which was further taken up for implementation by M/s Sunder Marketing Associates.

After discussion on the issue on 11.2.2022, the sub committee had directed as under:

i) Mining Officer, department of Mining and Geology shall submit the report regarding implementation of the Mining closure plan, report regarding leaving 7.5 metres wide barrier along the boundary of the lease area which was to further developed into green belt by planting trees of suitable varieties and keeping the area green by planting grass and bushes by the Sunder Marketing Associates.

ii) The Mining Officer, department of Mines and Geology has also not submitted the report regarding implementation of the progressive mining closure plan, providing benches of 10mx10m, providing green belt of 7.5m width at the periphery of Dadam mining area and steps taken to maintain 33% of the total area i.e. 16.1271 hectares

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to be covered under plantation along the lease period by M/s Govardhan Mines & Minerals. The said documents may be submitted by 17.2.2022.

iii) The mining department, Department of Mines & Geology, shall also submit the report regarding closing of deep mining pits as per order dated 5.8.2020 of the department (the same has been mentioned in para no. 7 of the order dated 18.1.2022). The report by the said department may be submitted by 17.2.2022.

iv) Haryana State Pollution Control Board, Regional Office, Bhiwani shall submit the report regarding steps taken by M/s Govardhan Mines & Minerals to control dust emissions generated during drilling and other mining operations by 17.2.2022.

The Mining Officer informed that the reports as desired in para i), ii) and iii) are yet to be prepared and about 01 week is required for the preparation of said reports. Moreover, the Environmental Engineer, Haryana State Pollution Control Board, Bhiwani has also not submitted the report as mentioned at point iv) above.

After discussion on the issue, the sub committee desired as under:

i) Mining Officer, Department of Mines & Geology shall submit the reports on points i) to iii) as mentioned above by 28.2.2022.

ii) Haryana State Pollution Control Board, Regional Office, Bhiwani shall submit the report regarding steps taken by M/s Govardhan Mines & Minerals to control dust emissions generated during drilling and other mining operations by 28.2.2022.

2.6 Submission of high resolution satellite imageries of Dadam stone mine and analysis data of these imageries for the years 2016 to 2020 by HARSAC Hisar

Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram, who joined the meeting of the sub committee through Video conferencing on 11.2.2022 was apprised that high resolution satellite imageries of Dadam stone mine for year 2015-2021 is required on the following issues, as due to non availability of which, the Joint Committee could not submit its final report in the matter.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram, assured that high resolution satellite imageries along with analysis data of these satellite imageries for the years 2016-2022 shall be submitted within 10.3.2022.

The sub committee noted the commitment made by the Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram and it was desired that the high resolution satellite imageries for the period 2016-2022 and analysis data of

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these satellite imageries on the following three issues shall be submitted by 10.3.2022.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**

ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**

iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

3.0 Next meeting of the sub committee on the issues as mentioned above 7.3.2022

The matter has been discussed with the Chairman of the Joint Committee and members of the sub committee and it has been decided that the next meeting of the sub committee on the issues as mentioned above shall be held on 7.3.2022 at 11.00 AM in the Committee Room, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula. **Therefore, all the members of the sub committee are requested to attend the meeting on 7.3.2022 at 11:00 AM.**

All the said departments are requested to submit report /data/ information on the points relating to them as desired by the sub committee in its meeting held on 21.2.2022 by 28.2.2022.

R K Sapra,
Member, SEAC

Dr. O.P.S. Khola,
Principal Scientist,
Indian Institute of Soil & Water Conservation, Research centre,
Chandigarh

Dr. Narender Sharma
Additional Director, Central Pollution Control Board,
Regional Directorate,
Chandigarh.

Dr. K.K Garg,
Scientist-C/Deputy Director, MOEF.

Dr. Babu Ram
Technical Expert,
Monitoring Committee

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Annexure-1

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Meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA No. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 21.2.2022 at 11.00 AM in the Committee Room, Haryana State Pollution Control Board, C-11, Sector 6, Panchkula.

Sr No.	Name & Designation of the officers	Department	Signature	Mobile No
1	Dr. Narender Sharma HD	CPCB, Chd		9814504377
2	Sh. O.P.S. Khola Principal Scientific Director	CAQM-ISTAC Chd.		9417892102
3	Ankush Kadyan SDO Irrigation	Irrigation		9650944885
4	Bhupesh Jha	Ministry of Jal Shakti		9467[illegible]825
5	Dr. K.K. Vyas	MoEFCC		8178429730
6	JITENDER AHLAWAT IFS	DCF Bhiwani		9468280015
7	R.K Sefora IFS(Rtd)	Expert CEX SEAC Hisar		98762-00184
8	Poorna Chandan	Scientific Officer Environment Advisor		8588853666
9	S.K. Singh	Mine Manager Gurgaon		9810395187
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ANNEXURE-9

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OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal
in OA No. 360 of 2018 in the matter Shree Nath Sharma Vs Union of India & Ors and other Environmental issues.

(Official Address: Tower No.5, 4th Floor, Forest Complex, Sector 68, SAS Nagar| Tel. No. 0172-2298091
Email: omcllep360@gmail.com

To

The Deputy Commissioner,
Bhiwani

No. CMC/2022/789
Dated: 8.3.2022

Subject: **Minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 7.3.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.**

Please find enclosed herewith minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 7.3.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula for your kind information and necessary action please.

It is requested that the concerned officer of the District Administration be directed to convey the minutes of the meeting to all the concerned departments with the request to take necessary action on the points relating to them and submit the documents/information/data, as desired by the Sub Committee in its meeting held on 21.2.2022 and 7.3.2022 so that final report in the matter may be submitted well before the time given by Hon'ble National Green Tribunal in its order dated 18.1.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/791 Dated: 8.3.2022
A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchukla for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/792 Dated: 8.3.2022
A copy of the above is forwarded to the District Forest Officer, Department of Forest, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Endst. No. CMC/2022/783 Dated: 8.3.2022

A copy of the above is forwarded to the Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani for information and necessary action please. He is requested to submit the desired information/documents/data relating to his department by 28.2.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/784 Dated: 8.3.2022

A copy of the above is forwarded to the Mining Officer, Department of Mines & Geology, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/785 Dated: 8.3.2022

A copy of the above is forwarded to the Executive Engineer, JUI Water Services Irrigation Department, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/786 Dated: 8.3.2022

A copy of the above is forwarded to the Director, HARSAC, Hisar for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/787 Dated: 8.3.2022

A copy of the above is forwarded to Dr. Sultan Singh, Principal Scientist, HARSAC Node, Gurugram for information and necessary action please. He is requested to provide the high resolution satellite imageries and analysis data of these imageries of the Dadam stone mines for the year 2016-2020 by 10.3.2022 so that Joint Committee may conclude its final report well before the time given to the Joint Committee by the Hon'ble National Green Tribunal in its order dated 18.1.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 7.3.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.

The following were present during the meeting:

Sr. No.	Name and designation of the authority/officer in the Deptt.	Designation in the Joint Committee
1	Sh. R.K Sapra IFS (Retired), Member, State Expert Appraisal Committee.	Member
2	Dr. OPS Khola, Principal Scientist, Indian Institute of Soil & Water Conservation, Research centre, Chandigarh	Member
3	Dr. Narender Sharma, Additional Director, Central Pollution Control Board, Regional Directorate, Chandigarh.	Member
4	Dr. K.K Garg, Deputy Director/ Scientist-C, Ministry of Environment, Forest & Climate Change, Regional Office, Chandigarh.	Member
5	Dr. Babu Ram, Technical Expert, Monitoring Committee.	Technical Expert

The list of the District Level Officers of District Bhiwani, present in the meeting, is as per **Annexure-1.**

1.0 Background

It was apprised that in compliance to order dated 20.7.2021 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors, the Joint Committee submitted its interim report to the Hon'ble National Green Tribunal vide letter No. CMC/2021/390 dated 13.10.2021. However, final report in the matter could not be submitted due to non availability of high resolution satellite imageries of the Dadam stone mines for the year 2015-2021 on the following issues.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

Further, the Hon'ble National Green Tribunal after considering the interim report of the Joint Committee, submitted on 13.10.2021, has directed in para no.7, 8 and 9, which are reproduced as under:

> **7. As found by the Committee, there has been illegal mining including in the forest area and also beyond the permitted depth. Though the Committee has observed that there was no illegal mining in the mining area, the said**

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observation appears to refer to the time of inspection as the Committee has recorded its conclusion about earlier illegal mining. The Committee has observed that there was no ground water extraction but explanation of the PP that the ground water was privately procured but it is difficult to accept explanation in absence of such private sources being identified. As found in the order dated 20.07.2021 and in the report of the Committee, there was mining even beyond depth of 150 mtrs. Closure plan have not been given by the predecessor of the PP which is to be ensured by the Chief Secretary of the State. There is order of the Mining Department dated 05.08.2020, requiring the PP to close deep mining pits.

8. Thus, while directing recommended remedial action against illegal mining in the light of report of the Committee and in pursuance of order dated 20.07.2021 by the State PCB and Mining Department, to be overseen by the Member Secretary CPCB, we find it unnecessary that the joint Committee may wait for procurement of satellite imagery, if the same is not readily available and can make its final conclusions by undertaking ground truthing and drawing inferences from the available material.

9. Let the joint Committee give its final report by March 31, 2022. The Chief Secretary, Haryana may also file action taken report in pursuance of order of this Tribunal dated 20.07.2021 and report of the joint Committee by March 31, 2022. The reports may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

2.0 Compliance of the directions given by the sub Committee, constituted by the Chairman of the Eight member Joint Committee, in the last meeting held on 21.2.2022 to the various departments w.r.t the issues relating to them.

2.1 Department of Forest (Illegal Mining in forest area in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.)

In the last meeting held on 21.2.2022, the sub committee had taken the Google Earth Imageries, submitted by District Forest Officer, Dept of Forest, vide letter No. 2548 dated 18.1.2022 for the period 22.5.2016, 9.1.2020 and 8.2.2019 of Dadam Stone mining area on record and it was decided that these Google Earth Images shall be analyzed after the submission of high resolution satellite imageries by HARSAC Hisar.

The Sub committee was further informed that officials of the Forest department were reporting from time to time about illegal mining by the mining lease holder in Aravali plantation area (outside mining lease area). The reports in this regard were submitted by the officials of forest department on 29.07.2019, 31.07.2019, 14.08.2019 and 10.9.2019 and letter dated 23.9.2019, 4.11.2019, 20.11.2019 but nothing is clear about illegal mining done in an area (forest area).

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In the meeting held on 17.9.2021, District Forest Officer had shown Google earth images showing 0.8 hectares of forest area illegal mined in the year, 2019, whereas, Dr. Sultan Singh, Principal Scientist, HARSAC was of view that images of Google earth cannot be considered for establishing the actual time of period of illegal mining in 0.8 hectares of forest area. There is need to get the satellite imageries of the area.

It was further informed that the Mining Inspector has stated in his report that joint inspection of the mining area was carried out on 10.9.2019 and illegal mining was found between Pillar A and C in front of pillar B having an area with length and depth as 20-25 ft.

Further, Range Forest Officer, Tosham range has informed to M/S Govardhan Mines & Minerals stating that the notice has been served to the mining lease holder on the directions of the Sub divisional Officer, Tosham based on the inspection carried out by Mining Inspector, Department of Mines & Geology to the Dadam mining area and finding mining in forest area with the length and depth as 20-25 ft. Further, District Forest Officer, vide his letter No. 1470 dated 7.10.2019, letter No. 1811 dated 20.11.2019, letter No. 2055 dated 23.12.2019 has informed to the District Mining Officer, Bhiwani that mining has been done in between pillar A &C in front of B in an area having length and depth as 20-25 ft in the Aravali plantation area **(copy of letters are annexed herwith).**

Further, District Forest Officer, Bhiwani, who was present in the meeting held on 7.3.2022 informed that the area having length and depth as 20-25 ft is matching with the area of 0.8 hectares as mentioned in the Google Earth images

Based on the document as submitted by Dept. of Mines & Geology and Dept of Forest, the sub committee has come to conclusion that illegal mining in an area of 0.8 hectares in Aravali plantation (Forest Area/ non minable area) has been done by M/s Govardhan Mines & Minerals as the said mining lease holder started mining operation in Dadam Stone mining area on 25.2.2019 and mining in the forest area (non minable area) was observed by the Mining Dept. during the visit of the Mining Inspector to the area on 10.9.2019 (copy is annexed herwith) .

2.2 Department of Mining & Geology, Bhiwani (Illegal mining in Dadam mining area done upto the depth of 109 m)

In the last meeting held on 21.2.2022, the Mining Officer was directed to submit the copy of the notice issued vide No. 718 dated 5.8.2020 to M/s Govardhan Mines & Minerals, (stating that the mining in the Eastern, North-eastern and south eastern area of mine situated along boundary pillar No. 13 to 19 has gone deep to depth of approximately 300 ft and if they go further deeper, the water table may be touched at any time further, the mining lease holder was found demolished the benches which were earlier present along the boundary of the deep pit), reply of the notice submitted by the said mining lease holder and action taken by the department of Mines & Geology

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on the reply of show cause notice submitted by M/s Govardhan Mines & Minerals by 28.2.2022.

Now, the Mining Officer, Department of Mines & Geology, vide its officer letter No. DWM/Dadam/248 dated 4.3.2022 has submitted copy of the reply submitted by M/s Govardhan Mines & Minerals, Tosham vide letter dated 16.11.2020, wherein, the said mining lease holder has claimed as under:

"We started mining work in Dadam stone mines from 25.2.2019. The mining work was started on the basis of judgment of Hon'ble High Court of Punjab & Haryana High Court in CWP no. 28378 of 2018. The permission was given to Directions Mines & Geology vide Memo dated 11.12.2018. The mining work was started on the Environmental clearance granted to previous mining lease holder. Thus, we are doing mining work on the terms & conditions of M/s Sunder Marketing Associate. We are doing mining as per norms and conditions of EC in the area of 48.87 hectares given to us. In the said pit, whose depth is stated at 109 meters, we are using the existing roads for extractions of stone material which falls below from area in which mining is being done. The position of said pit is same as that was allotted to us in auction. All rules and regulations of Mining are followed while doing mining work in the area. In the said pit between pillars no. 13 to 19, the Mining Officer, Bhiwani, vide Memo No. BWN/Dadam/718 dated 5.8.2020 directed to stop mining operations. The Court of Hon'ble Additional Civil Jude (Sr. Div) Tosham vide judgment dated 14.8.2010 directed the Mining department not to interfere in mining activities as provided by lease agreement or authorized by Govt. and authorities concerned. This order is still in force.

As regards second point is concerned, it is submitted that in mining work, formation and breaking of benches is regular process. The main issue is that the mining should be scientific i.e there should not be danger to human life, vibrations are low, blasting is controlled and stones etc do not go beyond 50-100 m from blasting site. All these parameters are being followed. Benches are regularly formed. It is further submitted that Director General (mines & safety) is the competent authority which looks after safety of mining operations. We are strictly following all the directions & Rules and every steps are being taken for scientific mining and safely".

Further, w.r.t the documents dated 24.2.2022 submitted by M/s Govardhan Mines & Minerals, w.r.t survey conducted by M/s Shivam Engineers Associate Pvt. Ltd. on 28.8.2017, it is mentioned here that as discussed in the meeting of sub committee held on 4.9.2021, the said mining lease holder was asked to clarify as to whether the report on survey conducted by M/s Shivam Engineers Associate Pvt. Ltd. was submitted to Department of Mining or any other associated department before starting the mining in the mining lease area. However, the specific query raised by the sub committee has been not responded by M/s Govardhan Mines & Minerals in the said document. But M/s Govardhan Mines & Minerals, has claimed that as the allegations of doing mining at depth of 109 m by the Hon'ble National Green Tribunal, therefore, the said mining lease

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holder has used the said document for his own defence as the document has been submitted before the Hon'ble Court by the same petitioner Mr Rakesh Dalal in 2018 and the said survey was conducted on 28.8.2017 i.e before the sanction of lease to M/s Govardhan Mines & Minerals.

However, the sub committee was of the opinion that before considering the said document, the Department of Mines & Geology shall submit the final action taken report of the department on the reply submitted by M/s Govardhan Mines & Minerals vide its letter dated 16.11.2020 of the show cause notice issued by the department vide No.DMG/HY/ML/DADAM/ 2018/1904 dated 26.6.2020. The said action report may be submitted by the Mining Officer, Department of Mines and Geology, Bhiwani on or before 9.3.2022.

2.3 Department of Irrigation and Water Resources (JUI W/S Division Bhiwani) (Abandoned/damaged Dadam Distributary/minor constructed by the Department of Irrigation.)

In the last meeting held on 21.2.2022, the Department of Irrigation & Water Resources (JUI W/S Division Bhiwani) submitted the survey report carried out by M/s BDN surveyor solution on 9.2.2022. The sub committee had perused the survey report submitted by the department and it was observed that only the length and breadth of the various sections of Dadam distributary, where mining has been done, have been marked, whereas, the volume of material extracted during mining done in the Dadam distributary has not been assessed. Moreover, the volume of the material extracted in the mining lease area, falling within the Dadam distributary was also not assessed.

In the said meeting, the sub committee desired that the Department of Irrigation & Water Resources (JUI W/S Division Bhiwani) shall measure the volume of the material extracted from the portion of Dadam distributary, where mining has been done and volume of material extracted in the mining lease area, falling within the Dadam distributary and submit the report by 28.2.2022.

However, the Department of Irrigation has not submitted the relevant documents and the sub committee directed that the Department of Irrigation and Water Resources (JUI) Water Supply Division, Bhiwani to submit the documents mentioning the volume of the material extracted from the portion of Dadam distributary, where illegal mining has been done and the volume of the material extracted in the mining lease area, falling within the Dadam distributary by 8.3.2022.

2.4 Procurement of ground water from private agency by M/S Govardhan Mines & Minerals for suppression of dust and plantation etc. in Dadam mine area.

In the last meetings of the sub committee held on 11.2.2022 and 21.2.2022, the Mining Officer, Department of Mines and Geology, Bhiwani was directed to get the details of

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each of truck tankers and tractor tankers with registration number of each vehicle and capacity of these truck tankers and tractor trolleys deployed by each agency alongwith their agreement made by mining lease holder with private agencies for procurement of groundwater and details of the payments made to the private agencies for supplying water from 25.2.2019 to date.

Now, the Mining Officer, Department of Mines and Geology, Bhiwani vide his office letter No. BWN/DADAM/248 dated 4.3.2022 has submitted the details of each of the truck tankers and tractor tankers with registration number of the vehicles (**Details are annexed herewith**) deployed by each agency (M/s Pal & Pal Group, Shri Rajesh s/o Shri Tara Chand and Shri Rajat Sharma) and the agreement made by these agencies with mining lease holder(M/s Govardhan Mines & Minerals).

The sub committee has taken these documents on record.

2.5 Submission of mining closure plan by the predecessor of the project proponent (M/s Govardhan Mines and Minerals).

In the meetings of the sub committee held on 11.2.2022 and 21.2.2022, the Department of Mines and Geology, Bhiwani was directed as under:

i) Mining Officer, Department of Mining and Geology shall submit the report regarding implementation of the mining closure plan, report regarding leaving 7.5 metres wide barrier along the boundary of the lease area which was to further developed into green belt by planting trees of suitable varieties and keeping the area green by planting grass and bushes by the Sunder Marketing Associates.

ii) The Mining Officer, department of Mines and Geology has also not submitted the report regarding implementation of the progressive mining closure plan, providing benches of 10mx10m, providing green belt of 7.5m width at the periphery of Dadam mining area and steps taken to maintain 33% of the total area i.e. 16.1271 hectares to be covered under plantation along the lease period by M/s Govardhan Mines & Minerals. The said documents may be submitted by 17.2.2022.

iii) The mining department, Department of Mines & Geology, shall also submit the report regarding closing of deep mining pits as per order dated 5.8.2020 of the department (the same has been mentioned in para no. 7 of the order dated 18.1.2022). The report by the said department may be submitted by 17.2.2022.

Also, Haryana State Pollution Control Board, Regional Office, Bhiwani was asked to submit the report regarding steps taken by M/s Govardhan Mines & Minerals to control dust emissions generated during drilling and other mining operations.

Now, the Department of Mines & Geology, Bhiwani vide its letter No. BWN/DADAM/248 dated 4.3.2022 has submitted the reply as under:

"The present project proponent i.e. M/s Govardhan Mines and Minerals has left 7.5 m wide barrier along the boundary pillar no. 3 to 9 and 20 to 25 of the mining lease area of Dadam stone mine, which is using for green belt for planting trees of suitable

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varieties and keeping the surface green. However, no 7.5 m wide barrier along boundary pillar nos. 1 and 2, 10 to 19 and 26 to 32 of mining lease area of Dadam stone mine has been left for development of green belt by both the project proponent i.e. M/s Sunder Marketing Associates, who has conducted mining in Dadam stone mining area from 29.10.2015 to 30.11.2017 and M/s Govardhan Mines and Minerals from 25.2.2019 to date. However, M/s Govardhan Mines and Minerals has planted 15000 plants in about 15.5 acres (6.2 Hectare)".

Regarding closing of deep mining pit as per order dated 5.8.2020 of the department, as mentioned in para No. 7 of order dated 18.1.2022 of Hon'ble National Green Tribunal, no report has been submitted by the Department of Mines and Geology.

Also, Haryana State Pollution Control Board, Regional Office, Bhiwani has not submitted the report regarding steps taken by M/s Govardhan Mines and Minerals to control dust emissions generated during drilling and other mining operations. It was assured that the said report shall be submitted on 8.3.2022.

It is mentioned here that the Hon'ble Supreme Court of India in order dated 11.8.2017 in special leave to appeal (C) no. 19166 of 2017 has directed M/s Sunder Marketing Associates for implementation of Mine closure plan on or before 30.11.2017. A meeting to review the action taken for compliance of order dated 11.8.2017 of the Hon'ble Supreme Court of India in special leave to appeal no. 19166 of 2017 was held with the officers of the various departments of State of Haryana on 1.12.2017, wherein, it was pointed out that as per the decision taken in the earlier meeting, the advice of the Advocate general Haryana was obtained on 17.10.2017. On the basis of the same, initially it was decided to file an IA and bring the factual position to the notice of the Hon'ble Apex Court. However, due to fresh court matter relating to compensation to the private land owner, the matter is under consideration of the Hon'ble High Court and related facts have been placed before the Hon'ble High Court in CWP no. 26094 of 2017 and action as per order in this writ will be taken.

After detailed discussion on the issues, the sub committee desired that the mining officer, Department of Mines & Geology, Bhiwani shall submit the progress report regarding 7.5 m barrier all around the boundary of the mining lease area and the status of plantation done in the strip of 7.5 m all around the mining lease area and the volume of the material extracted illegally by M/s Sunder Marketing Associates and M/s Govardhan Mines and Minerals. The Mining Department shall also submit the report regarding closing of deep mining pit as per letter dated 5.8.2020 of the department, as mentioned in para No. 7 of order dated 18.1.2022 of Hon'ble National Green Tribunal. It was desired that report on the said issues may be submitted by 8.3.2022.

Also, Haryana State Pollution Control Board, Regional Office, Bhiwani shall submit the report regarding steps taken by M/s Govardhan Mines and

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Minerals to control dust emissions generated during drilling and other mining operation by 8.3.2022.

2.6 Submission of high resolution satellite imageries of Dadam stone mine and analysis data of these imageries for the years 2016 to 2020 by HARSAC Hisar

Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram, who was contacted telephonically informed that high resolution satellite imageries for the period 2016-2022 and analysis data of the satellite imageries on the following three issues shall be submitted on 10.3.2022.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

The sub committee noted the commitment made by Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram.

3.0 Next meeting of the joint committee on the issues as mentioned above 14.3.2022

The matter has been discussed with the Chairman of the Joint Committee and members of the sub committee and it has been decided that the next meeting of the joint committee on the issues, as mentioned above, shall be held on 14.3.2022 at 11.00 AM in the Committee Room, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula. **Therefore, all the members of the joint committee are requested to attend the meeting on 14.3.2022 at 11:00 AM.**

Further, all the said departments are also requested to attend the meeting along with complete report /data/ information on the points relating to them on 14.3.2022 at 11:00 AM.

RK Sapra,
Member, SEAC

Dr. K.K Garg,
Scientist-C/Deputy
Director, MOEF

Dr. O.P.S. Khola,
Principal Scientist,
Indian Institute of Soil & Water
Conservation, Research centre,
Chandigarh

Dr. Babu Ram
Technical Expert,
Monitoring Committee

Sd/-
Dr. Narender Sharma
Additional Director, Central Pollution
Control Board,
Regional Directorate,
Chandigarh.

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Annexure-I

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Attendance sheet

Meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for examining the documents/data/ information submitted by the Department of Forest, Department of Irrigation and Water Resources JUI W/S division, Department of Mining & Geology and Haryana State Pollution Control Board w.r.t investigation of the issues regarding illegal mining in an area of 0.8 hectare in the forest area, mining done upto depth of the 109 m in the mining area, abandoned / damaged distributary / minor constructed by the Department of Irrigation, documents regarding procurement of water from private agency for suppression of dust and plantation etc in Dadam mining area, implementation of the mining closure plan and progressive mining closure plan and providing green belt of 7.5 m width at the periphery of Dadam mining area in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA No. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 7.3.2022 at 11.00 AM in the Committee Room, Haryana State Pollution Control Board, C-11, Sector 6, Panchkula.

Sr.no	Name & Designation	Department	Mobile no.	Email	Signatures
1.	Jitender Ahlawat DFO Bhiwani IFS	FOREST	9468080015	dfo bhiwani@yahoo.com	
2.	R K Khanda RO, HSPCB Bhiwani	HSPCB	9466117500		
3.	Dhirender Singh	Mining Deptt	9467784025	mobwm120@gmail.com	
4.	Rajesh Kumar M.A	Mines & Geology	97299-56912	mo HISAR 84@gmail	
5.	R.K. Sapra IAS (Rtd)	Expert Env.	98726-00824	rk_sapra@yahoo.com	
6.	Dr. Virender Sharma, IAS	CPCB, Delhi	9810004373	virendersharma.cpcb@gov.in	
7.	Dr. K.K. Garg DD	MOEF&CC	8114439430	kkgarg.jnu13@gmail.com	
8.	Dr. O.P.S Khola	ICAR-IISWC Chandigarh	9468921092	opskhola@gmail.com	
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17.					

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FOREST DEPARTMENT GOVT. OF HARYANA
O/o Dy.Conservator of Forests, Bhiwani

Meham Road, Vidya Nagar, Bhiwani, Tel. No. 01664-242430, E-mail:- dfo.bhiwani@yahoo.com

क्रमांक/ 1476 दिनांक/ 04/10/2019

सेवा में:-

जिला खनन अधिकारी,
खान एवं भू-विज्ञान विभाग,
भिवानी।

विषय: गांव डाडम खसरा नं0 132 के अरावली पौधारोपण क्षेत्र में हो रहे अवैध खनन बारे।
संदर्भ: इस कार्यालय के पत्र क्रमांक 1019 दिनांक 14.8.2019 के संदर्भ में।

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उपरोक्त विषय के सम्बन्ध में आपको सूचित किया जाता है कि वन क्षेत्रिक अधिकारी, तोशाम द्वारा उनके पत्र क्रमांक 287 दिनांक 23.9.2019 द्वारा अवगत करवाया गया है कि श्री राजेश कुमार खनन निरीक्षक के साथ संयुक्त निरीक्षण के दौरान पाया गया कि गांव डाडम पहाड़ खसरा नं0 132 में जो 48.87 हैक्टेयर क्षेत्र खनन हेतु लीज पर मै0 गोवर्धन माईनिंग एण्ड मिनरलज कम्पनी को दिया हुआ है, वहां पर अरावली पौधारोपण क्षेत्र की निशानदेही हेतु लगाये गये पिल्लर नं0 ए, पी व एम सही स्थिति में पाये गये, परंतु पिल्लर नं0 आई और जी की जी0पी0एस0 कोर्डिनेटस में अंतर पाया गया। वहीं दूसरी तरफ पिल्लर नं0 ए, बी व सी के मध्य अवैध खनन होता पाया गया। दिनांक 2.5.2019 को मौका पर राजस्व विभाग, माईनिंग विभाग, वन विभाग तथा माईनिंग कम्पनी के प्रतिनिधियों के साथ संयुक्त निरीक्षण के दौरान खसरा नं0 132 में खनन विभाग द्वारा लीज एरिया 48.87 हैक्टेयर की मौका पर डिमार्केशन करके पिल्लर लगाकर उन पर जी0पी0एस0 कोर्डिनेटस अंकित कर दिये गये थे। इसके अतिरिक्त आपको यह भी ज्ञात है कि Order of Hon'ble Supreme Court of India in I.A No. 1785-2001 in WPC No. 4677 of 1985 & 2002 of 1985 में जो आदेश दिनांक 18.3.2004 को पारित किये गये थे, उनमें माननीय सुप्रीम कोर्ट द्वारा अरावली पौधारोपण क्षेत्र को वन क्षेत्र माना गया है तथा अरावली पौधारोपण क्षेत्र में बिना अनुमति के कोई भी माईनिंग गतिविधि चलाना गैर कानूनी है। इससे स्पष्ट होता है कि कम्पनी द्वारा सुनियोजित ढंग से अरावली पौधारोपण में अवैध माईनिंग करके वन सम्पदा को नुकसान पहुंचाने की कोशिश की जा रही है।

अतः इस सम्बन्ध में आपसे अनुरोध है कि आप अपने विभाग के सर्वेयर को बुलाकर मौका पर खनन विभाग, राजस्व विभाग व वन विभाग की संयुक्त पैमाईश करवायें, ताकि पता चल सके कि प्रयोक्ता एजेंसी द्वारा कितने अरावली पौधारोपण क्षेत्र में अवैध माईनिंग की गई है और जितने वन क्षेत्र में अवैध माईनिंग की गई है, के बारे कम्पनी के विरूद्ध नियमानुसार कार्यवाही अमल में लाई जाये।

V.K. Singh
उप वन संरक्षक,
भिवानी। 9/

RD/c V.K.

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पृष्ठांकित – 1471-72 दिनांक :– 07/10/19

इसकी एक प्रति निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :–

1. उपायुक्त, भिवानी।
2. वन क्षेत्रिक अधिकारी, तोशाम को भेजकर निर्देश दिये जाते हैं कि आप द्वारा मौका निरीक्षण जा चुका है तथा इस बारे नियमानुसार कार्यवाही करने उपरांत अनुपालना रिपोर्ट मण्डल कार्य में भेजें, अन्यथा किसी प्रकार की लापरवाही के लिये आप स्वयं उत्तरदायी होंगे।

V.K. Singh
उप वन संरक्षक, 4/10/19
भिवानी।

[redacted]

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[redacted]

HQ II. V.S.

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FOREST DEPARTMENT GOVT. OF HARYANA
O/o Dy.Conservator of Forests, Bhiwani

Meham Road, Vidya Nagar, Bhiwani, Tel. No. 01664-242430, E-mail- dfo.bhiwani@yahoo.com

क्रमांक/ 1311 दिनांक/ 28/11/19

सेवा में–

जिला खनन अधिकारी,
खान एवं भू–विज्ञान विभाग,
भिवानी।

विषय: गांव डाडम खसरा नं0 132 के अरावली पौधारोपण क्षेत्र में हो रहे अवैध खनन बारे।
संदर्भ: इस कार्यालय के पत्र क्रमांक 1019 दिनांक 14.8.2019 तथा 1470 दिनांक 7.10.2019 के संदर्भ में।

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उपरोक्त विषय पर सन्दर्भांकित पत्रों द्वारा आपको सूचित किया गया था कि निरीक्षण के दौरान पाया गया था कि गांव डाडम पहाड़ खसरा नं0 132 में जो 48.87 हैक्टेयर क्षेत्र खनन हेतु लीज पर मै0 गोवर्धन माईनिंग एण्ड मिनरलज कम्पनी को दिया हुआ है, वहां पर अरावली पौधारोपण क्षेत्र की निशानदेही हेतु लगाये गये पिल्लर नं0 ए, बी व एम सही स्थिति में पाये गये परंतु पिल्लर नं0 आई और जी की जी0पी0एस0 कोर्डिनेटस में अंतर पाया गया था। वहीं दूसरी तरफ पिल्लर नं0 ए, बी व सी के मध्य अवैध खनन होता पाया गया था। दिनांक 2.5.2019 को मौका पर राजस्व विभाग, माईनिंग विभाग, वन विभाग तथा माईनिंग कम्पनी के प्रतिनिधियों के साथ संयुक्त निरीक्षण के दौरान खसरा नं0 132 में खनन विभाग द्वारा लीज ऐरिया 48.87 हैक्टेयर की मौका पर डिमार्केशन करके पिल्लर लगाकर उन पर जी0पी0एस0 कोर्डिनेटस अंकित कर दिये गये थे। इसके अतिरिक्त आपको यह भी ज्ञात है कि Order of Hon'ble Supreme Court of India in I.A No. 1785-2001 in WPC No. 4677 of 1985 & 2002 of 1985 में जो आदेश दिनांक 16.3.2004 को पारित किये गये थे, उनमें माननीय सुप्रीम कोर्ट द्वारा अरावली पौधारोपण क्षेत्र को वन क्षेत्र माना गया है तथा अरावली पौधारोपण क्षेत्र में बिना अनुमति के कोई भी माईनिंग गतिविधि चलाना गैर कानूनी है। इससे स्पष्ट होता है कि कम्पनी द्वारा सुनियोजित ढंग से अरावली पौधारोपण में अवैध माईनिंग करके वन सम्पदा को नुकसान पहुंचाने की कोशिश की जा रही है।

अतः इस सम्बन्ध में आपसे पुनः अनुरोध है कि आप अपने विभाग के सर्वेयर को बुलाकर मौका पर खनन विभाग, राजस्व विभाग व वन विभाग की संयुक्त पैमाईश करवायें, ताकि पता चल सके कि प्रयोक्ता एजेंसी द्वारा कितने अरावली पौधारोपण क्षेत्र में अवैध माईनिंग की गई है और कितने वन क्षेत्र अवैध माईनिंग की गई है, के बारे कम्पनी के विरूद्ध नियमानुसार कार्यवाही अमल में लाई जाये।

V.K. Singh
उप वन संरक्षक,
भिवानी

Ref. V.K.

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पृष्ठांकन – 1812-13 दिनांक – 28/11/19

इसकी एक प्रति निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है –

1. उपायुक्त, भिवानी।
2. वन क्षेत्रिक अधिकारी, लोहारू को भेजकर निर्देश दिये जाते हैं कि आप द्वारा मौका निरीक्षण किया जा चुका है तथा इस बारे नियमानुसार कार्यवाही करने उपरांत अनुपालना रिपोर्ट मण्डल कार्यालय में भेजें, अन्यथा किसी प्रकार की लापरवाही के लिये आप स्वयं उत्तरदायी होंगे।

V. K. Singh
उप वन संरक्षक,
भिवानी।

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FOREST DEPARTMENT GOVT. OF HARYANA
O/o Dy.Conservator of Forests, Bhiwani

Meham Road, Vidya Nagar, Bhiwani, Tel. No. 01664-242430, E-mail:-dfo.bhiwani@yahoo.com

क्रमांक/ 2053 दिनांक/ 23/12/19

प्रेषक के:-

सहायक खनन अभियंता,
खान एवं भू-विज्ञान विभाग,
भिवानी।

विषय: गांव डाडम खसरा नं0 132 के अरावली पौधारोपण क्षेत्र में हो रहे अवैध खनन बारे।
संदर्भ: आपका का पत्र क्रमांक 1267 दिनांक 4.12.2019 के संदर्भ में।

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उपरोक्त विषय पर आप द्वारा द्वारा सूचित किया गया है कि दिनांक 2.5.2019 व 10.9.2019 को दो बार खनन विभाग, वन विभाग, राजस्व विभाग तथा प्रयोक्ता एजेंसी के साथ खसरा नं0 132 की संयुक्त निशानदेही करवाई जा चुकी है और दोनों ही बार वन राजिक अधिकारी, तोशाम द्वारा संयुक्त पैमाईश पर हस्ताक्षर करने से इंकार कर दिया गया, यह कथन तर्क संगत नहीं है और आप द्वारा अवैध खनन के संवेदनशील मसले पर विभाग के साथ-2 उच्चाधिकारियों को भी गुमराह करने की कोशिश की जा रही है। दिनांक 2.5.2019 को की गई संयुक्त निशानदेही रिपोर्ट अनुसार कम संख्या 1 श्री जय प्रकाश वन राजिक अधिकारी, तोशाम के हस्ताक्षर हैं (प्रति संलग्न) तथा माननीय उपायुक्त, भिवानी के आदेश तथा उप मण्डल अधिकारी, ना0 के निर्देशानुसार दिनांक 10.9.2019 को आपके विभाग के श्री राजेश कुमार, खनन निरीक्षक के साथ श्री जयप्रकाश वन राजिक अधिकारी, तोशाम द्वारा मौका निरीक्षण किया गया था (प्रति संलग्न) और इस संयुक्त पैमाईश के दौरान मौका पर लीज ऐरिया में लगे पिल्लर मार्क ए,पी,एन और एम यथास्थिति में पाये गये और पिल्लर मार्क आई और जे के कोर्डिनेटस में अंतर पाया गया और रास्ते में लगे पिल्लर मार्क बी के सामने ए व सी के मध्य लगभग 20-25 फुट लम्बाई व गहराई में अरावली क्षेत्र में खनन पाया गया। जिसको verify करने के लिये व जिन पिल्लरों के कोर्डिनेटस का मिलान नहीं हुआ है उनके कोर्डिनेटस की जांच हेतू निदेशक, खान एवं भू-विभान, हरियाणा चण्डीगढ़ से सर्वेयर बुलाकर पिल्लरों को निश्चित लगाने की जिम्मवारी संयुक्त निरीक्षण रिपोर्ट अनुसार आपके विभाग की थी। इसके अतिरिक्त वन राजिक अधिकारी, तोशाम द्वारा उनके पत्र क्रमांक 179 दिनांक 29.7.2019 द्वारा भी इस कार्यालय को रिपोर्ट की गई थी कि दिनांक 23 व 24.7.2019 को उन्होंने स्वयं अरावली पौधारोपण क्षेत्र क

RDH V.K

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निरीक्षण किया तो पाया गया कि मौका पर अरावली पौधारोपण की सुरक्षा हेतु लगाये गये मार्क ए,बी,सी,डी, व आई,जी,के, पिल्लर उखड़े हुये पाये गये और खनन कार्य में चिन्हता पाई गई। उप वन मण्डल अधिकारी, तोशाम के निर्देशानुसार श्री दिनांक 6.9.2019 को श्री राजेश कुमार, खनन निरीक्षक व वन राजिक अधिकारी, तोशाम द्वारा मौका का निरीक्षण किया गया था और मौका पर अरावली पौधारोपण क्षेत्र के पिल्लर नं0 ए,पी व एम को ठीक पाये गये, पिल्लर नं0 आई,और जी के जी0पी0एस0 कोर्डिनेटस में अंतर पाया गया और पिल्लर नं0 ए,बी व सी के मध्य अवैध खनन पाया गया। अरावली पौधारोपण में अवैध खनन होने का अंदेशा होने बारे इस कार्यालय के पत्र कमांक 1019 दिनांक 14.8.2019, पत्र कमांक 1470 दिनांक 7.10.2019 व पत्र कमांक 1811 दिनांक 20.11.2019 द्वारा आपको सूचित किया गया। इस प्रकार मौका पर अवैध खनन का अंदेशा है और उखड़े हुये पिल्लरों को दोबारा से स्थापित करने हेतु संयुक्त पैमाईश की जानी अति आवश्यक है।

अतः इस सम्बन्ध में आपसे पुनः अनुरोध है कि आप अपने विभाग के संबंधित को बुलाकर मौका पर खनन विभाग, राजस्व विभाग व वन विभाग की संयुक्त पैमाईश करवायें, ताकि पता चल सके कि प्रयोक्ता एजेंसी द्वारा कितने अरावली पौधारोपण क्षेत्र में अवैध माईनिंग की गई है और जिसने वन क्षेत्र में अवैध माईनिंग की गई है, इस बारे कम्पनी के विरुद्ध नियमानुसार कार्यवाही अमल में लाई जावे।

संलग्न/यथोपरि।

V. K. Singh
उप वन संरक्षक,
भिवानी।

दिनांक :- 23/12/19

पृ0कमांक :- 2656-58

इसकी एक प्रति निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

1. उपायुक्त, भिवानी।
2. उप मण्डल अधिकारी, भा0 तोशाम।
3. वन राजिक अधिकारी, तोशाम।

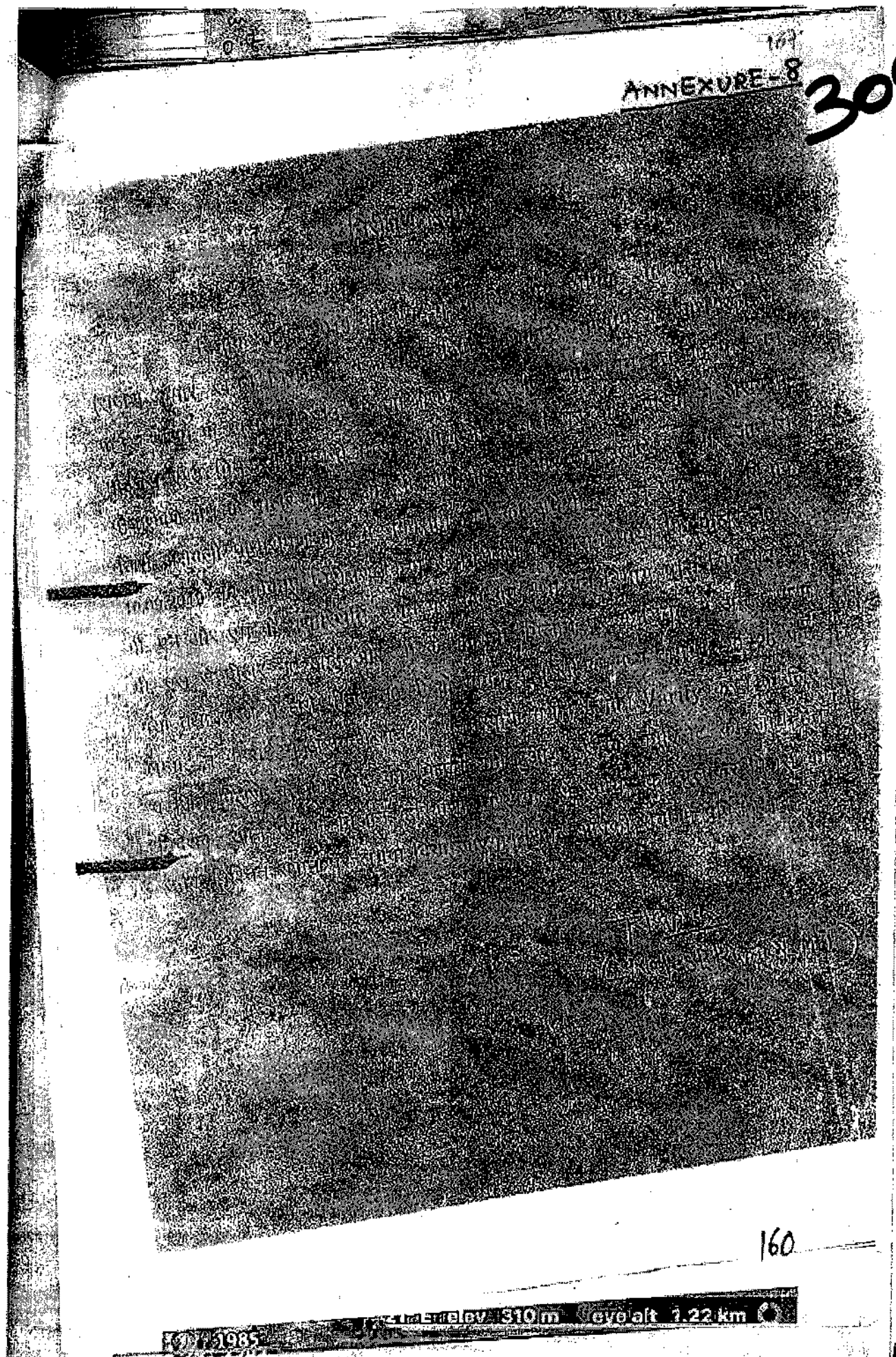
V. K. Singh
उप वन संरक्षक,
भिवानी।

KG II, V.K.

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ANNEXURE-8

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ANNEXURE-10

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OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal
in OA No. 360 of 2018 in the matter Shree Nath Sharma Vs Union of India & Ors and other Environmental issues.

(Official Address: Tower No.8, 4th Floor, Forest Complex, Sector 68, SAS Nagar) Tel. No. 0172-2298091
Email: cmcdev2604@gmail.com,

To

The Deputy Commissioner,
Bhiwani

No. CMC/2022/ 788
Dated: 15.3.2022

Subject: **Minutes of the meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal, for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 14.3.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.**

Please find enclosed herewith minutes of the meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal, for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 14.3.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula for your kind information and necessary action please.

It is requested that the concerned officer of the District Administration be directed to convey the minutes of the meeting to all the concerned departments with the request to take necessary action on the points relating to them and submit the documents/information/data, as desired by the Joint Committee immediately so that final report in the matter may be submitted well before the time given by Hon'ble National Green Tribunal in its order dated 18.1.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 789 Dated: 15.3.2022

A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchukla for information and necessary action please. He is requested to direct the concerned officer to book Committee Room in the office of Haryana State Pollution Control Board, C-11, Sector-6, Panchkula **on 19.3.2022 from 11:00 AM to 5:00 PM** for meeting of the Joint Committee to finalize the report to be submitted to Hon'ble National Green Tribunal in compliance to order dated 18.1.2022 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors. He is further requested to ask the concerned officer to provide 02 inova vehicles for Chairman and member of the Joint Committee on 19.3.2022 at 10:00 AM at the following address.

1. Justice Pritam Pal, Former Judge Punjab & Haryana High Court
   #665, Sector-11 B, Chandigarh.
2. Ms Urvashi Gulati, Former Chief Secretary, Haryana
   #82, Sector: 11-A, Chandigarh.

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(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 790 Dated: 15.3.2022

A copy of the above is forwarded to the District Forest Officer, Department of Forest, Bhiwani for information and necessary action please. He is requested to attend the next meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal on 19.3.2022 at 11:00 AM in the committee room, Haryana State Pollution Control Board, Panchkula.

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(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 791 Dated: 15.3.2022

A copy of the above is forwarded to the Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani for information and necessary action please. He is requested to attend the next meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal on 19.3.2022 at 11:00 AM in the committee room, Haryana State Pollution Control Board, Panchkula.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 792 Dated: 15.3.2022

A copy of the above is forwarded to the Mining Officer, Department of Mines & Geology, Bhiwani for information and necessary action please. He is requested to attend the next meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal on 19.3.2022 at 11:00 AM in the committee room, Haryana State Pollution Control Board, Panchkula.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 793 Dated: 15.3.2022

A copy of the above is forwarded to the Executive Engineer, JUT Water Services Irrigation Department, Bhiwani for information and necessary action please. He is requested to attend the next meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal on 19.3.2022 at 11:00 AM in the committee room, Haryana State Pollution Control Board, Panchkula.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 794 Dated: 15.3.2022

A copy of the above is forwarded to the Assistant Geologist, Groundwater Cell, Bhiwani for information and necessary action please. He is requested to attend the next meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal on 19.3.2022 at 11:00 AM in the committee room, Haryana State Pollution Control Board, Panchkula.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 795 Dated: 15.3.2022

A copy of the above is forwarded to the Director, HARSAC, Hisar for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 796 Dated: 15.3.2022

A copy of the above is forwarded to Dr. Sultan Singh, Principal Scientist, HARSAC-Node, Gurugram for information and necessary action please. He is requested to attend the next meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal on 19.3.2022 at 11:00 AM in the committee room, Haryana State Pollution Control Board, Panchkula.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Minutes of the meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal, for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 14.3.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.

The following were present during the meeting:

Sr. No.	Name and designation of the authority/officer in the Deptt.	Designation in the Joint Committee
1.	Justice Pritam Pal, Former Judge Punjab & Haryana High Court	Chairman
2.	Ms. Urvashi Gulati (IAS Retd.), Former Chief Secretary, Haryana	Senior Member
3.	Sh. R.K Sapra IFS (Retired), Member, State Expert Appraisal Committee.	Member
4.	Dr. OPS Khola, Principal Scientist, Indian Institute of Soil & Water Conservation, Research centre, Chandigarh	Member
5.	Dr. Narender Sharma, Additional Director, Central Pollution Control Board, Regional Directorate, Chandigarh.	Member
6.	Dr. K.K Garg, Deputy Director/ Scientist-C, Ministry of Environment, Forest & Climate Change, Regional Office, Chandigarh.	Member
7.	Dr. Babu Ram, Technical Expert, Monitoring Committee.	Technical Expert

The list of the District Level Officers of District Bhiwani, present in the meeting, is as per **Annexure-1.**

1.0 Background

It was apprised that in compliance to order dated 20.7.2021 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors, the Joint Committee submitted its interim report to the Hon'ble National Green Tribunal vide letter No. CMC/2021/390 dated 13.10.2021. However, final report in the matter could not be submitted due to non availability of high resolution satellite imageries of the Dadam stone mines for the year 2015-2021 on the following issues.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

Further, the Hon'ble National Green Tribunal after considering the interim report of the Joint Committee, submitted on 13.10.2021, has directed in para no.7, 8 and 9, which are reproduced as under:

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Para no. 7.

> As found by the Committee, there has been illegal mining including in the forest area and also beyond the permitted depth. Though the Committee has observed that there was no illegal mining in the mining area, the said observation appears to refer to the time of inspection as the Committee has recorded its conclusion about earlier illegal mining. The Committee has observed that there was no ground water extraction but explanation of the PP that the ground water was privately procured but it is difficult to accept explanation in absence of such private sources being identified. As found in the order dated 20.07.2021 and in the report of the Committee, there was mining even beyond depth of 150 mtrs. Closure plan have not been given by the predecessor of the PP which is to be ensured by the Chief Secretary of the State. There is order of the Mining Department dated 05.08.2020, requiring the PP to close deep mining pits.

Para no. 8.

> Thus, while directing recommended remedial action against illegal mining in the light of report of the Committee and in pursuance of order dated 20.07.2021 by the State PCB and Mining Department, to be overseen by the Member Secretary CPCB, we find it unnecessary that the joint Committee may wait for procurement of satellite imagery, if the same is not readily available and can make its final conclusions by undertaking ground truthing and drawing inferences from the available material.

Para no. 9.

> Let the joint Committee give its final report by March 31, 2022. The Chief Secretary, Haryana may also file action taken report in pursuance of order of this Tribunal dated 20.07.2021 and report of the joint Committee by March 31, 2022. The reports may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

2.0 Compliance of the directions given by the sub Committee, constituted by the Chairman of the Eight member Joint Committee, in the last meeting held on 7.3.2022 to the various departments w.r.t the issues relating to them.

2.1 Submission of high resolution satellite imageries of Dadam stone mine and analysis data of these imageries for the years 2016 to 2020 by HARSAC, Hisar

It was apprised that the following issues are pending due to non availability of high resolution satellite imageries of Dadam stone mine area for the year 2016-2020.

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i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram, who joined the meeting through video conferencing, submitted the status w.r.t each activity as under:

a) **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**

It was informed that satellite imageries data for the year 2016, November, 2017 (drone image data), February, 2018, February, 2019 and February, 2020 has been made available and these satellite imageries have been analyzed for their interpretation and the same shall be submitted on 15.3.2022.

b) **Illegal mining in Dadam mining area done up to depth of 109 m**

It was informed that satellite imagery data showing the depth of the deepest mining pit has been made available for the year, 2017, and November, 2021. However, the complete imageries data along with analysis data shall be submitted on 15.3.2022.

c) **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

The Joint Committee was informed that the data of Dadam Distributary / minor, constructed by the Department of Irrigation, is available upto RD 20500 and it has been observed that in the year 2011, the Dadam Distributary upto RD 20500 is clearly visible and it has not been found damaged. The satellite imageries data for the period November 2017, indicates that a portion of 55 m length has been found damaged in reference of its previous data for the year, 2011.

The Executive Engineer, JUI water Service Division, Bhiwani informed that the Dadam Distributary was constructed in the year 1976-77 upto RD 20500 and later on, it was extended upto RD 23500 during the year, 1987-88. The detail survey of Dadam Distributary has been got conducted from M/S BDN Surveyor, Bhiwani, which indicate that there are following 02 portion in which mining has been found conducted.

i) In Khasra no. 29/1, illegal mining has been done from RD 21150 to RD 23500 and the volume of the material extracted within the Dadam Distributary has been assessed as 5,45,109.65 m^3.

ii) The volume of the material extracted in the mining lease area, the part of the Khasra no. 132, falling in course of Dadam Distributary, has also been assessed and the same has been found as 3,53,126.27 m^3.

Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram, informed that the coordinates of Dadam Distributary from RD 20500 to RD 23500 have not been made available to HARSAC. The said coordinates may be provided today i.e 14.3.2022.

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It was desired that the officer of Department of Irrigation and Department of Mining may also be deputed to attend his office at Gurugram on 15.3.2022 at 11:00 AM for the discussion on the points. The Patwari and kanungo of the area may also be directed to attend his office.

After discussion on the issue, the Chairman of Joint Committee directed as under:

i) **The officers of Department of Irrigation and Department of Mining shall attend the office of Dr. Sultan Singh, HARSAC Gurugram on 15.3.2022 at 11:00 AM. They should carry complete record relating to Dadam Distributary. The coordinates on the various points as desired by the Dr. Sultan Singh shall also be provided today i.e. 14.3.2022.**

ii) **Deputy Commissioner, Bhiwani, who joined the meeting through video conferencing, was asked by the Chairman of the Joint Committee to depute Patwari and kanungo of the area to visit the office of Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram on 15.3.2022 at 11:00 AM.**

iii) **Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram, shall provide satellite imagery data along with their analysis data on all the above three issues as mentioned above by 15.3.2022.**

2.2 Procurement of ground water from private agency by M/S Govardhan Mines & Minerals for suppression of dust and plantation etc. in Dadam mine area.

It was informed that the Mining Officer, Department of Mines and Geology, Bhiwani vide his office letter No. BWN/DADAM/248 dated 4.3.2022 has submitted the details of each of the truck tankers and tractor tankers with registration number of the vehicles deployed by each agency (M/s Pal & Pal Group, Shri Rajesh s/o Shri Tara Chand and Shri Rajat Sharma) and the agreement made by these agencies with mining lease holder(M/s Govardhan Mines & Minerals).

It was pointed out that since the private agencies, who are supplying water to M/s Govardhan Mines & Minerals for suppression of dust and plantation from the tube well outside mining area, as such, these private agencies are required to obtain NOC from CGWA.

The Joint Committee recommends that the officer of Groundwater Cell, Bhiwani shall look into the issue of NOC to be sought by the concerned agency in the matter at his own level.

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2.3 Implementation of mining closure plan by the predecessor of the project proponent i.e M/S Sunder Marketing Associates.

In the last meeting held on 7.3.2022, it was directed as under:

1) The mining officer, Department of Mines & Geology, Bhiwani shall submit the progress report regarding 7.5 m barrier all around the boundary of the mining lease area and the status of plantation done in the strip of 7.5 m all around the mining lease area and the volume of the material extracted illegally by M/s Sunder Marketing Associates and M/s Govardhan Mines and Minerals.
2) The Mining Department shall submit the response of the department on the reply of the show cause notice submitted by M/s Govardhan Mines & Minerals vide its letter dated 16.11.2020 and action taken regarding closing of deep mining pit as per letter dated 5.8.2020 of the department, as mentioned in para No. 7 of order dated 18.1.2022 of Hon'ble National Green Tribunal. The matter may be taken with the Sh. P.K Sharma, State Mining Engineer, Department of Mines & Geology, Panchkula.

Mining officer, Department of Mines and Geology informed that survey of area has been started and it shall be completed on 17.3.2022 and the same shall be submitted on 18.3.2022. The Joint Committee noted the commitment made by Department of Mines and Geology.

2.4 Steps taken by the M/s Govardhan Mines & Minerals to control dust emissions generated during drilling and other mining operations

It was apprised that the Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani vide his office letter no. HSPCB/BHI/2022/2364 dated 23.2.2022 has reported that M/s Govardhan Mines and Minerals, Bhiwani has installed the dust suppression sources through HEMM and other equipments i.e. better drilling process at the time of drilling, 03 nos. foggers to control harmful fumes and dust, deployed the water tankers sprinklers on the haul roads to control dust due to dumpers activity and planted trees at the lease boundary for control of dust suppression.

The Joint Committee noted the action taken by Haryana State Pollution Control Board, Regional Office, Bhiwani.

3.0 Next meeting of the Joint Committee on the issues regarding high resolution satellite imageries and their analysis data to be provided by the Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram.

The matter has been discussed with the Chairman of the Joint Committee and members of the Joint committee and it has been decided that the next meeting of the Joint Committee on the issues regarding high resolution satellite imageries and their analysis data to be provided by the Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram, shall be held on **19.3.2022 at 11.00 AM** in the Committee Room, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula. Therefore, all the members of the joint committee are requested to attend the meeting on 19.3.2022 at 11:00 AM.

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Further, all the concerned departments are also requested to attend the meeting along with complete report /data/ information on the points relating to them on 19.3.2022 at 11:00 AM.

RK Sapra,
Member, SEAC

Dr. O.P.S. Khola,
Principal Scientist,
Indian Institute of Soil & Water Conservation, Research centre, Chandigarh

Dr. Narender Sharma
Additional Director, Central Pollution Control Board,
Regional Directorate,
Chandigarh.

Dr. K.K Garg,
Scientist-C/Deputy Director, MOEF

Dr. Babu Ram
Technical Expert,
Monitoring Committee

Ms. Urvashi Gulati,
Former Chief Secretary of Haryana and now as member of the Monitoring Committee

Justice Pritam Pal
Former Judge, Punjab and Haryana High Court, Now as Chairman of Monitoring Committee

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Attendance sheet

Meeting of the Joint Committee, constituted by the Hon'ble National Green Tribunal, under the Chairmanship of Justice Pritam Pal, former Judge, Punjab & Haryana High Court and now as Chairman of the Monitoring Committee, regarding finalization of the report w.r.t. the issues regarding illegal mining in an area of 0.8 hectare in the forest area, mining done upto depth of the 109 m in the mining area, abandoned / damaged distributary / minor constructed by the Department of Irrigation and observations of the Hon'ble National Green Tribunal in its order dated 18.1.2022 w.r.t. procurement of water from private agency for suppression of dust and plantation in Dadam Mining area, implementation of the mining closure plan and progressive mining closure plan and providing green belt of 7.5 m width at the periphery of Dadam mining area in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA No. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 14.3.2022 at 11.00 AM in the Committee Room, Haryana State Pollution Control Board, C-11, Sector 6, Panchkula.

Sr.no	Name & Designation	Department	Mobile no.	Email	Signatures
1.	Dr. K. K. Garg, DD	MoEF&CC	8114939710	kkgarg.gog@gmail.com	
2.	JITENDER AHLAWAT IFS DCF Bhiwani	FOREST	9468080015	dfo.bhiwani@yahoo.com	
3.	R. K. Bhandla	R.O. Bhiwani HSPCB	9416117540	rk.pcb@yahoo.com	
4.	Bhupender Singh	Mining officer	9467784603		
5.	Chander Prakash	Ground water cell, IPHRD	8360072082		
6.	Anshul Yadav SDO	Irrigation	9650044815		
7.	Rahul Sharma XEN JW H.S.D. Bhiwani	Irrigation	8295611629		
8.	Dr. Virender Sharma	CAQM	9814003737		
9.	R.K. Sapra	Expert CEC SEIAA Haryana	9876200078	rksapra@yahoo.com	
10.	Dr. D.P.S. Khola	ICAR-IISWC, Chandigarh	9486921092	dpskhola@gmail.com	
11.					
12.					
13.					
14.					
15.					
16.					
17.					

ANNEXURE-II

OFFICE OF THE MONITORING COMMITTEE

Constituted by the Hon'ble National Green Tribunal
in OA No. 360 of 2018 in the matter Shree Nath Sharma Vs Union of India & Ors and other Environmental issues.

(Official Address: Tower No.5, 4th Floor, Forest Complex, Sector 68, SAS Nagar) Tel. No. 0172-2298091
Email: cmcdep360@gmail.com,

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To

The Deputy Commissioner,
Bhiwani.

No. CMC/2022/806
Dated: 21.3.2022

Subject: Minutes of the meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal, for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 19.3.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.

Please find enclosed herewith minutes of the meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal, for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 19.3.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula for your kind information and necessary action.

It is requested that the concerned officer of the District Administration be directed to convey the minutes of the meeting to all the concerned departments with the request to take necessary action on the points relating to them and submit the documents/information/data, as desired by the Joint Committee immediately so that final report in the matter may be submitted well before the time given by Hon'ble National Green Tribunal in its order dated 18.1.2022.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/807 Dated: 21.3.2022

A copy of the above is forwarded to the Member Secretary, Haryana State Pollution Control Board, Panchkula for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ 808 Dated: 21.3.2022

A copy of the above is forwarded to the District Forest Officer, Department of Forest, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Endst. No. CMC/2022/३७१ Dated: 21.3.2022

A copy of the above is forwarded to the Environmental Engineer, Haryana State Pollution Control Board, Regional Office, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ ३७२ Dated: 21.3.2022

A copy of the above is forwarded to the Mining Officer, Department of Mines & Geology, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ ३७३ Dated: 21.3.2022

A copy of the above is forwarded to the Executive Engineer, JUI Water Services Irrigation Department, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/३७४ Dated: 21.3.2022

A copy of the above is forwarded to the Assistant Geologist, Groundwater Cell, Bhiwani for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/ ३७५ Dated: 21.3.2022

A copy of the above is forwarded to the Director, HARSAC, Hisar for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

Endst. No. CMC/2022/३७६ Dated: 21.3.2022

A copy of the above is forwarded to Dr. Sultan Singh, Principal Scientist, HARSAC-Node, Gurugram for information and necessary action please.

(Dr. Babu Ram)
Technical Expert,
Monitoring Committee

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Minutes of the meeting of the Joint Committee, constituted by Hon'ble National Green Tribunal, for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 19.3.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula.

The following were present during the meeting:

Sr. No.	Name and designation of the authority/officer in the Deptt.	Designation in the Joint Committee
1.	Justice Pritam Pal, Former Judge Punjab & Haryana High Court	Chairman
2.	Ms. Urvashi Gulati (IAS Retd.), Former Chief Secretary, Haryana	Member
3.	Sh. R.K Sapra IFS (Retired), Member, State Expert Appraisal Committee.	Member
4.	Dr. OPS Khola, Principal Scientist, Indian Institute of Soil & Water Conservation, Research centre, Chandigarh	Member
5.	Dr. Narender Sharma, Additional Director, Central Pollution Control Board, Regional Directorate, Chandigarh.	Member
6.	Dr. K.K Garg, Deputy Director/ Scientist-C, Ministry of Environment, Forest & Climate Change, Regional Office, Chandigarh.	Member
7.	Dr. Babu Ram, Technical Expert, Monitoring Committee.	Technical Expert

The list of the District Level Officers of District Bhiwani, present in the meeting, is as per **Annexure-1.**

1.0 Background

It was apprised that in compliance to order dated 20.7.2021 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors, the Joint Committee submitted its interim report to the Hon'ble National Green Tribunal vide letter No. CMC/2021/390 dated 13.10.2021. However, final report in the matter could not be submitted due to non availability of high resolution satellite imageries of the Dadam stone mines for the year 2016-2020 on the following issues.

i. **Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.**

ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**

iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

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Further, the Hon'ble National Green Tribunal after considering the interim report of the joint Committee, submitted on 13.10.2021, has directed in para no.7, 8 and 9, which are reproduced as under:

Para no. 7.

> As found by the Committee, there has been illegal mining including in the forest area and also beyond the permitted depth. Though the Committee has observed that there was no illegal mining in the mining area, the said observation appears to refer to the time of inspection as the Committee has recorded its conclusion about earlier illegal mining. The Committee has observed that there was no ground water extraction but explanation of the PP that the ground water was privately procured but it is difficult to accept explanation in absence of such private sources being identified. As found in the order dated 20.07.2021 and in the report of the Committee, there was mining even beyond depth of 150 mtrs. Closure plan have not been given by the predecessor of the PP which is to be ensured by the Chief Secretary of the State. There is order of the Mining Department dated 05.08.2020, requiring the PP to close deep mining pits.

Para no. 8.

> Thus, while directing recommended remedial action against illegal mining in the light of report of the Committee and in pursuance of order dated 20.07.2021 by the State PCB and Mining Department, to be overseen by the Member Secretary CPCB, we find it unnecessary that the joint Committee may wait for procurement of satellite imagery, if the same is not readily available and can make its final conclusions by undertaking ground truthing and drawing inferences from the available material.

Para no. 9.

> Let the joint Committee give its final report by March 31, 2022. The Chief Secretary, Haryana may also file action taken report in pursuance of order of this Tribunal dated 20.07.2021 and report of the joint Committee by March 31, 2022. The reports may be filed by email at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

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2.0 Compliance of the directions given by the Joint Committee, constituted by the Hon'ble National Green Tribunal, in the last meeting held on 14.3.2022 to the various departments w.r.t the issues relating to them.

2.1 Submission of high resolution satellite imageries of Dadam stone mine and analysis data of these imageries for the years 2016 to 2020 by HARSAC, Hisar

The following issues are pending with the HARSAC, Hisar due to non availability of high resolution satellite imageries of Dadam stone mine area for the year 2016-2020.

i. **Illegal mining in forest area (non minable area) in 0.8 hectares area in Dadam mining hills in village Dadam, Tehsil Tosham.**
ii. **Illegal mining in Dadam mining area done up to depth of 109 m.**
iii. **Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.**

In the last meeting held on 14.3.2022, Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram, who joined the meeting through video conferencing, submitted that the satellite imagery data for the year 2016, November 2017 (drone image data), February 2018, February 2019 and February 2022 w.r.t illegal mining in forest area in 0.8 hectares; data for the year, 2017 and Nov, 2021 for the illegal mining in Dadam mining area depth upto 109 m has been made available but no coordinates of Dadam Distributary for RD 20500 to 23500 have been made available.

Accordingly, it was directed that said coordinates may be provided by 14.3.2022 and officers of Department of Irrigation and Department of Mines & Geology, Patwari and Kanungo of Dadam area may be deputed in the office of Dr. Sultan Singh, Principal Scientist, at Gurugram on 15.3.2022 at 11:00 AM along with complete record. It was further informed that the satellite imagery data along with their analysis on all the above three issues, as mentioned above shall, be submitted by 15.3.2022.

Now, Dr. Sultan Singh, Principal Scientist, HARSAC, Gurugram has submitted the high resolution satellite imagery data of Dadam stone mine and analysis data of the imageries for the year 2016-2022 on the issues are mentioned as under:

2.1.1 Illegal mining in forest area (non minable area) in 0.8 hectares area in Dadam mining Hills in village Dadam, Tehsil Tosham.

The year wise analysis of mining on the basis of available satellite/drone imagery data was mentioned as under:

2.1.1.1 Analysis data of date 16.5.2016

It was observed that mining of 0.180 hectares (1797.95 m^2) has been done within the boundary of 0.8 hectares area. The map showing mining within boundary of 0.8 hectares area on satellite imagery of dated 16.5.2016 has been mentioned in figure-3, page 14 of report.

2.1.1.2 Analysis data of date 24.11.2017

It was observed that 1.061 hectares (10611.31 m^2) of illegal mining area has been increased within and outside of the boundary of 0.8 hectares area. The map showing 174

illegal mining done within and outside of the boundary of 0.8 hectares on satellite imageries of 24.11.2017 has been mentioned in figure-5, page 15 of the report.

2.1.1.3 Analysis data of date 16.2.2018

It was observed that 0.072 hectares (720.36 m^2) of illegal mining area has been increased within and outside of boundary of 0.8 hectares area. The map showing mining within and outside the boundary of 0.8 hectares area on satellite imageries of 16.2.2018 has been shown in figure-5, page 16 of the report.

2.1.1.4 Analysis data of date 2.2.2019

It was observed that 0.123 hectares (1227.78 m^2) of illegal mining area has been increased within and outside the boundary of 0.8 hectares area. The map showing above mining is mentioned in figure-6, page 17 of the report.

2.1.1.5 Analysis data of date 16.2.2020

It was observed that 0.097 hectares (972.438 m^2) of mining area has been increased within and outside of boundary of 0.8 hectares area. The map showing above mining is mentioned in figure-7, page 18 of the report.

The record submitted by Department of Mines & Geology indicates that M/s Sunder Marketing Associates, a mining lease holder, has carried out mining in Dadam area during the period from 29.10.2015 to 30.11.2017 and M/s Govardhan Mines & Minerals has carried out mining in the said mining area from 25.2.2019 and now the same has been continued.

In view of the above, the year wise illegal mining done has increased to 1.533 hectares) is summarized in the Table given below:

S.no.	Name of mining lease holder	Satellite imageries date	Illegal mining done in the area
1.	M/s Sunder Marketing Associates	16.5.2016	0.180 hectares
2.	M/s Sunder Marketing Associates	24.11.2017	1.061 hectares
3.	Non lease period	16.2.2018	0.072 hectares
4.	Non lease period	2.2.2019	0.123 hectares
5.	M/s Govardhan Mines & Minerals	16.2.2020	0.097 hectares
	Total area where illegal mining done in forest area		**1.533 hectares**

2.1.2 Illegal mining in Dadam mining area done up to depth of 109 m

The year wise analysis done through SOI, DTM 2017 and DGPS (Nov, 2021 to Feb, 2022) for mining done upto depth of 109 m is mentioned in the Table given as under:

Sr. No.	Parameters	SOI Topo sheet (m)	DTM Elevation Nov, 2017 (m)	Elevation provided by mining department Nov, 2020 (m)	Elevation by DGPS Survey Feb, 2022 (m)	Remarks
1	Top (msl)	215	213	*227	213	As per record of Department of Mines & Geology, mining was started by M/s Govardhan Mines & Minerals in
2	Bottom (msl) in		127	*119	103	
3	Elevation difference with overburden		86	*109	110	

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4	Elevation difference without overburden		69	*92	93	Dadam stone mining area on 25.2.2019 and still it is continuing and as per mining plan submitted by the said mining lease holder, it was assured to maintain depth of 78 m. Mining plan further shows that the depth of mining pit was not gone deep to 78 m till the start of the mining by M/s Govardhan Mines & Minerals. As such, the illegal mining upto depth of 92 m /93 m has been done by M/s Govardhan Mines & Minerals.

2.1.3 Abandoned/damaged Dadam Distributary/ minor constructed by the Department of Irrigation.

The satellite imagery data of dates 29.5.2011, 16.4.2016, 24.11.2017, 16.2.2018, 8.2.2019 and 16.2.2020 has been used for analysis of Dadam Distributary and the analysis is mentioned as under:

- In the year, 2011, it has been observed that neither over burden is removed nor mining is there. The imageries data has been mentioned in figure 6, page 25 of the report.
- In the year, 2016, it has been observed that overburden is partially removed in private Khasra land. Mining is started in private land but no mining is visible in Dadam distributary / minor. The imagery data is mentioned in figure 18, page 27 of the report.
- In 2017, no mining was observed in Dadam Distributary but it seems to be converted into pathway within khasra no. 29//7/2, 29//4/2, 18//24/2, 18//17/1, 18//14/2, and 18//17/1 at RD 21700-22200-22400-22800. The total length of pathway was observed as 55m. The mining is visible on private land (Khasra No 29//4/1, 18//17/2, 18//24/2) and there is damage of Dadam distributary in 55 m length due to development of pathway as visible on 2017 satellite imageries.

The documents submitted by Department of Irrigation, Jui Water Services, Bhiwani indicate that the illegal mining from Dadam distributary at village Dadam was done and the volume of material was assessed as 545109.65 m^3 and volume of material mined in khasra no. 132, falling in Dadam distributary, was assessed as 353216.27 m^3, whereas, material extracted from mining (illegal mining) in Dadam distributary till 2017 mentioned by HARSAC, Hisar through satellite imageries was found as 558593 ft^3 (15830 m^3)

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The matter was discussed in detail and it was observed that there is variation in the data as analyzed by HARSAC, Hisar and survey conducted by Department of Irrigation, JUI Water Services, Bhiwani as per the report submitted by said department vide letter no. 846-47 dated 19.2.2022 and no. 163-64 dated 8.3.2022.

After detailed discussion, the Chairman of the Joint Committee directed that Dr. Sultan Singh HARSAC, Gurugram shall submit a note clarifying the variation in data measured through satellite imageries as compared to the data submitted by the Department of Irrigation, JUI Water Services, Bhiwani w.r.t Dadam distributary.

2.1.4 Implementation of mining closure plan by the predecessor of the project proponent i.e M/S Sunder Marketing Associates.

In the last meeting held on 14.3.2022, it was directed as under:

1) The Mining officer, Department of Mines & Geology, Bhiwani shall submit the progress report regarding 7.5 m barrier all around the boundary of the mining lease area and the status of plantation done in the strip of 7.5 m all around the mining lease area and the volume of the material extracted illegally by M/s Sunder Marketing Associates and M/s Govardhan Mines and Minerals.

2) The Mining Department shall submit the response of the department on the reply of the show cause notice submitted by M/s Govardhan Mines & Minerals vide its letter dated 16.11.2020 and action taken regarding closing of deep mining pit as per letter dated 5.8.2020 of the department, as mentioned in para no. 7 of order dated 18.1.2022 of Hon'ble National Green Tribunal. The matter may be taken with the Sh. P.K Sharma, State Mining Engineer, Department of Mines & Geology, Panchkula.

Mining officer, Department of Mines and Geology informed that survey of area has been started and it shall be completed on 17.3.2022 and the same shall be submitted on 18.3.2022. The Joint Committee noted the commitment made by Department of Mines and Geology.

Now, the mining officer, Department of Mines & Geology, Bhiwani vide letter no. 319 dated 17.3.2022 has submitted that the survey of Dadam stone mine was conducted on 14.3.2022 and 15.3.2022 by Senior Surveyor at Headquarter Panchkula and it was observed that total area of 7.5 m barrier along the mining lease boundary is 3.91 hectares out of which, the encroachment area i.e. illegal mining done in the area is 0.37 hectares and the volume of the material extracted illegally is found as 64167 M.T. The details are mentioned in the Table given below:

Pocket No.	Location	Area (in Hectares)	Quantity of Mineral Extracted (in M.T.)
P-1	Near Boundary pilar No.1	0.08 (110X7.5)	20625
P-2	Between Boundary Pilar No.1 &2	0.02(30X7.5)	5625
P-3	Between Boundary Pilar No.16 &17	0.03(40X7.5)	3750
P-4	Between Boundary Pilar No.19 &20	0.024(60X4.0)	2400
P-5	Between Boundary Pilar No.20 &29	0.024(32X7.5)	6000

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P-6	Between Boundary Pilar No.30 &31	0.02(52X3.5)	2730
P-7	Between Boundary Pilar No.31 &32	0.01(40X3.5)	2100
P-8	Between Boundary Pilar No.32 &1	0.06(80X7.5)	6000
P-9	Near Boundary Pilar No. B	0.03(50X5)	3125
P-10	Between Boundary Pilar No.B & C	0.02(30X7.5)	3937
P-11	Between Boundary Pilar No.G &1	0.05(70X7.5)	7875
	TOTAL	**0.37 hectares**	**64167 MT**

The data mentioned in the above Table was discussed in detail and the Joint Committee observed that more details are required in view of the observations raised by the Joint Committee in its meeting held on 14.3.2022. Therefore, the Mining Officer, Department of Mines & Geology was directed to provide the data as per format given as under:

Sr.No.	Location	Total area (in hectares)	Encroached area (illegal mined area)	Quantity of material extracted	Remaining area (in hectares)	Plantation done in the area (in hectares)

The mining officer requested that the said data, to be mentioned in the format given above, shall be provided today i.e. on 19.3.2022 in the evening hours.

With regard to point No.2, as mentioned above, the matter has been discussed with Sh. P.K. Sharma, State Mining Engineer, Department of Mines & Geology telephonically on 14.3.2022 and again on 19.3.2022 and the Director, Department of Mines & Geology has also been requested through e-mail dated 19.3.2022 to submit the report in the matter on 21.3.2022.

The Joint Committee decided that based on the facts mentioned by Dr. Sultan Singh, Principal Scientist, HARSAC Gurugram through satellite imageries study done on the three issues as mentioned above and other points as mentioned in the minutes of the meeting of the Joint Committee held on 14.3.2022 may be submitted after the submission of reply/report from the departments on the following points:

1) **Dr, Sultan Singh, Principal Scientist, HARSAC, Gurugram shall submit a note clarifying the variation in the data measured through satellite imageries as compared to the data measured by Department of Irrigation, JUI Watar Services, Bhiwani w.r.t Dadam distributary on 21.3.2022.**
2) **Report of Mining Officer, Department of Mines & Geology, Bhiwani w.r.t. implementation of Mining closure plan by the predecessor of the project proponent i.e M/s Sunder Marketing Associates on format given above.**

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3) Director, Department of Mines & Geology shall submit the report on point No 2 as mentioned at page 6 by 21.3.2022.

RK Sapra,
Member, SEAC

Dr. O.P.S. Khola,
Principal Scientist,
Indian Institute of Soil & Water Conservation, Research centre, Chandigarh

Dr. Narender Sharma
Additional Director, Central Pollution Control Board,
Regional Directorate,
Chandigarh.

21/03/2022

Dr. K.K Garg,
Scientist-C/Deputy Director, MOEF

Dr. Babu Ram 21.3.2022
Technical Expert,
Monitoring Committee

Ms. Urvashi Gulati,
Former Chief Secretary of Haryana and now as member of the Monitoring Committee

Justice Pritam Pal
Former Judge, Punjab and Haryana High Court, Now as Chairman of Monitoring Committee

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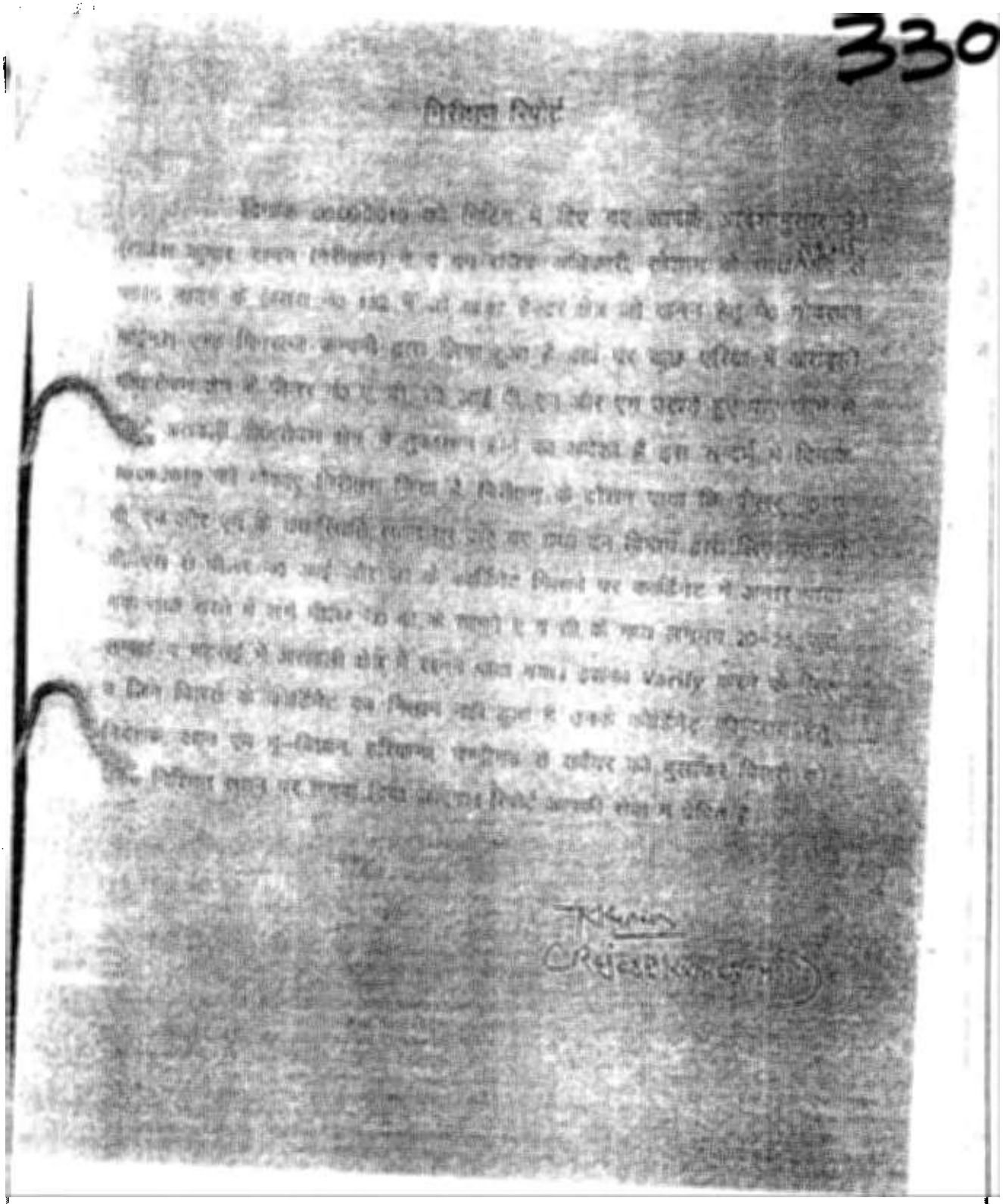
Meeting dated 19.3.2022 in OA No. 164 of 2020
In the matter of Kuldeep Singh Vs. State of Haryana & ors.

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Sr.No	Name & Designation	Department	Signatures
1.	JITENDER AHLAWAT IFS DFO Bhiwani	FOREST	
2.	R K Sapra	EXPERT BKSFC Member	
3.	Dr. Narender Kumar	CPCB, Chd	
4.	Dr. K.K. Garg DD	MoEF, Chd	
5.	Dr. O.P.S. Khola	ICAR-IISWC	19/03
6.	DR. Sultan Singh	HARSAC	19.3.2022
7.	Chander Prakash	GWC, Bhiwani	Cprakash 19.3.22.
8.	Anshul Kadian SDO	Irrigation, Bhiwani	19-3-2022
9.	Rahul Sharma XEN	Jr. Dlvr. Irrigation Bhiwani	Rahul 19/3/22
10.	Bhupender Singh Mining officer	Mining Deptt.	
11.	R K Bhonsle	RO. HSPCB Bhiwani	
12.			

ANNEXURE E — 12

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ANNEXURE- 15

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From

Principal Scientist,
HARSAC

To

Dr. Babu Ram
Technical expert
Monitoring committee Constituted by the NGT.
Tower No. 5, 4th Floor, Forest Complex, Sector 68, SAS nagar
Tel. No. 0172-2298091,
Email: eccswm006@gmail.com

Letter No: HARSAC/nwm/2022/171-174 Date: 17/03/2022

Subject: Submission of high resolution satellite imageries of Dadam stone mine and analysis data of these imageries for the years 2011 to 2020.

With reference to letter no. CMC/2021/137, dated 17.08.21..., and CMC/2022/796, Dated: 15.03.2022, the satellite data analysis and report (page no.1 to 465.) including figures, tables, facts, and conclusions (those are based on multi-sensor, multi-date, and multi-resolution satellite data interpretation) area made and the accuracy of this is subject to the use of multi-technology, data quality, and perspective of image analyst. All the information on the maps/report, related boundaries, etc. are based on the data provided by all the stake holders.

Submitted for your kind reference.

17.03.2022

Principle Scientist
HARSAC

CC:

1. Director General, Mines and Geology Haryana, Chandigarh, for the necessary information, please.
2. The Director, HARSAC, for the information, please.
3. Deputy Commissioner, Bhiwani, for the information, please.

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REGRADING SUBMISSION OF HIGH-RESOLUTION SATELLITE IMAGERIES FOR Dadam STONE MINE AND ANALYSIS REPORT OF THESE IMAGERIES FOR THE YEAR OF 2016 TO 2020



Haryana Space Applications Centre (HARSAC)
Citizen Resource Informatic Department (CRID),
Government of Haryana

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ABBREVIATIONS

Sr. No.	Abbreviations	Full form
1	DSM	Digital Surface Model
2	DTM	Digital Terrain Model
3	DGPS	Differential Global Positioning System
4	GPS	Global Positioning System
5	ha	Hectare
6	Sq.m./ m^2	Square meters
7	NGT	National Green Tribunal
8	HARSAC	Haryana Space Applications Centre
9	NRSC	National Remote Sensing Centre
10	NDC	NRSC Data Centre
11	NCC	Natural Color Composite
12	PAN	Panchromatic

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Regrading Submission of high-resolution satellite imageries for Dadam stone mine and analysis report of these imageries for the year of 2016 to 2020

I. BACKGROUND

1. With reference to letter No. CMC/2021/137, Dated: 17.08.21 (Annexure-1), for the matter of Kuldeep Singh Vs State of Haryana and others, the Hon'ble National Green Tribunal has directed the inspection of site by eight-members Joint Committee. The Technical Expert, Monitoring Committee has requested HARSAC to visit the mining site Village Dadam, Tosham Hills, Bhiwani on 20.08.21 along with the subcommittee constituted by the chairman of the eight members Joint Committee in its meeting held on 03.08.2021, regarding verification of facts w.r.t mining in forest area and unscientific mining outside forest area at Village Dadam, Tosham Hills, District Bhiwani in compliance to order dated 20.07.2021 in OA No. 169 of 2020 in the matter of Kuldeep Singh V/s State of Haryana & Ors.

2. The point-wise observations of sub committee vide No.CMC/2021/157, Dated: 24.8.2021 is enclosed as Annexure-2. After visit to the area, the sub committee has made observations on the following points:

- Pathway constructed in the forest area and illegal mining of 300 m^2 of area.
- Illegal mining having an estimated area of 0.8 hectares in the forest area.
- Site at which mining has been done up to depth of 109 m in mining area.
- Abandoned/ damaged Dadam distributary/ Minor constructed by department of Irrigation, Haryana.

In concern of these points the subcommittee has decided that:

- HARSAC, Hisar shall facilitate satellite images of area where illegal mining has been done in Forest Area in 300m^2 and 0.8 ha for the year 2015 to June 2021 and specific reference of the dates of mining leases of three project's proponents, for which District forest officer, Bhiwani shall provide GPS coordinates of these areas to HARSAC, accordingly HARSAC proceed.

- The subcommittee has decided that HARSAC, Hisar shall provide satellite images of mining areas where mining has been done up to depth of 109 m for the year 2015 to June 2021

- HARSAC, Hisar shall provide satellite images of the Dadam distributory/ Minor mentioning its status from the year, 2010 to June, 2021 and specific references of dates of mining leases of three project proponents, near the Mining project at village Dadam in Tosham Hills, Bhiwani, for which GPS coordinates shall be provided by the Department of Irrigation and Revenue Map provided by Revenue Department i.e., Halka Patwari to HARSAC. The Deputy Commissioner, Bhiwani shall coordinate with the Director, HARSAC, Hisar for getting satellite images of the area for the said period.

3. With reference to vide No.CMC/2021/157, Dated: 24.8.2021 (Annexure-2), HARSAC has informed to the Technical Expert, Monitoring Committee vide Letter No.: HARSAC/GGM/2021/ 95-102, Dated: 27.08.21 (Annexure-3), that HARSAC has explored the availability of requisite temporal satellite data for Area of Interest (AOI) from NRSC Data Centre (NDC), ISRO and the process is initiated. It was also informed that that HARSAC can not initiate any work without the receipt of requisite reference details i.e., GPS coordinates from Mining Department, Forest Department and Irrigation Department, Bhiwani or other details from other stakeholders, and mining lease contract duration of three projects proponents was also requested for selection of suitable satellite images.

4. With reference to vide No. CMC/2021/202, Dated: 06.09.2021 (Annexure-4), a meeting was held with the members of the Subcommittee, constituted by the Chairman of the Joint Committee, in compliance to order dated 20.07.2021 in OA No. 169 of 2020. The documents regarding the GPS co-ordinates of mining area have been submitted by the Mining Officer vide letter No. 3353 dated 20.8.2021 and vide letter No. 3444 dated 6.9.2021.

5. With reference to vide Memo No. BWN/ Mining/ 3353, dated: 20.08.21; No. BWN/ Mining/ 3444, dated: 06.09.21; No./ 1270, dated: 13.09.21 (Annexure: 5, 6, 7); it is stated that there is variation and Gaps in the GPS coordinates value and pillar location/ numbers as received from Mining Officer, Dept. of Mines and Geology, Bhiwani and Forest Department, Bhiwani. The discrepancy in the GPS coordinate

value was conveyed to the Sub-committee by HARSAC during the meeting conducted through VC on dated: 17.09.21.

6. With reference to emails sent on dated: Sep 13, 2021, and 21 Sep. 2021 (Annexure 8 and 9), HARSAC has requested to DFO, MO, Bhiwani to provide details regrading name of Contractor, Mining Time Period, Lease Mining Boundary Pillars Location/ Coordinates, Mining Pillar Coordinates in Forest Area, Forest Area Coordinates and Reference Map showing boundary of Lease Mining area/ Forest Area in Dadam village, Bhiwani.

7. With reference to Minutes of meeting held on 17.09.21 vide No. CMC/2021/271, Dated: 20.9.2021 (Annexure 10), During the meeting, HARSAC also requested that GPS coordinates provided to HARSAC by the Department of Forest, are not accurate and National Remote Sensing Center Data Centre, Hyderabad has been requested to provide satellite imageries.

8. With reference to the mail sent dated: Sep 13, 2021 (Annexure 8), and Minutes of the meeting (held on 17.09.21 at 11:00 am), vide No. CMC/2021/271, Dated: 20.09.21 (Annexure 10); HARSAC has requested to provide the details of: (a.) Polygon GPS Coordinates of the 6m width pathway in Forest area, (b.) Polygon GPS coordinates of the 300 sqm area in Aravalli Plantation area, (c.) Polygon GPS coordinates of 0.8 ha area in Aravalli Plantation area, (d.) Polygon GPS coordinates of the site having 109m mining depth with reference, (e.) RoR data of Dadam distributary from the concerned Halka Patwari/Revenue Officer. And it was also asked that is the depth of 109m measured from overburden or from referenced surface?

9. With reference to letter No.: 1350, dated: 21.09.21 (Annexure-11), the Divisional Forest Officer, Bhiwani has submitted that this office has no expertise in the regard of Polygon GPS Coordinates and requested to HARSAC for conducting survey of the area to get the GPS coordinates and satellite imageries.

10. With reference to letter No.: HARSAC/GGM/2021/120-123, Dated: 22.09.21 (Annexure 12), HARSAC has asked to DFO, Bhiwani to the provide the coordinates (in polygon feature) of the forest area, Coordinates of the area under forest i.e., 300m², 0.8 ha and the pathway constructed in forest area of 6 m width and GPS Coordinate of 109 m depth mining pit. It was also requested to provide the relative

reference source from which the depth of 109m has been measured by the concerned Department as earliest possible so that work can be initiated. With reference to the letter from the Technical Expert, Monitoring Committee, vide letter no. 280-282, dated: 23.09.21 (Annexure-13), it was mentioned that HARSAC can do only delineation survey of the GPS point whose location/ coordinates will be received from Office of DFO, Bhiwani and they will only consider the coordinates as reference which are supplied by Forest Department, Bhiwani and also requested to Forest Department to provide the reference source from which depth of 109 m has been measured by the concerned Department.

11. Vide office letter no. HARSAC/GGM/2021/127-129 dated 28-09-2021 (Annexure-14), HARSAC has conducted the DGPS delineation survey of coordinates as provided by Forest Department and Mining Department, Bhiwani from 29.09.21 to 01.10.21 along with Officials of Forest Department and Mining Department, Bhiwani.

12. With reference to the field visit of the mining site Village Dadam, Tosham Hills, Bhiwani on dated: 01.10.21, the interpretation of satellite imageries was desired by sub-committee from HARSAC vide No. CMC/2021/300, dated: 04.10.2021 (Annexure-15).

13. With reference to the HARSAC letter no. 148-151 dated 18.10.2021 (Annexure-16), HARSAC has informed to the technical expert, O/O Monitoring Committee, regarding the availability of satellite/Drone images from 2015-June 2021 based on information provided by NRSC data centre regarding archive data status.

14. A meeting was scheduled on 23-12-2021 regarding OA No. 169/2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors before Hon'ble NGT (Annexure-17).

15. The Deputy Commissioner, Bhiwani has requested to The Director General, Science and Technology Park, Pune (Maharastra) vide Memo no OA/169/2020/Dadam/4029 dated 31.12.2021 (Annexure-18) for providing satellite/Drone data and against this letter the Science & Technology Park, has informed vide email dated: 03.01.2021 (Annexure-19), that the requisite Drone data can be reprocessed and delivered to them on a payment basis.

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16. Simultaneously the Mining officer, Department of Mines and Geology, Bhiwani has also requested HARSAC vide Memo no. OA/169/2020/Dadam/07 dated 04.01.2022 (Annexure-20) for satellite data.

17. The O/o the Monitoring Committee has made request regarding taking extension in time for submission of final report in the matter to the Registrar of Hon'ble National Green tribunal vide letter no. CMC/2021/566 dated 10.01.2022 (Annexure-21).

18. The conclusion and recommendation were given regarding the case mining in forest area (non minable area) in 300m² area in Dadam mining hills in village Dadam, Tehsil Tosham vide No. CMC/2022/576-579, dated: 20.01.22 (Annexure-22). Therefore, this point was resolved in the interim report at the end of the Monitoring Committee. Then three point remained for analysis on the part of HARSAC using satellite images vide No. CMC/2022/576-579, dated: 20.01.2022 are as follows:

    i. Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining hills in village Dadam, Tehsil Tosham.
    ii. Illegal mining in Dadam mining area done up to depth of 109 m.
    iii. Abandoned/ damaged Dadam Distributary/ minor constructed by the department of Irrigation.

19. HARSAC has sent a letter No. HARSAC/2022/HSR/386-389, dated 21.01.2022 (Annexure-23) to the Deputy Commissioner, Bhiwani regarding submission of invoices of the purchased Satellite Images of Dadam Mine Area of District Bhiwani and provided the account details for payment towards the invoices.

20. The Mining officer, Deptt. of Mines and Geology, Bhiwani requested vide Memo No.: OA No. 169/2020/Dadam/87, dated 24.01.2022 (Annexure-24) to the Director General, Science and Technology Park, Pune to kindly provide drone data and send the invoice of cost of data at the earliest.

21. With reference to vide Memo No. OA No. 169/2020/Dadam/93, Dated: 24.01.22 (Annexure-25); the Mining Officer has informed about the payment of the satellite data of Dadam Mine area of District, Bhiwani.

22. With Reference to vide Memo No. OA No. 169/2020/Dadam/87, dated 24-01-2022 (Annexure-24); the Science & Technology Park, Pune has submitted the invoice vide

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letter no. STP/Dadam/270122 dated 27-01-2022 (Annexure-26), regarding procurement of Drone Image of Dadam, Mine area of District, Bhiwani.

23. A meeting was held under the Chairmanship of Retd. Justice Pritam Pal, Former Judge, Punjab & Haryana High Court and now as Chairman of the Joint Committee regarding availability of high resolution satellite imageries of Dadam stone mine for the period 2015-2021 for investigation of the issues regarding illegal mining in an area of 0.8 hectare in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 27.1.2022. The minutes of meeting vide No. CMC/2022/612, Dated: 28.01.2022 is enclosed as Annexure 27.

24. With reference to vide Memo No.OA No. 169/2020/Dadam/124, Dated: 28.01.22 (Annexure-28); the Mining Officer has informed about the payment of the Drone data of Dadam Mine area of District, Bhiwani.

25. With reference to letter No. CMC/2022/643-646, Dated: 7.2.2022 (Annexure-29); the compliance of the directions issued by the Chairman of the Joint Committee, constituted by the Hon'ble National Green Tribunal, in compliance to order dated 20.7.2021 and 18.1.2022 in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors in the meeting held on 27.1.2022 and by the sub Committee in its meeting held on 1.2.2022.

26. With reference to vide No. No. CMC/2022/648 Dated: 7.2.2022 (Annexure- 30); the Technical Expert, Monitoring Committee has informed that HARSAC shall ensure that satellite imageries of Dadam stone mine and analysis data of these imageries for the years 2016 to 2020 may be provided to Joint committee Submission regarding finalization of report.

27. With reference to vide this office letter no. HARSAC/GGM/2021/120-123, dated: 22-09-2021 (Annexure-32), HARSAC/GGM/2022/11-16, dated: 09-02-2022; HARSAC/GGM/2022/22-27, dated: 18-02- 2022 and HARSAC/GGM/2022/152-157, dated: 03-03-22 (Annexure 31 colly.); it is stated that HARSAC still requires source (x- y-z value) of reference point location (RINEX format) of surface data that was used

for the calculation of 109m depth point at Dadam Stone Mine and it is already requested several times. Mines and Geology Department, Haryana communicated vide Memo no. BWN/Dadam/728 dated 18-02-2022 (Annexure-32) without the requisite information sought by HARSAC. In this concern, a meeting was scheduled on 10.03.22 at 11:00 AM in HARSAC Node Gurugram GIS Lab, 3rd Floor, New Labour Court Building, Mini Secretariat, Gurugram-122001, but none has attended the meeting despite communication vide office letter no. HARSAC/GGM/2022/158-165 dated 09-03-2022 (Annexure-33).

28. With reference to meeting held on 14.03.22 vide No. CMC/2022/788, dated: 15.03.22 (Annexure-34), it is stated that HARSAC informed in this meeting that the coordinates of Dadam distributory from RD 20500 to RD 23500 have not been made available to HARSAC. The coordinates may be provided by today 14.03.22. But, the same was not received by 14.03.22. It was desired that the officer of Department of Irrigation and Department of Mining may also be deputed to attend the office at Gurugram on 15.03.22 at 11:00 AM for the discussion of points. The patwari and kanungo of the area may also be directed to attend the office. HARSAC is suggested to submit the satellite data analysis and reports (Annexure-34).

II. POINTS OF ANALYSIS

On request by the Joint Committee, constituted by Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Vs State of Haryana & Ors, HARSAC has prepared an analysis report regarding the below mentioned points.

It is significant to mention that earlier there were four points to do analysis by using satellite images as mentioned in the interim report submitted by Joint Committee to the Hon'ble National Green Tribunal vide letter No. CMC/2021/390, dated: 13.10.21 (Annexure-17) as mentioned below:

i. Pathway constructed in the forest area and illegal mining of 300m^2 of area.
ii. Illegal Mining having an estimated area of 0.8 hectares in the forest area.
iii. Site at which mining has been done up-to depth of 109 m in mining area.
iv. Abandoned / damaged Dadam Distributary/ minor constructed by the department of Irrigation, Haryana.

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Based on the data referred records of various departments viz., Department of Mining and Geology, Department of Forest, JUI Water Services and Department of Ground Water Cell, District Bhiwani, detailed discussions held with the officers of concerned departments on 16.08.2021, 04.09.2021, 17.09.2021 by the sub-committee and joint committee and field inspection carried out but the sub-committee on 20.08.2021 and join committee on 01.10.2021, the conclusion and recommendation were given regarding the illegal mining in forest area (non minable area) in 300m² area in Dadam mining hills in village Dadam, Tehsil Tosham vide No. CMC/2021/566, dated: 10.01.22 (Annexure-21).

Then the remained points of analysis which are to be done by HARSAC using satellite images vide No. CMC/2022/576-579, dated: 20.01.2022 (Annexure-22) are as follows:

i. Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining hills in village Dadam, Tehsil Tosham.
ii. Illegal mining in Dadam mining area done up to depth of 109 m.
iii. Abandoned/ damaged Dadam Distributary/ minor constructed by the department of Irrigation.

III. DATASETS USED

The duration of satellite images i.e., 2015 to June 2021 has been provided by the subcommittee to HARSAC according to the lease period of project's proponents vide e-mail dated 23.12.2021 (Annexure-16). The mining contract was allotted to the following contractors for a period as mentioned below (Table-1):

Tables 1: Details of Project proponent and lease period

no.	Mining area	Name of the Agency/organization	Time period of mining lease
1.	55.5 hectares	M/s KJSL Sunder (JV)	3.1.2014 to 16.6.2015
2.	55.5 hectares	M/s Sunder Marketing Associate	17.6.2015 to 30.11.2017
3.	48.7 hectares	M/s Govardhan Mines & Minerals, Hisar	25.2.2019 to date

The following datasets (given in Table-2) have been used for the analysis of Mining in forest area in 0.8 hectares area in Dadam mining hills in village Dadam, Tehsil Tosham.

mining in Dadam mining area done up to depth of 109 m, Abandoned/ damaged Dadam Distributary/ minor constructed by the department of Irrigation based on availability.

Tables 2: Satellite data used for the Analysis

Sr. No.	Data Description	Usage
a.	Satellite/ Drone Images: • Deimos 2 (Dated: 16.05.2016) • Drone Image (Dated: 24.11.2017) • KOMPSAT 3 (Dated: 16.02.2018) • Doves-PSortho (PlanetScope) (Dated: 08-02-2019) • Pleiades (Dated: 16.02.2020)	The Satellite/ Drone Images are used for analysis of mining in 0.8 hectares area in Dadam mining hills, mining in mining area up to 109 m depth and analysis of Abandoned/ damaged Dadam Distributary/ minor constructed by the department of Irrigation.
b.	GPS Coordinates of: • Aravalli Forest boundary pillar's location and 0.8-hectare illegal mining site as provided by Forest Department Bhiwani • Mining boundary pillars locations as provided by Mining Department Bhiwani • GPS coordinates and Map of top and Bottom surface location of mining up to depth of 109 m as provided by Mining Department Bhiwani.	The GPS coordinates are used for boundary delineation of Aravalli Forest area, Mining boundary and 0.8-hectare illegal mining site. The top and bottom surface location of mining up to 109 m depth is delineated using GPS coordinates.
c.	Map showing Aravalli Forest boundary pillar's location, Mining boundary pillars locations	It is used for Forest and Mining area Boundary delineation.
d.	DGPS coordinates collected by HARSAC	Used to select the reference surface point for analysis of

		Illegal mining in Dadam mining area done up to depth of 109 m

a. Satellite/ Drone Images:

The following available Satellite/ Drone images of Dadam mine area are procured from various vendors for the years from 2016 to 2020 (Table-3):

Tables 3: Details of available Satellite/ Drone Images

Sr. No.	Satellite /Sensor	Spatial Resolution	Minimum mappable Unit for mapping (3×3 pixels)	Image Date
1.	Deimos 2	0.75 m for Panchromatic image and 3 m for Multi-spectral image	±5.06 Sq. m.	16.05.2016
2.	Drone Image	0.10 m	±0.9 Sq. m.	24.11.2017
3.	KOMPSAT 3	0.50 m	±2.25 sq. m.	16.02.2018
4.	PlanetScope (DovePSortho)	4 m	±144 sq. m.	08-02-2019
5.	Pleiades	0.5 m	±2.25 sq. m.	16.02.2020

b. The details of GPS Coordinates points/ location as provided by Mining Department and Forest Department (Note: Tolerance needs to be verified by the concerned department/agency/make of the instrument) are as follows:

- The GPS coordinates of Aravalli Forest boundary pillar's location are provided by Forest Department Bhiwani vide No. 1270 Dated 13-09-2021 (enclosed as Annexure-34).
- The GPS coordinates of 0.8-hectare illegal mining site are provided by Forest Department Bhiwani vide No. 1270 Dated 13-09-2021 (enclosed as Annexure-34).
- The GPS coordinates of Mining boundary pillars locations are provided by Mining Department Bhiwani vide Memo No.BWN/Mining/3444 Dated 06-09-2021 (enclosed as Annexure-6).
- The GPS coordinates of top and Bottom surface location of illegal mining in Dadam mining area up to depth of 109 m are provided by Mining Department Bhiwani

vide Memo No.BWN/Dadam/728 Dated 18-02-2022 (enclosed as Annexure-31). A map was also communicated in this communication saying HARSAC has provided the same. In this regard it is already clarified that HARSAC has helped only in cartographic setting of the map based-on the information and coordinates provided by the concerned department (Annexure-6, 7). Again it is clarified that the HARSAC was neither the part of any survey, nor the part of technical team vide office letter no. HARSAC/GGM/2022/152-157 dated 03-03-2022 (Annexure 30 colly.).

c. The Map showing Aravalli Forest boundary pillar's location, Mining boundary pillars locations is provided by Mining Department Bhiwani vide Memo No.BWN/Dadam/728 Dated 18-02-2022 (enclosed as Annexure-31). The source reference data for top and bottom elevation data in required format is still awaited despite repetitive requests (Annexure 30 colly.).

IV. INSTRUMENT USED FOR SURVEY

High survey grade Differential-GPS instruments were used in the survey, tracking multiple satellite constellations. The specification of the instrument used for the observation is as follow: Trimble R8s GNSS System with Advanced Trimble Maxwell chip with 440 channels, satellite signals tracked simultaneously: - GPS, GLONASS, SBAS, Galileo, BeiDou.

V. SOFTWARES USED

The software's used during the data processing includes ArcMap 10.8.1, ArcGIS Pro 2.7.0, Trimble Business Center (TBC).

VI. ANALYSIS

1. Location map of Dadam mining Area

The location map is presented in Figure 1.

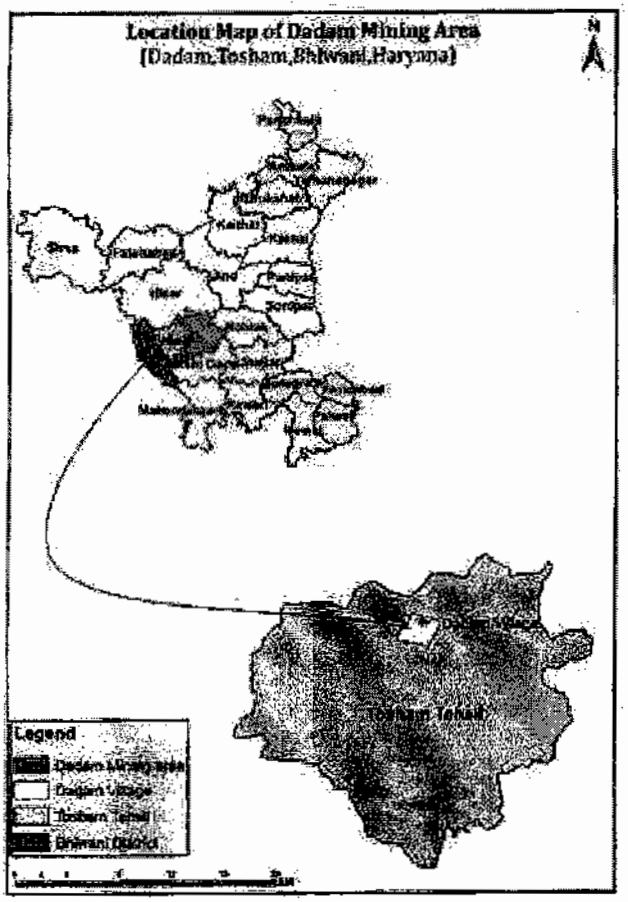


Figure 1: Location map of The Dadam mining Area

2. **Base Map of Dadam mining area**

The boundaries of Dadam Mining area, Aravalli plantation area, and 0.8 ha Mining in Aravalli plantation area have been created (Figure 2) using the above received GPS coordinates and map as provided by the Mining Department Bhiwani and Forest Department Bhiwani (Annexure: 32, 6, 7). It is found that there is variation of GPS coordinates values as provided by Mining Department and Forest Department, Bhiwani at different time points.

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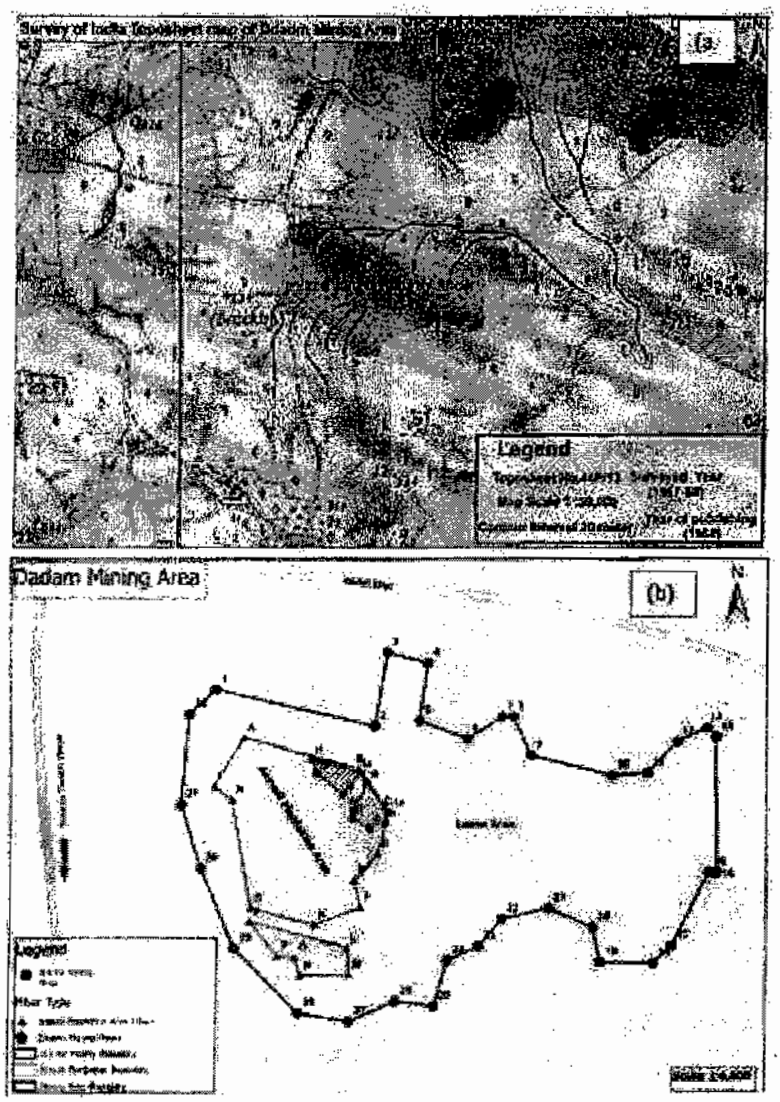


Figure 2: Base map of the Dadam Mining Area (a) Toposheet and (b) GIS-based

It has been observed that there is variation in area of 0.8 ha boundary between the area record provided by Forest Department Bhiwani and area as calculated from boundary delineated by using GPS coordinates in GIS environment (Table 4).

Tables 4: Difference in boundary area of 0.8 ha area (area in hectare)

Sr. No.	Boundary area as provided by Forest Department Bhiwani	Boundary area as calculated from boundary delineated by using GPS coordinates	Difference
1.	0.8 ha	0.862 ha	0.62 ha

3. The satellite/ drone image-based analysis

3.1 Analysis of 0.8 Hectare illegal mining

The year-wise analysis of mining on the basis of available satellite/drone image is described below:

3.1.1 Analysis of Date 16th May 2016

The boundary of 0.8-hectare area in Aravalli plantation is created w.r.t. the GPS coordinated provided by the Forest Department, Bhiwani. It is observed that the mining of 0.180 hectares (1797.95 Sq m) area has been done within the boundary of 0.8 hectare area. The map showing mining within the boundary of 0.8 hectare area on satellite image of dated 16th May 2016 is presented in Figure 3.

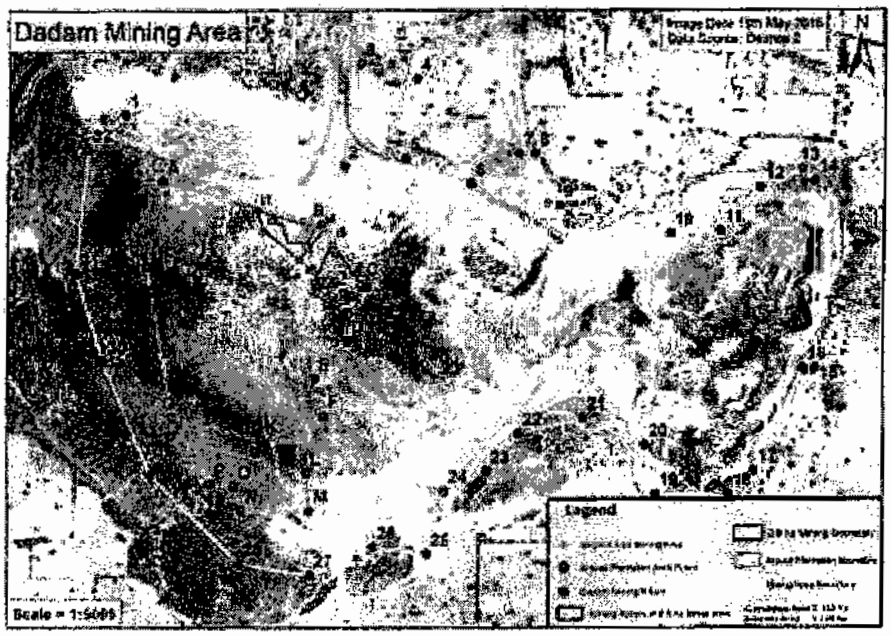


Figure 3: Map showing Dadam mining area along with satellite image of 2016

3.1.2 Analysis of Date 24th November 2017

It is observed that 1.061 hectare (10611.31 Sq m) of mining area increased within and outside of the boundary of 0.8 hectare area. The map showing mining within and outside of the boundary of 0.8 hectare area on satellite image of 24th November 2017 and presented as Figure 4.



Figure 4: Map showing Dadam mining area along with satellite image of 2017

3.1.3 Analysis of Date 16th February 2018

It is observed that 0.072 hectare (720.36 Sq m) of mining area increased within and outside of the boundary of 0.8 hectare area. The map showing mining within and outside the boundary of 0.8 hectare area on satellite image of 16th February 2018 and presented as Figure 5.

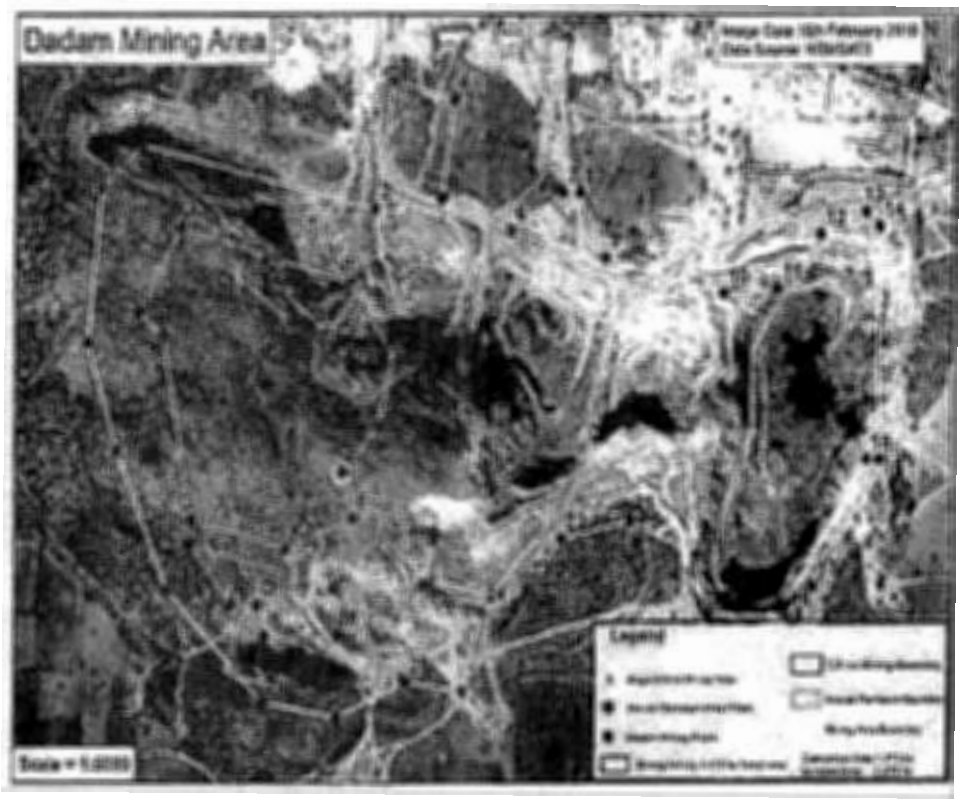


Figure 5: Map showing Dadam mining area along with satellite image of 2018.

3.1.4 Analysis of Date Planet-Dove 02th February 2019

It is observed that 0.123 hectare (1227.780 Sq m) of mining area increased within and outside of the boundary of 0.8 hectare area. The map showing mining within and outside of the boundary of 0.8 hectare area on satellite image of 08th February 2019 as presented in Figure 6.



Figure 6: Map showing Dadam mining area along with satellite image of 2019.

3.1.5 Analysis of Date 16th February 2020

It is observed that 0.097 hectare (972.438 Sq m) of mining area increased within and outside of the boundary of 0.8 hectare area. The map showing mining within and outside the boundary of 0.8 hectare area on satellite image of dated 16th February 2020 and presented in Figure 7.



Figure 7: Map showing Dadam mining area along with satellite image of 2020.

The Satellite/ Drone image dates, cumulative mining area during the five times period, and year-wise increase in mining area is shown in Table 5. It is observed that the mining area over the 0.8 hectare site is increased from 0.18 ha in 16th May 2016 to 1.533 ha in 16th Feb 2020. A continuous increase in the mining area is observed on the Dadam mining site from 2016 to 2020. The mining area propagation for different years as interpretated using available satellite/Drone data is presented in Figure 8.

It is found that during the lease period of M/s Sunder Marketing Associate i.e., 17.6.2015 to 30.11.2017, the mining in the ha area is observed to 0.18 ha on 16th May 2016 dated satellite image and 1.241 ha on 24th Nov 2017 dated satellite image. The mining area is increased by 98.69 % (i.e. 1.436 ha). It is also observed that the mining

is already done in year 2017, 2018 and 2019 outside the 0.8 ha boundary area as provided by the Forest Department, Bhiwani. It is found that during the lease period of **M/s Govardhan Mines & Minerals, Hisar** i.e., 25.2.2019 to date, the mining in 0.8 ha area is observed to 1.436 ha on 8th Feb. 2019 dated satellite image and 1.533 ha on 16th Feb. 2020 dated satellite image. The mining area is increased by **6.33 % (i.e. 0.097 ha).**

Tables 5: Year-wise mining area observed within the boundary of 0.8-hectare area

Sr. No.	Name of the Agency/ organization	Image Date	Cumulative area		Increase Area		% increase in mining area	Total % increased in mining area
			Area in ha	Area in m^2	Area in ha	Area in m^2		
1	M/s Sunder Marketing Associate 17.6.2013 to 30.11.2017	16th May 2016	0.68	1797.95	0.38	1797.95	11.74	93.66
		24th Nov 2017	1.241	12409.26	1.061	10611.3	90.95	
		16th Feb. 2018	1.313	13129.62	0.072	720.36	85.65	
		8th Feb. 2019	1.436	14357.48	0.123	1227.78	93.67	
2	M/s Govardhan Mines & Minerals, Hisar 25.2.2019 to date	16th Feb. 2020	1.533	15329.84	0.097	972.438	100	6.33

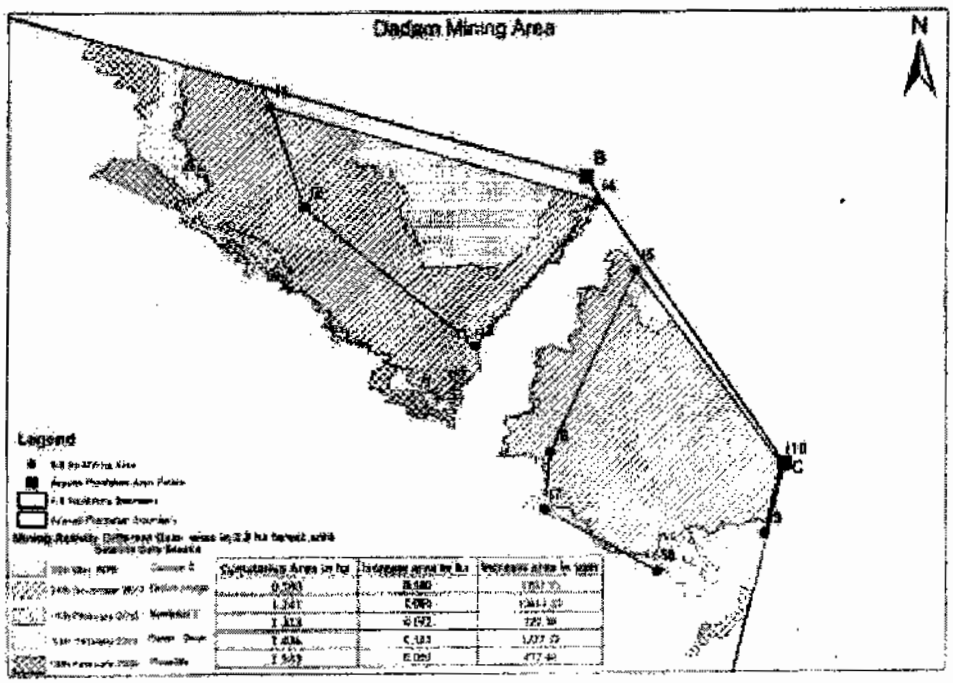


Figure 8: Mining activities identified using satellite data of years 2016-2020

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3.2 Analysis for Mining in Dadam mining area for depth of 109 meter

3.2.1 Depth Analysis

To measure the present (23rd Feb 2021) and past (24th Nov 2017) depth of the bottom pit, established a fixed top average elevation value the average elevation value measured through SOI, DTM 2017, and DGPS (Nov. 2021 to Feb. 2022) surveyed points. The vertical accuracy of the DGPS instrument is evaluated by comparing the SOI toposheet (scale 1:50,000) 220 m contour points of the Dadam stone mine and its surroundings area through DGPS readings.

It seems that the DGPS elevation (Z) value is high (approximately 2m) from the SOI toposheet contours. The observed value of Drone-based Digital terrain model (DTM) for 2017 and DGPS surveyed points (Nov. 2021 to Feb. 2022) are subtracted by a value of 2 m to correct the Z value of DTM 2017and DGPS surveyed points. The flow chart of adopted methodology is shown in Figure 9.

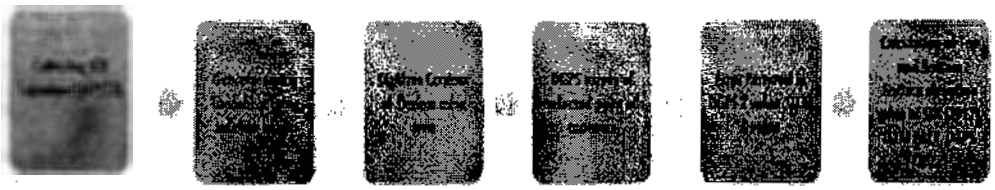


Figure 9: Methodology for calculation of Z value

After correction/conversion in all data, it seems that top elevation value is 213 meter (msl) in 2017 and 2021. The bottom elevation value is 127 meter (msl) in 2017 and 103 meter (msl) in 2021-22. The calculation of the depth of the pit by the DTM and DGPS is shown in Table 6. The graphical representation of top-bottom Z values and overburden extent for 2017, 2020, and 2021-22 is shown in Figure 10, Figure 11 and Figure 12 respectively.

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Tables 6: Comparison of depth of the pit by the DTM and DGPS for 109 m depth

Here we have added correction/conversion factor =2 m with reference to SOI toposheet					
Parameters	SOI Toposheet	DTM Elevation Nov 2017	Elevation provided by Mining department Nov 2020	Elevation by DGPS Survey Feb 2022	Remarks
Top (msl)	215	213	*227	213	"The values provided by mining department seem's erroneous with an error of approximately 12 m may be due to instrument/technology differences. Further the elevation values for the year 2019 is unbaillable and thus only promotional comparison is possible.
Bottom (msl)		127	*119	103	
Elevation Difference With Overburden		86	*109	110	
Elevation Difference Without Overburden		69	*92	93	

The values reported by mining department for the elevation during year 2020 may be 215 m (top), 107 m (bottom), 97 m (elevation difference) after the correction. The errors in the values may be due to the instrument limitations or technology difference.

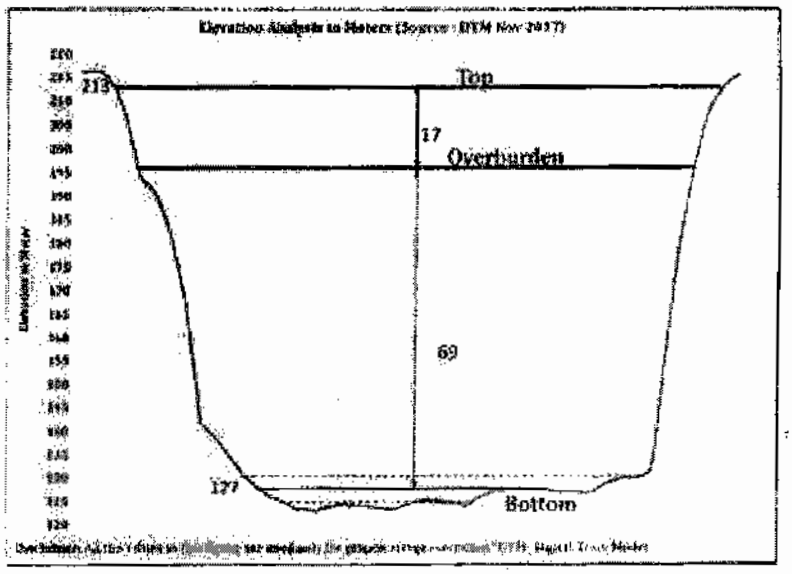


Figure 10: Graphical representation of Depth under various sections including Top, Overburden, bottom and mining depth for year 2017

The elevation difference reported by the mining/forest department Haryana i.e. 109 m seems to be 97 m instead of 109 m due to the tolerance of 12 m as per the reference of Survey of India (SOI) as shown in Figure 11.

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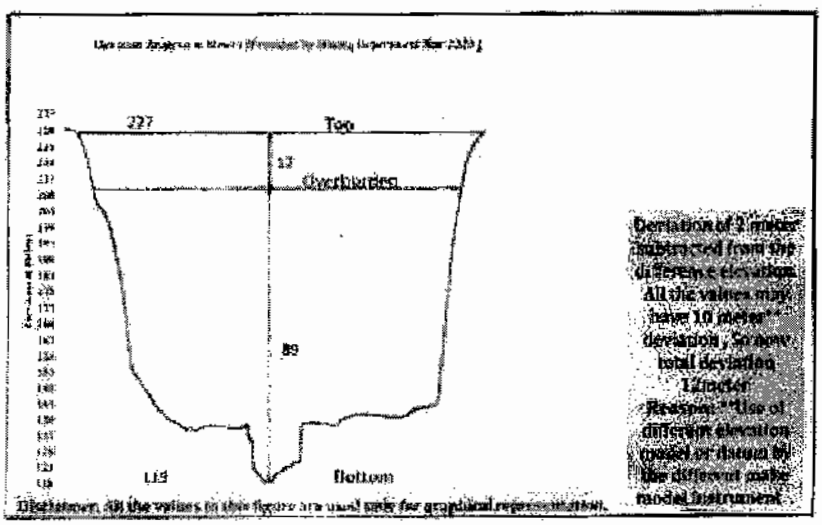


Figure 11: Graphical representation of Depth under various sections including Top, Overburden, bottom and mining depth for year 2020

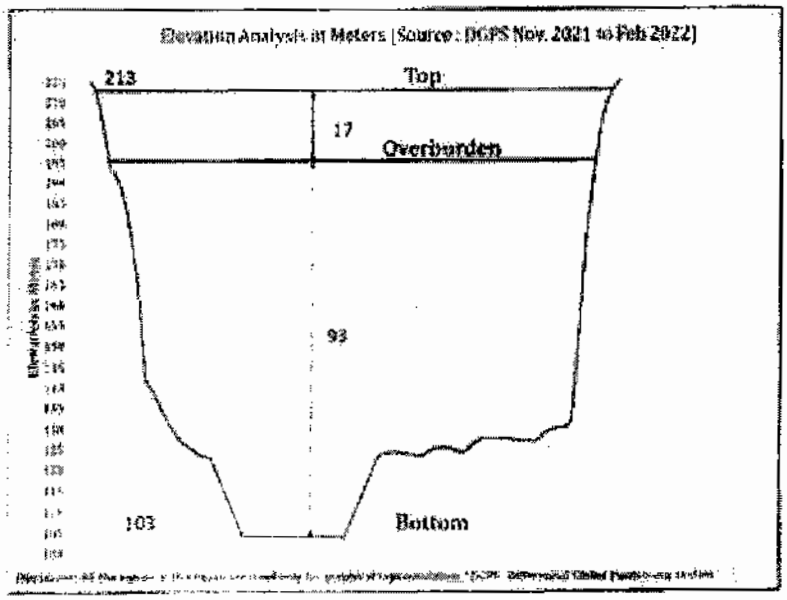


Figure 12: Graphical representation of Depth under various sections including Top, Overburden, bottom and mining depth for Nov. 2021 to Feb-2022

The comparative assessment of the elevations from different sources is presented in Figure 13. It is found that the depth of mining pit without overburden is 69 m in 2017, 80 m in 2020 and 93 in 2021-22.

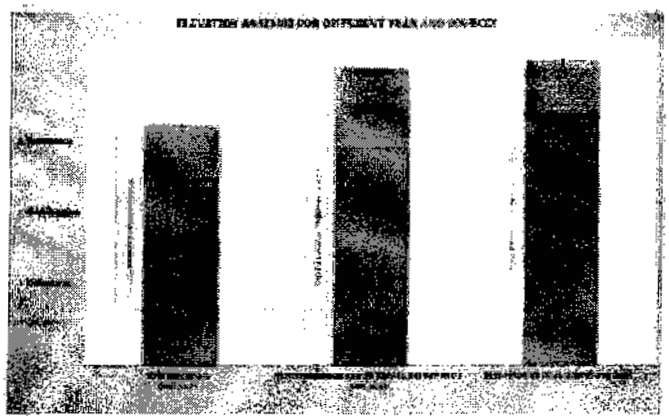


Figure 13: Graphical representation of Depth under various sections including Top, Overburden, bottom and mining depth for Nov. 2021 to Feb-2022

3.2.2 Calculation of Overburden of Dadam mining area by DGPS

During the field survey, the HARSAC team measured the overburden height of the mining area at pillars no. 15 (as shown in Figure 14) and no. 16 (as shown in Figure 15) by DGPS instrument. It seems that the overburden height is varying in different locations due to the different thicknesses of sandy soil composition on stone. The overburden is measured by the visual interpretation of DSM, contours and DGPS survey point and onsite interpretation. Maps showing overburden on the site in 3-dimention from different angles are presented in Annexure-35.



Figure 14: Overburden measurement at pillars no 15.



Figure 15: Overburden measurement at pillars no 16.

3.3 Abandoned/ damaged Dadam Distributary/ minor constructed by the department of Irrigation.

The satellite imagery of the Dadam distributary of dates: 2011 (World-View-2 image of 29th May 2011), 16th April 2016, 24th Nov 2017, 16th Feb2018, 08th Feb. 2019, and16th Feb 2020 is used for analysis of Dadam distributary. The officers of the Irrigation Department and Mining Department have visited the office at Gurugram on 15.03.22 for the discussion of points. The halka patwari and kanungo have also visited the office at Gurugram on 15.03.22 and provided the sajra map and revenue record of Dadam distributary. The Khasra numbers of Dadam distributary have been updated as per the revenue records provided by Halka patwari and kanungo.

The year-wise analysis of Dadam distributary is as follows:

- In 2011, the PAN data from World View 2 is utilized to identify the damage in the distributary. It is observed that neither overburden is removed nor mining is there as shown in Figure 16.

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y during 2011 (PAN data).

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during 2011 (NCC data).

- In 2016 it is observed that overburden is partially removed in private khasra land. Mining is started in private land but no mining is visible in dadam distributary/ minor as shown in Figure 17.



Figure 17: Visibility at Dadam distributary during 2016.

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- In 2017, no mining is observed in Dadam distributary but it seems to be converted into a pathway (Within khasra nos: 29//7/2, 29//4/2, 18//24/2, 18//17/1, 18//14/2, 18//17/1) at RD 21700-22200-22400-22800. A total loss in terms of length is approximately 55 m was observed. The mining is visible on private land (khasra nos: 29//4/1, 18//17/2, 18//24/1) as shown in Figure 18. On 24th Nov 2017 it is observed that there is further damaged of 55-meter length along the Dadam distributary due to development of pathway as visible on 2017 image.



Figure 18: Visibility of Dadam distributary during 2017.

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A contour wise analysis for encroachment in Dadam distributary is done till 2017. It is observed that a total of 558593.91cft (Cubic feet) of overburden is extracted from the distributary. The contour wise excavation details are given in Table 7.

Tables 7: Encroachment details in Dadam distributary till 2017

- In 2018 the damage is observed on the Dadam distributary but not due to the mining rather due to pathway (Within khasra no.: 29//7/2, 29//4/2, 18//24/2, 18//17/1, 18//14/2, 18//17/1) at RD 21700-22200-22400-22800 as shown in Figure 19. The partial mining is visible on private land (khasra no.: 29//4/1, 18//17/2, 18//24/1) as shown in Figure 19.



Figure 20: Visibility of Dadam distributary during 2018.

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- In 2019 the damage is observed on the Dadam distributary due to pathway (Within khasra no.: 29//7/2, 29//4/2, 18//24/2, 18//17/1, 18//14/2, 18//17/1) at RD 21700-22200-22400-22800 and partial mining (khasra no.: 29//4/1, 18//17/2, 18//24/1) is visible on private land as shown in Figure 20.



...ary of Dadam distributary during 2019.

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- **In 2020** it seems that the damage is observed on the Dadam distributary due to pathway (Within khasra no.: 29//7/2, **29//4/2, 18//24/2, 18//17/1, 18//14/2, 18//17/1**) at RD 21700-22200-22400-22800. **The overburden is partially extracted and mining is visible in some area of private khasra land (within khasra no.: 29//4/1, 18//17/2, 18//24/1) as shown in Figure 20. It seems that the maximum overburden (within Khasra no.: is extracted on distributary/ minor and partial mining is visible within Khasra no.: 29//4/2(RD 22200- 21700).**



...Dadam distributary during 2020.

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VII. CONCLUDING REMARKS

With reference to vide No. CMC/2022/576-579, dated: 20.01.2022 (Annexure-22), it is stated that based on interpretation/ analysis of various satellite data spanning from 2011 to 2020 regarding the (i) analysis of Mining in forest area in 0.8 hectares area in Dadam mining hills in village Dadam, Tehsil Tosham, (ii) Mining in Dadam mining area done up to depth of 109 m, (iii) Abandoned/ damaged Dadam Distributary/ minor constructed by the department of Irrigation based on availability, the following conclusions have been made:

1. Conclusions of Point 1: Illegal Mining in forest area (non minable area) in 0.8 hectares area in Dadam mining hills in village Dadam, Tehsil Tosham:

1.1. The area provided by Forest Department Bhiwani is 0.8 hectare but the area calculated from the boundary delineated by using GPS coordinates as provided by Forest Department, Bhiwani in GIS environment is 0.862 hectare.

1.2. It is observed that there is a variation of 0.062 hectare in the area as provided by Forest Department Bhiwani. Therefore, the coordinates provided by Forest Department Bhiwani are not accurate with reference to the ground and same communicated during the meeting conducted through VC on dated: 17.09.21.

1.3. It is submitted that the five periods Satellite/ Drone images are used and it is observed that there is a continuous increase in the mining area (i.e. 8.0 ha, area of interest) on the Dadam mining site from 2016 to 2020.

1.4. The mining area observed/ interpreted over the 0.8 hectare site is 0.18 ha in 16th May 2016, 1.261 ha in 24th Nov. 2017, 1.313 ha in 16 Feb., 2018, 1.436 ha in 8th Feb. 2019 and 1.533 ha in 16th Feb. 2020 in cumulative terms.

1.5. It is observed that mining area has increased up to 1.53 ha during the period from 2016-2020 over the 0.8 ha area (as provided by the Forest/Mining Department, Bhiwani).

1.6. It is found that during the lease period of **M/s Sunder Marketing Associate** i.e., 17.6.2015 to 30.11.2017, the total mining area is increased by 93.66 % (i.e. 1.436 ha).

1.7. It is found that during the lease period of **M/s Govardhan Mines & Minerals, Hisar** i.e., 25.2.2019 to date (i.e. Feb. 2020), the total mining area is increased by 6.33 % (i.e. 0.097 ha)

1.8. It is significant to note that mining has already been done outside the 0.8 ha boundary area from 2017 to 2019. But, the Forest Department Bhiwani has under-

reported it to be 0.8 ha in year 2020. This may be due to the erroneous locations of the pillars provided by the mining department or incorrect delineated of forest boundary by the forest department.

2 Conclusions of Point 2: Illegal mining in Dadam mining area done up to depth of 109 m.

2.1. The elevation difference reported by the Mining/forest department Haryana i.e. 109 m seems to be 97 m instead of 109 m due to the tolerance of 12 m as per the reference of Survey of India (SOI) toposheet. It may be due to instrument limitations or process flow used.

2.2. It is observed that area tolerance/conversion factor applied on DTM 2017, DGPS values 2022 with reference to SOI toposheet, the top elevation value is 213 meter in 2017 and 2021. The bottom elevation value is 147 metar in 2017 and 103 meter in 2021-22.

2.3. The overburden is found to be ≈17 m but it seems that the overburden height is varying in different locations due to the different thicknesses of sandy soil composition on stone.

2.4. It is found that the depth of mining pit without overburden is 69 m in 2017, 80 m in 2020 and 93 in 2022. The elevation data for the year 2019 was not available which is a limitation of the current analysis. Thus only proportionate comparison is possible for the differences in the elevation.

3 Conclusions of Point 3: Abandoned/ damaged Dadam Distributary/ minor constructed by the department of Irrigation.

3.1. As interpreted through satellite images of year 2011, 2016, 2018, 2019 and 2020, it is observed that the Dadam distributary is partially visible in year 2011 and there is development of pathway along the Dadam distributary as visible in year 2017 and the same is visible in 2018, 2019 and 2020 years also.

3.2. No disturbance is observed during 2011, while disturbances due to pathway construction and mining activities is observed in all the years from 2016 to 2020.

3.3. On 24th Nov 2017, it is observed that there is further damaged of 55-meter length along the Dadam distributary due to development of pathway as interpreted on 2017 image.

3.4. In year 2020, the damage is observed on the Dadam distributary due to pathway (Within khasra no.: 29//7/2, 29//4/2, 18//24/2, 18//17/1, 18//14/2, 18//7/1) at RD 21700-22200-22400-22800. The overburden is partially extracted and mining is visible in some area of private khasra land (within khasra no.: 29//4/1, 18//24/1, 18//17/2) as shown in Figure 20. It seems that the maximum overburden is extracted on distributary/ minor and partial mining signature is visible within khasra no.: 29//4/2 (RD 22200 - 21700) contributes an area of 1000-1300 sq. m.

Note:

1. It is stated that the figures, tables, facts and conclusions are based on multi-sensor, multi-date, and multi-resolution satellite data interpretation, the accuracy of which is subject to the data quality and perspective of image analyst
2. All the information on the maps and related boundaries are based on the data provided by all the stake holders.

HARSAC is not responsible for any discrepancy in the source data. It is only for geospatial understanding.

ANNEXURE - 14

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Analysis/deliberations of points as per the minutes of meeting vide letter no. CMC/2022/806 dated: 21.03.2022 with reference, a meeting was held on 19.03.2022 regarding the Submission of high-resolution satellite imageries for Dadam stone mine and an analysis report of these imageries for the year 2016 to 2020 and Email dated 21-03-2022 for 109 m depth.

3.2.3 **The reason for considering 97 m depth instead of 109 m (Supplementary report with reference to mail dated 21.03.2022 corresponding page no. 23 of the main report).**

a. After the subtraction of instrumental tolerance of ≈ 12 m this depth estimated from a nonstandard approach of a single point may be 97 m. However, this is not a reliable reference and cannot be compared with the depth of the year 2017. The details are in Table 8.

b. The depth is derived from the Digital Terrain Model (DTM) based on Drone image of 24 Nov. 2017. After analysis the bottom topo/surface coverage variation is found to be ranging from 122 m to 143 m with an average variation of 10-12 m. Since the elevation/depth coverage data is available for the year 2017 this can only be a reliable output. The elevation and depth for after the year 2017 as taken from various sources is neither reliable nor comparable because of single location for the bottom depth data. Hanse HRSAC cannot comment on others single point location datasets related to the elevation and depth beyond the year 2017. Though, on the request of the mining department, HARSAC has assessed point data for the year 2020/2021 presuming similar variations in the bottom undulations but it is not comparable with the year 2017.

c. The variable undulation in the bottom pit i.e., 10-12 m was consecutively added and subtracted from the original elevation difference of the year 2020 reported by the Mining Department i.e., 97 m assuming similar variation in the estimates of mining department for the bottom pit undulations. After the subtraction of overburden of ≈ 17 m the actual minable depth seems to be 80 m which again represents the single point depth and is not comparable with the datasets of the year 2017. If the variations in the bottom undulations is added and subtracted from this, the

range of depth obtained varied from 69 m to 91 m with an average of 80 m which is under the acceptable tolerance to the permissible depth of 78 m as per the mining plan.

d. The average elevation between the year 2019-2022 cannot be commented because of unavailability of the elevation data for the year 2019. The average elevation difference for the year 2017-2022 is 80.66 m.

Table 8: Table explain the elevation difference taken to be 97 m instead of 109 meters.

Sr. No.	1	2	3	4	5	6	7
1	[redacted]			[redacted]		[redacted]	
2	Minimum Elevation of Bottom(m) with reference to msl	143	DTM topography of bottom Pt	The average variation in the bottom undulations of 10-12 m and thus the rest of analysis is based on this correction factor. However, this is not comparable/applicable with the data of 2017.			
3	Minimum Elevation of Bottom (m) with reference to msl	122	DTM topography of bottom Pt				
4	Difference Between(Minimum Depth- Maximum Depth)	21	Difference of (Maximum and Minimum elevation of pit)				
5	Average Elevation Difference (Variation)	11	Average Difference due to Undulation of bottom pit				
6	Average Elevation Difference Top to Bottom	*86	Top Elevation of DTM(213 m) - Average of Depth two estimate 127	**109 i.e. 97		***110	
7	Maximum Depth (m)+Variation	97	Variation of depth by averaging topography undulation	103.00	Reported top and Bottom Elevation difference By mining department 97 m with (i) Elevation Average Undulation measured from DTM data	121.00	Reported top and bottom elevation difference is 110 m with (i) Elevation average undulation measured from DTM data
8	Minimum Depth (m)+Variation	75		86.00		93.00	
9	Workable Depth after removal of overburden (17 m) from average depth values	69		**80		93.00	
10	*Remarks: Bottom elevation undulations ranging between 75 to 97 with an average elevation difference of 86 m for the year 2017 due to bottom surface undulation of 10-12 m.			**Depth values of mining department as reported to be 109 m should be 97 m (i.e. 209-12 m). Though this is a point data and not comparable/applicable with the year 2017		***There is minimal variation in the depth as compared to the year 2017. Though this is a point data and not comparable/applicable with the year 2017	

3.3.1 Abandoned/ damaged Dadam distributary/ Minor constructed by department of Irrigation, Haryana (Supplementary report with reference to minutes of meeting dated 19.03.2022 corresponding page no. 32 of the main report).

i. With Reference, a meeting was held on 19.03.2022 regarding the Submission of high-resolution satellite imageries for Dadam stone mine and an analysis

report of these imageries for the year 2016 to 2020. The data of minor distributary is provided by the irrigation department in the form of a CAD (computer-aided design) file. The CAD file is not georeferenced, so it seems that there is an error according to actual ground point locations. Due to this error, HARSAC has prepared a georeferenced map of minor distributary according to actual ground point location with the help of Halka Patwari. Following are the discrepancies found in the database provided by irrigation department.

ii. The CAD file created based-on ground survey of the Department of Irrigation was supplied on 15.03.22, without geocoding/geo-referencing which was its major error. With reference to this error ground point is not oriented at their respective geo-locations which were also mentioned by the Department of Irrigation in their survey report.

iii. On account of this major error there is a mismatch between the GPS data of RD points provided by the Department of Irrigation and CAD file based locations for respective RD points surveyed by the Department of Irrigation.

iv. The distance between RD-23500-23000 is 303 feet as per the GPS point received from the Department of Irrigation which should be 500 feet and thus pertaining to a total of 200 feet error. Similarly the distance between RD-23000-22700 is 192 feet only as per the GPS point provided by the Department of Irrigation which should be 300 feet again shows a total of 108 feet error. The same is shown in Figure 23.

v. There is deviation in X and Y direction for GPS survey point (received on 21.03.22 from irrigation department) and RoR (updated upto 2020-21). The same is mentioned below in Table 9 and in Figure 23. Similar variation is observed on all other RDs received from the Irrigation Department with vertical (26 feet) and horizontal (66 feet) shifts.

Table 9: Deviation in the GPS Survey Point received from the Irrigation Department, Bhiwani & RoR

GPS Point of RD	RD as per RoR	deviation in X Direction (Feet)	deviation in Y Direction (Feet)
RD-23500	RD-23500	86	28
RD-23000	RD-23000	11	224
RD-22700	RD-22700	26	330

vi. It is observed that GPS point of RD-20500 is falling above the RD-21150, that seems irrelevant, but the fact is that the RD-20500 should fall below the RD-21500. Similar shift pattern is visible in all the GPS points received from the irrigation department.

vii. Its seems that the survey done by the irrigation department is in private ownership or in Khasra no. 132 because the ownership of some khasra number (i.e, 18//14/1, 17/2, 24/1; 29//4/1, 18/3, 23/1, 36//2/1) that are falling under Dadam Distributory as per the RoR (i.e., Jamabandi and Sajra) is under private ownership which is marked as distributary/minor (Figure 23).

viii. The alignment created from the GPS points of RDs received from the Department of Irrigation, is shifted as compared to the alignment of Dadam Distributory Khasra RD of the RoR (Figure 23).

ix. This shows that the survey done was not as per the Record of Revenue (RoR) which is the only authentic source of land record deeply scrutinised by the Halka Patwari/ Kanungo.

x. The Estimates of volume excavated from the vicinity of distributary represents the year 2017 and the surface area of Khasra no. 29/4/2 estimated represented the year 2020 which is not comparable.

Thus, it is concluded that the survey done by the Department of Irrigation is not as per the RoR which is the only authenticated source of land record and thus major error is there in the evaluation done by irrigation department. The outputs of the analysis done by the irrigation department is not applicable as these are not on the actual geo-location as per the RoR. Most of the excavation in the form of overburden extraction and pathway creation is visible on satellite images over the part of the private land.

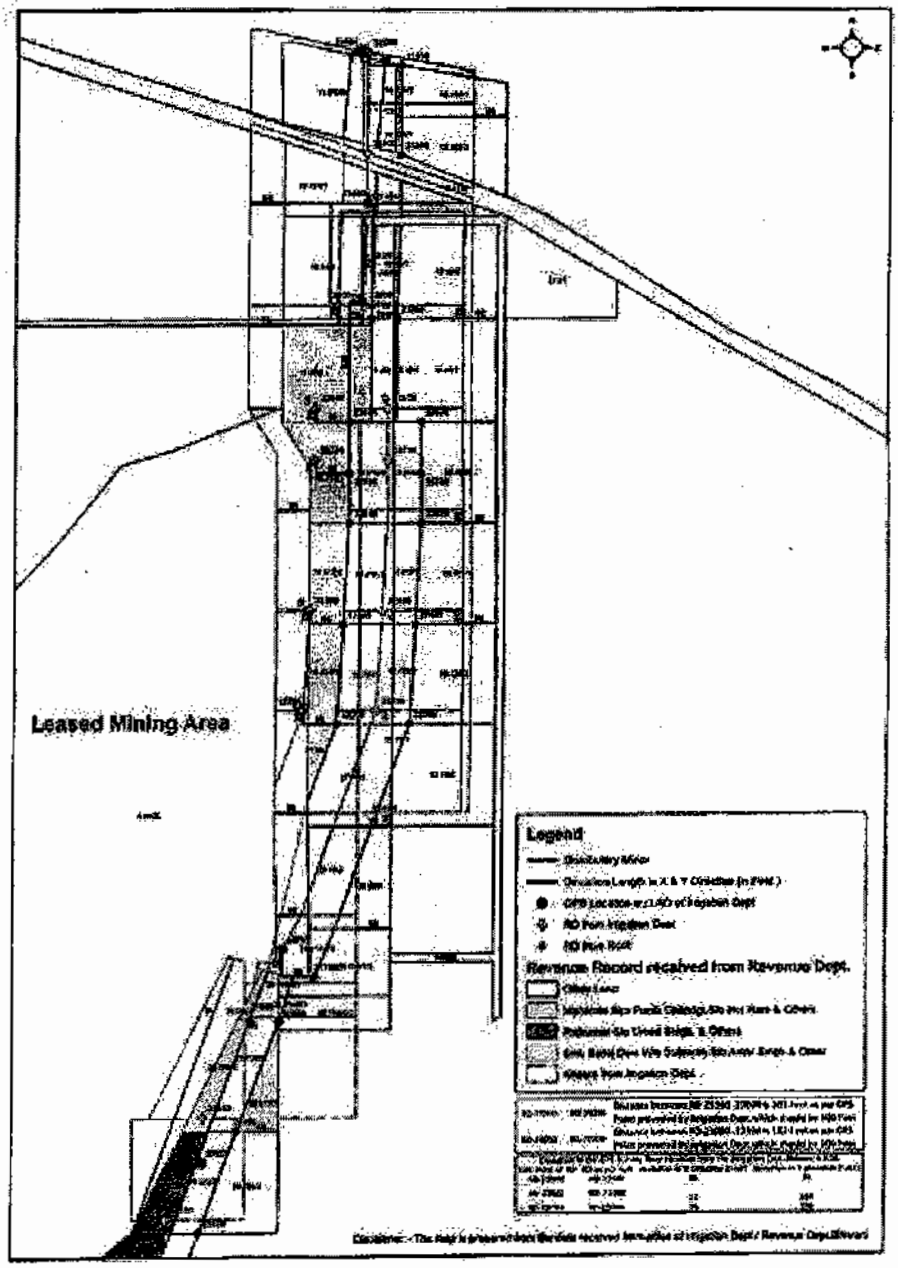


Figure 23: Variation in Dadam distributary database provided by Irrigation department and RoR

Note: It is clarified that HARSAC shall not be responsible or liable in any manner before any court of law/authority/tribunal/forum with regard to the submission of this report. It is further clarified that if any notice is issued or received to HARSAC in this regard, then only the concerned stake holder may be held responsible to respond to the same and not HARSAC because HARSAC is only technical facilitator to the Government and not has charged any fee from anyone in this regard.

.....END.....

ANNEXURE-15

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Dated 19/02/2022

No. 846-47 /W

To

Shri Babu Ram,
Technical Expert office of Monitoring Committee,
Tower No. 5,4th Forest Complex Sector 68,
SAS Nagar, Mohali.

Subject:- Regarding Measurement of Length, Breadth and depth of damaged portion of Dadam Disty.

Reference:- Monitoring Committee endst. No. CMC/2022/651 dated 09.02.2022 and instruction in meeting on dated 11.02.2022.

In this matter it is submitted that a survey was carried out by BDN Surveyor Solution with the help of DGPS Machine in presence of JE incharge on dated 09.02.2022. The survey report is enclosed herewith for reference. The Demarcation report of Tehsilder Tosham has already been sent by SDO Nigana W.S. sub Division vide letter no. 623-626/ IW dated 10/09/2021.

This is for your information & further necessary action please.

DA/ 01 Coloured set of Survey Report.

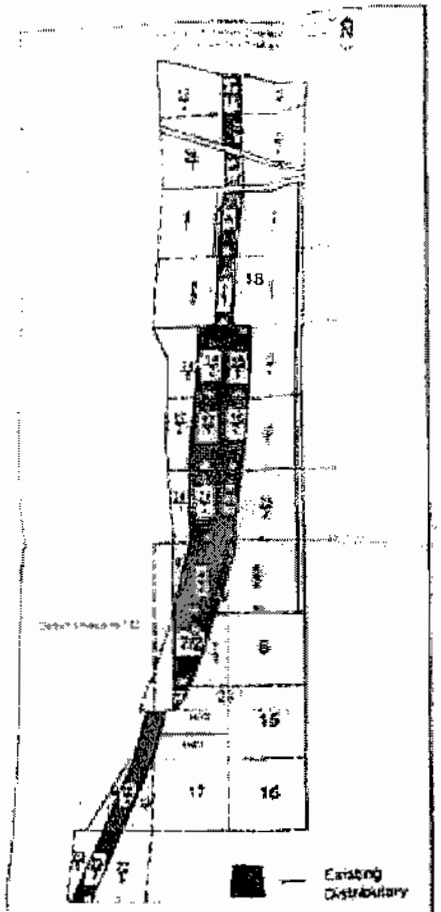
Executive Engineer,
Jui Water Services Division,
Bhiwani.

CC:- Regional Officer, Haryana State Pollution Control Board, Bhiwani.

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Site Plan Of Dadam Distributary Situated At Village. Dadam Teh.Tosham Distt.Bhiwani



Abstract

RD.No	Level	
21-0	0 Ft	55 Ft
21[illegible]	0 Ft	55 Ft
21[illegible]	0 Ft (A) 50 Ft (P)	55 Ft
22[illegible]	00 Ft	143 Ft
22[illegible]	80 Ft approx (B) 220 Ft approx (D)	143 Ft
22[illegible]	170 Ft approx (C) 230 Ft approx (E)	143 Ft
22[illegible]	0 Ft (D) 80 Ft approx (E)	143 Ft
23[illegible]	0 Ft	49'-6" Ft
23[illegible]	0 Ft	49'-6" Ft
23[illegible] Tail	0 Ft	49'-6" Ft

Encroachment Details in Ft

East	West	South	North	Khasra no.
——	——	——	——	29/1/2
78'-3"	66'	33'	49'-6"	29/14/2/1
111'-6"	102'	49'-9"	126'-6"	29/7/2
113'-6"	105'-6"	120'-6"	110'	29/4/2
87'-9"	91'-6"	——	33'	29/5/1
108'	108'	110'	44'	18/24/2
155'-6"	155'	33'	44'	18/23/1
108'	108'	44'	55'	18/18/2
108'	108'	55'	66'	18/17/1
108'	108'	66'	66'	18/14/2
108'	108'	55'	49'-6"	18/1/1/1

Sub Divisional Officer
Tosham Sub Division
Bhiwani

Executive Engineer
Bhiwani

ANNEXURE A 16

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E-mail:- xenjuibwn@rediffmail.com
Phone No. 01664-242882

IRRIGATION & WATER RESOURCES DEPARTMENT
GOVERNMENT OF HARYANA
O/o JUI WATER SERVICES DIVISION, BHIWANI

No. 113-14 /I-W (Dadam) Dated 01/03/2022.

To

The Executive Engineer,
Jui W/S Division,
Bhiwani.

Sub:- Regarding measurement of the volume of the portion of Dadam Distributary, where mining has been done and volume of mining lease, falling within the Dadam Distributary.

Ref:- Dr. Babu Ram, Technical Expert, Office of the Monitoring Committee Office Endst. No.CMC/2022/735 Dated 22.02.2022.

In this subject cited matter, the volume of portion of Dadam Distributary, where mining has been done and volume of mining lease, falling within the Dadam Distributary, calculated as per the survey report of B.D.N. Survey Solution, is enclosed herewith and further necessary action, please.

Sub Divisional Officer,
Nigana W/S Sub Division,
Bhiwani

CC: Dr. Babu Ram, Technical Expert, Office of the Monitoring Committee, Tower No.5, 4th Forest Complex, Sector-68, SAS Nagar, Mohali.

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Jal Water Services Division, Bhiwani

Quantities for Rock Excavated from Dadam Distributary at Village Dadam Teh. Tosham Distt. Bhiwani

RD	Channel Width	Level	Rock Excavated			
21150	55 Ft	(+) 2 Ft	0.00	=	0.00	Cft
21350	55 Ft	(+) 3 Ft	0.00	=	0.00	Cft
21560	55 Ft	(+) 3 Ft (A) (-) 50 Ft (P)	(21560-21350) x 55 x (50-3)/2	=	271425.00	Cft
21700	143 Ft	0 Ft	0.00	=	0.00	Cft
22200	143 Ft	(-) 80 Ft (B) Approx (-) 220 Ft (Q) Approx	(22200-21700) x 143 x (80+220)/2	=	10725000.00	Cft
22400	143 Ft	(-) 170 Ft (C) Approx (-) 230 Ft (R) Approx	(22400-22200) x 143 x (170+230)/2	=	5720000.00	Cft
22800	143 Ft	(-) 9 Ft (D) (-) 80 Ft (S) Approx	(22800-22400) x 143 x (9+80)/2	=	2545400.00	Cft
23000	49' - 5"	(+) 16 Ft	0.00	=	0.00	Cft
23300	49' - 5"	0 Ft	0.00	=	0.00	Cft
23500 Tail	49' - 5"	0 Ft	0.00	=	0.00	Cft
			Total	=	19261825.00	Cft
			Or	=	545109.65	Cum

Excavated Rock in Khasara No. 132 in Triangle Shape

Khasara	Length/Width	Level	Rock Excavated			
132	Length 274 Ft Width 99 Ft	(-) 220 Ft Approx (-) 240 Ft Approx	(274 x 99 x (220+240)/2)2	=	12477960.00	Cft
			Total	=	12477960.00	Cft
			Or	=	353126.27	Cum

SDO, Nigana wd Sipura
Bhiwani

ANNEXURE- 17

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From

Mining Officer,
Deptt. of Mines & Geology,
Bhiwani

To

Babu Ram,
Technical Expert,
Office of the Monitoring Committee, Tower No. 5, 4th Forest Complex,
Sector 68, SAS Nagar, Mohali

Memo No. BWN/Dadam/249 Date: 4/3/2022

Subject: Meeting of the sub Committee, constituted by the Chairman of the eight member joint Committee for examine the documents/data/information submitted by the department of forest, department of irrigation and Water resources, Jal W/s division, department of Mines and Geology and Haryana State Pollution Control Board w.r.t investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of irrigation, documents regarding procurement of water from private agency for suppression of dust and plantation etc in Dadam Mine area, implementation of the mining closuer plan and progressive mining clouser plan and providing Green belt of 7.5 m width at the periphery of Dadam mining area in compliance to order dated 20.07.2021 and 18.01.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 07.03.2022 at 11.00 AM in the Committee Room, HSPCB, Sector-6, Panchkula.

*****

Khidly refer to your memo no CMC/2022/696 dated 14.02.2022 on subject cited above.

1. In this regard reply of the para 3.1 that it is intimated that the project proponent submitted information regarding supply of water for mining activity and plantation along with registration number of vechile used for supply of water and its capacity and amount paid etc. as required by the Hon'ble monitoring Committee (copy of same is enclosed)

2. That as per direction of sub committee reply of point 3.2 (i), it is intimated that present project proponent is left 7.5 meter wide barrier along the boundary pillars number 3 to 9 & 20 to 25 of the mining lease area of Dadam Stone Mine which is using for green belt for planting trees of suitable varrities and keeping the surface green and it is also informed that no area for barrier along the boundary pillars number 1 & 2, 10 to 19 and 26 to 32 of the mining lease area of Dadam Stone Mine was left by development of green belt for planting trees of suitable varrities and keeping the surface green by planting grass and bushes by the previous project proponent i.e. Sunder Marketing Associates neither present project proponent M/s Govardhan Mines and Mineral was also left 7.5 meter wide area for barrier

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along the boundary pillars number 1 & 2, 10 to 19 and 26 to 32 of the mining lease area of Dadam Stone Mine was left by development of green belt for planting trees of suitable varrities and keeping the surface green by planting grass and bushes. In addition to the above project proponent is planted 15,000 plants in about 15.5 Acre the out of mining lease area in revenue of village Dadam.

3. That as per direction of sub committee reply of point 3.2 (i), it is intimated that present project proponent is left 7.5 meter wide barrier along the boundary pillars number 1 to 9 & 20 to 25 of the mining lease area of Dadam Stone Mine which is using for green belt for planting trees of suitable varrities and keeping the surface green and it is also informed that present project proponent M/s Govardhan Mines and Mineral was not left 7.5 meter wide area for barrier along the boundary pillars number 1 & 2, 10 to 19 and 26 to 32 of the mining lease area of Dadam Stone Mine was left by development of green belt for planting trees of suitable varrities and keeping the surface green by planting grass and bushes. In addition to the above project proponent is planted 15,000 plants in the area about 15.5 acre out of mining lease area in revenue of village Dadam.

3. In reply of the point 3.2 (ii) it is intimated that on the directions of the Director General, Mines and Geology, Haryana, Panchkula, Inspection dated 12.02.2020-15.02.2020 of State Geologist, Haryana and a team consisting of Senior Geologist, Head office Panchkula, Mining Officer, Bhiwani, Senior Surveyors, Head office, Panchkula had inspected the mining lease area of Dadam Stone Mine on 03.11.2020 and detailed survey of mining area was carried out with the help of DGPS instrument in the presence of concerned revenue officials and observed that maximum depth of mining pit was found to be 109 meters from the surface level at the time of inspection. A show cause notice issued by the Director General, Mines and Geology Department, Haryana vide Memo No. DMG/HY/ML/Dadam/ 2018/1904 dated 26.06.2020 to the project proponent M/s Govardhan Mines & Minerals, reply by project proponent of show cause notice dated 16.11.2020 to the Director General, Mines and Geology Deparment, Haryana, Inspection Report of 03.11.2020 and a letter issued to M/S Govardhan Mines & Minerals in which mining upto the depth of 109m and 300m along boundary pillar no. 13 to 19 copy of show cause notice on dated 26.06.2020, reply of project proponent dated 16.11.2020 and letter No. 718 dated 05.08.2020 are attached herewith for your kind perusal.

Encl:- As above

Mining Officer,
Deptt. of Mines & Geology,
Bhiwani.

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Endstt. No. BWN/Dadam/249-50 Date: 4/3/2022

A copy of above is forwarded to following for kind information:-

1- Director General, Mines and Geology Department, Panchkula
2- Deputy Commissioner, Bhiwani.

Mining Officer,
Deptt. of Mines & Geology,
Bhiwani.

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Annexure-III

Sr. No.	Name of Supplier	Validity	Vehicle No	Type of Vehicle	Water Capacity (Ltrs.)	Rate Amount PM	Total Amount	Remarks
1	[illegible]	[illegible] to 31.03.24	HR61C-6393	Truck Tanker	12000	90000	3669799	
			HR48C-6409	Tractor Tanker	6000	45000		
			HR20AN-9101	Tractor Tanker	6000	45000		
2	Pal & Pal	01.07.21 to 31.01.24	HR21J-5972	Tractor Tanker	6000	45000		
			HR20AJ-1063	Tractor Tanker	6000	45000		
			HA20AT-2498	Tractor Tanker	6000	45000		
			HR39D-4051	Tractor Tanker	6000	45000		
			HR16M5733	Tractor Tanker	6000	45000		
			HR48C-6623	Tractor Tanker	6000	45000		
3	Pal & Pal	01.07.21 to 30.03.24	HR48C-1251	Tractor Tanker	6000	45000		
4	Rajat Sharma	09.09.21 to 08.09.22	PB65G-5476	Truck Tanker	20000	90000	1440000	
5	Rajesh	09.09.21 to 08.09.22	HR48C-8989	Tractor Tanker	6000	45000	1264298	
			HR48C-9389	Tractor Tanker	6000	45000		

Government Mines and Minerals
Distt. Panipat

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प्रेषक

मैसर्स गोवर्धन माईंस एण्ड मिनरल्स,
नजदीक हिसार नाका, दोशाम (भिवानी)।

प्रेषित

माईनिंग ऑफिसर, भिवानी।

विषय: **Information regarding procurement of ground water from private agency by M/s Govardhan Mines & Minerals for suppression of dust and plantation etc. in Dadam Mine Area.**

महोदय,

निवेदन यह है कि आपके उपरोक्त पत्र क्रमांक 140/ओएए 169/2020 दिनांक 28.01.2022 के संदर्भ में खनन गतिविधियों व पेड़-पौधों में उपयोग होने वाले जल के बारे में रिपोर्ट मांगी गई जानकारी के अनुसार इकरारनामा का विवरण निम्न प्रकार से है :-

2019-2022

क्रमांक	फर्म का नाम	ट्रक व टैंकर का विवरण	राशि	कुल राशि
1	पाल एण्ड पाल ग्रुप	7 ट्रैक्टर टैंकर	45 हजार मासिक ट्रैक्टर टैंकर	
2	पाल एण्ड पाल ग्रुप	1 ट्रक टैंकर 2 ट्रैक्टर टैंकर	90 हजार मासिक ट्रक टैंकर 45 हजार मासिक ट्रैक्टर टैंकर	86,69,799/-
3	राजेश पुत्र ताराचंद	2 ट्रैक्टर टैंकर	45 हजार मासिक ट्रैक्टर टैंकर	12,64,298/-
4	रजत शर्मा	1 ट्रक टैंकर	90 हजार मासिक ट्रक टैंकर	14,40,000/-

उपरोक्त एग्रीमेन्ट, एकाउन्ट लेजर व बिलों की छायाप्रति संलग्न है।

धन्यवाद सहित।

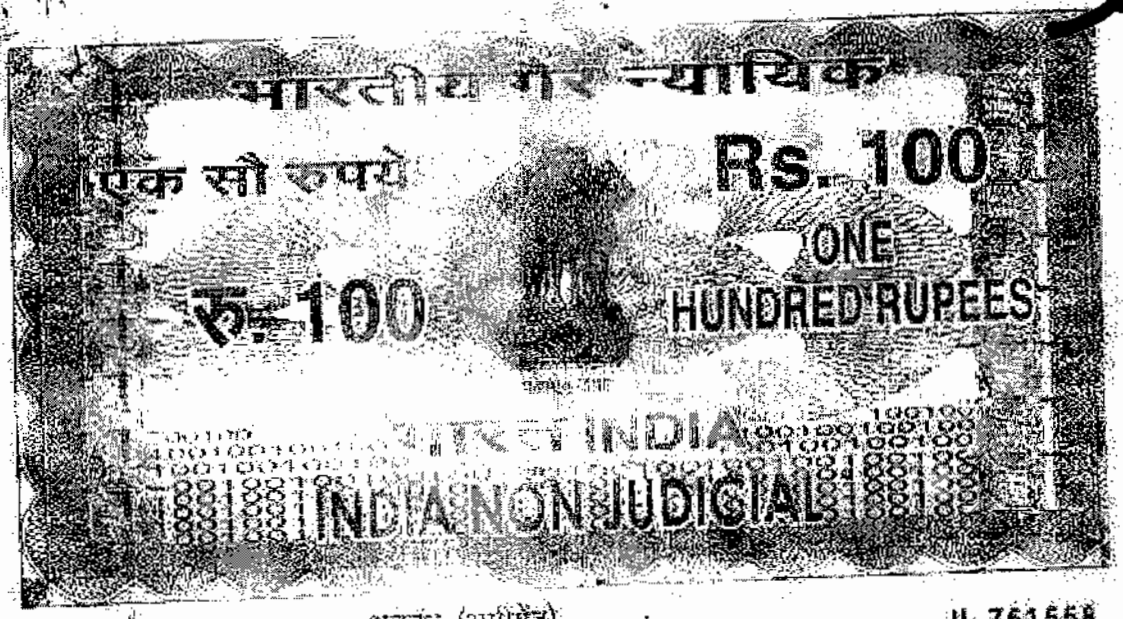
दिनांक 01.02.2022

भवदीय,

मैसर्स गोवर्धन माईंस एण्ड मिनरल्स,
नजदीक हिसार नाका, दोशाम (भिवानी)।
Authorised Person

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अनुबंध (अग्रीमेंट) U 351558

हरियाणा HARYANA

आज दिनांक 01.12.2020 गोवर्धन माइंस एंड मिनरल, डाडम (प्रथम पक्ष) व फौजी पाल एंड पाल ग्रुप गांव तोशाम तहसील तोशाम जिला भिवानी (द्वितीय पक्ष) के मध्य डाडम पहाड के रास्तो पर पानी छिड़काव व खान से संबधित कार्यो के लिए समझौता हुआ है। द्वितीय पक्ष का ट्रक टैंकर का रजिस्ट्रेशन नं०—

1. ट्रक टैंकर कैपेसिटी रजिस्ट्रेशन नं0 HR 61C 6393
2. ट्रेक्टर टैंकर 6000 लीटर रजिस्ट्रेशन नं0 HR 48C 6409
3. ट्रेक्टर टैंकर 6000 लीटर रजिस्ट्रेशन नं0 HR 21AN 9101

तथा वो सभी फर्म की शर्तो को मानूगा व नियम अनुसार काम करूगा। जिसकी शर्तें निम्न अनुसार है—

1. ट्रक टैंकर की कैपेसिटी 12000 व 20000 लीटर व ट्रक्टर टैंकर की 6000 लीटर होनी चाहिए
2. इन टैंकरो का प्रयोग पहाड के रास्तो में पानी छिड़काव व पेड पौधो को पानी देने के लिए किया जाएगा।
3. समय 12 घंटे जो सुबह 08 बजे से शाम 08 बजे तक रहेगा।

Government Mines and Minerals

Authorised Person

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4. टैंकर अच्छी कंडीशन में होना चाहिए और अगर सही कंडीशन नहीं होगी तो सेवा से हटाने के लिए फर्म बाध्य होगी।
5. व्हीकल ड्राईवर वैलिड हैवी लाईसेंस, बीमा व अन्य कागजात के साथ होना चाहिए ।
6. गाडी व ट्रक्टर टैंकर के सभी वैलिड पेपर होने चाहिए इन्शुरन्स के साथ
7. पहाड़ में सेफटी का पूरा ध्यान रखना होगा।
8. ड्राईवर/हेल्पर और ट्रक टैंकर की मेन्टेन्स गाडी व ट्रक्टर मालिक कि होगी। ट्रक टैंकर को केवल डीजल फर्म देगी और इसकी लोग बुक ट्रक मालिक मेन्टेन करेगा।
9. पानी भरने का प्रबंध गाडी व ट्रक्टर मालिक की होगी।
10. गाडी व ट्रक्टर टैंकर की पेमेंट हर महीने की 07 तारीख को होगी और टीडीएस काटकर।
11. किराया प्रतिमाह ट्रक्टर टैंकर Rs. 45,000/- टैंकर 20000 लीटर Rs. 90,000/- ट्रक टैंकर 12000 लीटर Rs. 60,000/-रूपये होगा।
12. नियम का पालन न करने पर फर्म कभी भी अनुबंध रद्द कर सकती है।
13. यह कॉन्ट्रैक्ट एक साल के लिए 30.11.2021 तक वैलिड है।

प्रथम पक्ष
गोवर्धन माइन्स एंड मिनरल, डाडम

द्वितीय पक्ष
पाल एंड पाल ग्रुप तोशाम

NOTARY

ATTESTED

Govardhan Mines and Minerals

Authorised Person

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हरियाणा HARYANA अनुबंध (अग्रीमेंट) U 346076

आज दिनांक 01 Oct 2021 को गोवर्धन माईस व मिनरल डाउन (प्रथम पक्ष), व Firm PAL & PAL Group , Address Vill – Chapar Rangran , Teh- Tosham, Dist Bhiwani (Haryana) (द्वितीय पक्ष) के मध्य डाउन पहाड़ के रास्तो पर पानी का छिड़काव व खान से संबंधित कार्यों के लिए समझौता हुआ है। Firm टैंकर /ट्रैक्टर का रजिस्ट्रेशन नंबर HR 61 C 6393 (capacity 12000 Ltr), HR 48 C 6409 (Capacity 6000 Ltr), HR 21AN 9101 (capacity 6000 Ltr) है तथा मै सभी फर्म की शर्तों को मानुगा व नियम के अनुसार काम करुगा।

जिसकी शर्तें निम्न अनुसार है:-

1. ट्रक टैंकर की कैपेसिटी 12000 व ट्रैक्टर टैंकर की 6000 लीटर होनी चाहिए।
2. इन टैंकरों का प्रयोग पहाड़ के रास्तो मे पानी छिड़काव व पेड़ पौधो को पानी देने के लिए किया जाएगा।
3. समय 12 घंटे जो सुबह 08 बजे से शाम 08 बजे तक रहेगा।
4. टैंकर टैंकर अच्छी कंडीशन मे होना चाहिए और अगर सही कंडीशन नहीं होगी तो सेवा से हटाने के लिए फर्म बाध्य होगी।
5. कमिकल ड्राइवर वैलिड हैवी लाइसेंस, बिल्ला व अन्य कागजात के साथ होना चाहिए।
6. गाड़ी व ट्रक्टर टैंकर के सभी वैलिड पेपर होने चाहिए इन्शुरन्स के साथ
7. पहाड़ में सेफ्टी का पूरा ध्यान रखना होगा।
8. ड्राइवर/हेल्पर और ट्रक व टैंकर की मेन्टेनेंस गाड़ी व ट्रक्टर मालिक की होगी।

Authorised Person

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ट्रक टैंकर को केवल डीजल फर्म देगी और इसकी लोग बुक ट्रक मालिक मेन्टेन करेगा।

9. पानी भरने का प्रबंध गाड़ी व ट्रक्टर मालिक की होगी।

10. गाड़ी व ट्रक्टर टैंकर की पेमेंट हर महीने की 07 तारीख को होगी और टीडीएस काटकर।

11. किराया प्रतिमाह ट्रैक्टर टैंकर 45000/- ट्रक टैंकर 20000 लीटर 90,000/- और ट्रक टैंकर 12000 लीटर 80,000 रूपये होगा।

12. नियम का पालन न करने पर फर्म कभी भी अनुबंध रद्द कर सकती है।

13. यह कॉन्ट्रेक्ट Three Years के लिए 30 Sep 2026 तक वैलिड है

प्रथम पक्ष
गोवर्धन माईंस व मिनरल्स, डीग

Authorised Person

द्वितीय पक्ष
PAL Group , Address Vill – Chapar Rangran ,
Tehl - Tosham, Dist Bhiwani (Haryana)

Witness
1
M. Shushant
2

ATTESTED

09-9-24

Gaverdhan Mines And Minerals

Authorised Person

241

391



हरियाणा HARYANA

U 346121

अनुबंध (अग्रीमेंट)

आज दिनांक 01.04.2021 गोवर्धन माइंस एंड मिनरल ओनर (प्रथम पक्ष) व फर्म पाल एंड पाल ग्रुप गांव तोशाम तह0 तोशाम जिला भिवानी(द्वितीय पक्ष) के मध्य ओवर पहाड के रास्तो पर पानी छिडकाव व खान से संबंधित कार्यो के लिए समझोता हुआ है। द्वितीय पक्ष का टक टैक्टर टैंकर का रजि0 –HR48-2697 ,

1- यह कि मै फर्म की सभी शर्तो को मानूगां और नियमअनुसार कार्य करूगां । जिसके शर्ते निम्न अनुसार है :–

1. टक टैंकर की 6000 लीटर होनी चाहिये ।
2. यह कि टैक्टर रजि0 नम्बर HR05BB4908 जो कि दिनाक 01.11.2021 से 30.10.2024 तक वैलिड तक है।
3. इन टैंकरो का प्रयोग पहाड़ के रास्तो पर पानी के छिडकाव और पैड पोधो को पानी देने के लिए किया जायेगा ।
4. समय 12 घटें जो सुबह 8 बजे से शाम 8 बजे तक रहेगा ।
5. टैंकर अच्छी कडीशन मे होना चाहिए और अगर सही कडीशन मे नही होगी तो सेवा से हटाने के लिए बाध्य होगी ।

Pal Group

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6. क्लीकल ड्राईवर वैलिड हैवी लाईसैंस बीमा व अन्य कागजात के साथ होना चाहिए ।
7. गाडी टैक्टर टैंकर के सभी वैलिड पेपर होने चाहिए इन्शुरन्स के साथ ।
8. पहाड मे सैफटी का पुरा ध्यान रखना होगा।
9. ड्राईवर /हैल्पर और टैक्टर टैंकर की मेन्टेन्स गाडी व टैक्टर टैंकर मालिक की होगी । टैक्टर टैंकर को केवल डीजल फर्म देगी और इसकी लोग बुक टक मालिक मेन्टेन करेगा ।
10. पानी भरने का प्रबध टैक्टर टैंकर मालिक की होगी ।
11. गाडी व टैक्टर टैंकर की पैमेंट हर महिने की 07 तारिख की होगी और टीडीएस कटकर ।
12. किराया प्रतिमाह टैक्टर टैंकर 80000 रू होगा ।
13. नियमो का पालन न करने पर फर्म कभी भी अनुबध रद्द कर सकती है।
14. यह कान्टैक्ट तीन साल के लिए 30.03.2024 तक वैलिड है।

प्रथम पक्ष
गोवर्धन माईनस व मिनरल डीलर्स

द्वितिय पक्ष
पाल एड पाल गुप तोशाम

Witness:
1. [illegible]
2. J. S. [illegible]

Government Nigma Ltd Mandi
Authorised Person

393



हरियाणा HARYANA

U 346117

अनुबंध (अग्रीमेंट)

आज दिनांक 01.02.2021 गोवर्धन माइंस एंड मिनरल ओनर (प्रथम पक्ष) व फर्म पाल एंड पाल बुध गांव तोशाम तह0 तोशाम जिला भिवानी(द्वितीय पक्ष) के मध्य ओवर लोड पहाड के रास्तो पर पानी छिडकाव व खान से संबंधित कार्यों के लिए समझोता हुआ है। द्वितीय पक्ष का ट्रक टैक्टर टैंकर का रजि0 – HR21J5972 , HR20AJ1063 , HA20AT 2498 , HR39D4051 , HR16M5733 , HR48C6623 ,

1- यह कि मै फर्म की सभी शर्तों को मानूगां और नियमानुसार कार्य करूगां । जिसके शर्ते निम्न अनुसार है :–

1. ट्रक टैकंर की 6000 लीटर होनी चाहिये ।
2. इन टैकंरो का प्रयोग पहाड़ के रास्तो पर पानी के छिडकाव और पैड पोधो को पानी देने के लिए किया जायेगा ।
3. समय 12 घटें जो सुबह 8 बजे से शाम 8 बजे तक रहेगा ।
4. टैकंर अच्छी कडीशन मे होना चाहिए और अगर सही कडीशन मे नही होगी तो सेवा से हटाने के लिए बाध्य होगी ।

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5. व्हीकल ड्राईवर वैलिड हैवी लाईसेंस बीमा व अन्य कागजात के साथ होना चाहिए ।
6. गाडी ट्रैक्टर टैंकर के सभी वैलिड पेपर होने चाहिए इन्शुरन्स के साथ ।
7. पहाड मे सैफटी का पुरा ध्यान रखना होगा।
8. ड्राईवर /हैल्पर और ट्रैक्टर टैंकर की मेन्टेना गाडी व ट्रैक्टर टैंकर मालिक की होगी । ट्रैक्टर टैंकर को केवल डीजल फर्म देगी और इसकी लोग बुक इक मालिक मेन्टेन करेगा ।
9. पानी भरने का प्रबध ट्रैक्टर टैंकर मालिक की होगी ।
10. गाडी व ट्रैक्टर टैंकर की पैमेंट हर महिने की 07 तारिख की होगी और टीडीएस काटकर ।
11. किराया प्रतिमाह ट्रैक्टर टैंकर 80000 रु होगा ।
12. नियम का पालन न करने पर फर्म कभी भी अनुबंध रद्द कर सकती है।
13. यह कॉन्ट्रैक्ट तीन साल के लिए 31.01.2024 तक वैलिड है।

प्रथम पक्ष
गोवर्धन माईंस व मिनरल ऑफिस

द्वितिय पक्ष
माल एंड माल ग्रुप तोशाम

ATTESTED
PARBHU RAM
NOTARY PUBLIC TOSHAM
21.02.24

Controller Mines And Minerals
Authorised Person

395



हरियाणा HARYANA

U 346116

अनुबंध (अग्रीमेंट)

आज दिनांक 01.07.2021 गोवर्धन माइंस एंड मिनरल ठाडम (प्रथम पक्ष) व फर्म पाल एंड पाल ग्रुप गांव तोशाम तह0 तोशाम जिला भिवानी(द्वितीय पक्ष) के मध्य ठाडम पहाड़ के रास्तो पर पानी छिडकाव व खान से संबंधित कार्यो के लिए समझोता हुआ है। द्वितीय पक्ष का टक टैक्टर टैंकर का रजि0 –HR48C1251

1- यह कि मै फर्म की सभी शर्तो को मानूगां और नियमअनुसार कार्य करूगां । जिसके शर्त निम्न अनुसार है :-

1. टक टैंकर की 6000 लीटर होनी चाहिये ।
2. इन टैंकरो का प्रयोग पहाड के रास्तो पर पानी के छिडकाव और पैड पोधो को पानी देने के लिए किया जायेगा ।
3. समय 12 घटें जो सुबह 8 बजे से शाम 8 बजे तक रहेगा ।
4. टैंकर अच्छी कडीशन मे होना चाहिए और अगर सही कडीशन मे नही होगी तो सेवा से हटाने के लिए बाध्य होगी ।

Gowardhan Mines And Minerals

Authorised Person

Pal Group Pal Group

246

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6. व्हीकल ड्राईवर वैलिड हैवी लाईसेंस बीमा व अन्य कागजात के साथ होना चाहिए ।
7. गाडी टैक्टर टैंकर के सभी वैलिड पेपर होने चाहिए इन्शुरन्स के साथ ।
8. पहाड मे सैफटी का पुरा ध्यान रखना होगा।
9. ड्राईवर /हैल्पर और टैक्टर टैंकर की मेन्टेन्स गाडी य टैक्टर टैंकर मालिक की होगी । टैक्टर टैंकर को केवल डीजल फर्म देगी और इसकी लोग बुक टैंक मालिक मेन्टेन करेगा ।
10. पानी भरने का प्रबध टैक्टर टैंकर मालिक की होगी ।
11. गाडी य टैक्टर टैंकर की पैमेंट हर महिने की 07 तारिख को होगी और टीडीएस काटकर ।
12. किराया प्रतिगाह टैक्टर टैंकर 60000 रु होगा ।
13. नियम का पालन न करने पर फर्म कभी भी अनुबंध रद्द कर सकती है।
14. यह कॉन्ट्रैक्ट तीन साल के लिए 30.03.2024 तक वैलिड है।

1087

प्रथम पक्ष
गोवर्धन माईनिंग एव मिनरल इन्डस्ट्रीज

द्वितीय पक्ष
पाल एडं पाल ग्रुप तोशाम

J. S. Rathi Adv.

ATTESTED
Parbhu Ram Advocate
Notary Distt. TOSHAM
21.07.2021

Goverdhan Mines And Minerals
Authorised Person

247

M/s GOVARDHAN Mines & Minerals

Regd. Office 51 U.E. - I HISAR

Pal and Pal Group

Ledger Account

397

1-Feb-2018 to 2-Feb-2022

Date	Particulars	Vch Type	Vch No.	Debit	Credit
31-12-2020	By Water Tanker Exp	Journal	1503		2,00,600.00
	To Tds Payable	Journal	1504	1,275.00	
11-1-2021	To AU SMALL BANK	Payment	2489	1,99,325.00	
31-1-2021	By Water Tanker Exp	Journal	1776		2,00,600.00
	To Tds Payable	Journal	1777	1,275.00	
5-2-2021	To AU SMALL BANK	Payment	2728	1,99,325.00	
28-2-2021	By Water Tanker Exp	Journal	1974		2,64,438.00
	To Tds Payable	Journal	1975	1,681.00	
5-3-2021	To AU SMALL BANK	Payment	3086	2,62,757.00	
22-3-2021	To AU SMALL BANK	Payment	3269	2,00,000.00	
31-3-2021	By Water Tanker Exp	Journal	2192		7,87,000.00
	To Tds Payable	Journal	2193	4,975.00	
				9,70,513.00	14,32,638.00
	To Closing Balance			5,62,125.00	
				14,32,638.00	14,32,638.00
1-4-2021	By Opening Balance				5,62,125.00
1-4-2021	By Water Tanker Exp	Journal	7		5,66,400.00
	To Tds Payable	Journal	8	4,800.00	
7-4-2021	To AU SMALL BANK	Payment	66	2,00,000.00	
15-4-2021	To AU SMALL BANK	Payment	178	4,00,000.00	
19-4-2021	To AU SMALL BANK	Payment	268	3,30,000.00	
30-4-2021	By Water Tanker Exp	Journal	231		2,32,460.00
	To Tds Payable	Journal	232	1,970.00	
1-5-2021	By Water Tanker Exp	Journal	306		6,60,800.00
	To Tds Payable	Journal	307	5,600.00	
10-5-2021	To AU SMALL BANK	Payment	553	2,12,125.00	
12-5-2021	To AU SMALL BANK	Payment	602	2,12,000.00	
17-5-2021	To AU SMALL BANK	Payment	662	3,00,000.00	
19-5-2021	To AU SMALL BANK	Payment	690	2,00,000.00	
24-5-2021	To Cash	Payment	755	20,000.00	
25-5-2021	To Cash	Payment	779	34,400.00	
31-5-2021	By Water Tanker Exp	Journal	440		2,32,460.00
	To Tds Payable	Journal	441	1,970.00	
1-6-2021	By Water Tanker Exp	Journal	500		6,60,800.00
	To Tds Payable	Journal	501	5,600.00	
4-6-2021	To AU SMALL BANK	Payment	910	2,00,000.00	
8-6-2021	To AU SMALL BANK	Payment	967	2,00,000.00	
9-6-2021	To AU SMALL BANK	Payment	985	2,00,000.00	
15-6-2021	To AU SMALL BANK	Payment	1064	2,00,000.00	
16-6-2021	To AU SMALL BANK	Payment	1077	85,690.00	
30-6-2021	By Water Tanker Exp	Journal	619		2,25,557.00
	To Tds Payable	Journal	620	1,912.00	
1-7-2021	By Water Tanker Exp	Journal	682		6,60,800.00
	To Tds Payable	Journal	683	5,600.00	
3-7-2021	To AU SMALL BANK	Payment	1298	2,00,000.00	
9-7-2021	To AU SMALL BANK	Payment	1376	2,00,000.00	
15-7-2021	To AU SMALL BANK	Payment	1464	1,00,000.00	
	Carried Over			33,21,757.00	38,01,402.00

continued ...

Govardhan Mines & Minerals

Authorised Person

248

398

Date	Particulars	Vch Type	Vch No.	Debit	Credit
	Brought Forward			77,97,948.00	87,37,991.00
31-12-2021	By Water Tanker Exp	Journal	1861		1,57,825.00
	To Tds Payable	Journal	1862	1,338.00	
				77,99,286.00	88,95,816.00
	To Closing Balance			10,96,530.00	
				88,95,816.00	88,95,816.00

Govardhan Mines and Minerals

Authorised Person

249

399

GSTIN : 06CBLPP1342Q1Z6 TAX INVOICE/BILL M.:- 9728010211

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. Date 31-3-22

Name 01/ Govardhan Mines & Minerals

Address Near Hisar Naka, Distt. Jhajjar

GSTIN 06AAPFG4736H1Z7 State Code 06

S. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	9972	Rent of Tankers	3	—	170000
GST Amount			TOTAL		170000
Bank Name :			CGST @ 9%		15300
Bank A/c. No.:			SGST @ 9%		15300
Bank IFSC Code :			IGST		—
			G.TOTAL		200600

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

Govardhan Mines And Minerals

Authorised Person

250

400

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 03 Date 28-2-21

Name Gayatri Mines and Minerals

Address Near Bihar Naka, Kanak, Tosham

GSTIN 06AARFG1230H1Z7 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	997319	Rent of Tankers	3	-	224100
GST Amount			TOTAL		224100
Bank Name :			CGST 9%		20169
Bank A/c. No.:			SGST 9%		20169
Bank IFSC Code :			IGST		
			G. TOTAL		264438

E & O.E.

For PAL AND PAL GROUP

Authorised Signatory

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 02 Date 31-1-21

Name Gayatri Mines and Minerals

Address Near Bihar Naka, Kanak, Tosham

GSTIN 06AARFG1230H1Z7 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	997319	Rent of Tankers	3	-	170000
GST Amount			TOTAL		170000
Bank Name :			CGST 9%		15300
Bank A/c. No.:			SGST 9%		15300
Bank IFSC Code :			IGST		
			G. TOTAL		200600

E & O.E.

For PAL AND PAL GROUP

Authorised Signatory

251

400

401

252

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 05 Date 1-4-21

Name Goverdhan Mines & Minerals

Address Near Hisar Naka, Tosham

GSTIN 06AARFG6120H1Z7 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty	Rate	Amount
01	996719	Rent of Tankers	6	—	48000
GST Amount			TOTAL		48000
Bank Name :			CGST 9%		4320
Bank A/c. No. :			SGST 9%		4320
Bank IFSC Code :			IGST		
			G.TOTAL		56640

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 04 Date 31-3-21

Name Goverdhan Mines & Minerals

Address Near Hisar Naka, Tosham

GSTIN 06AARFG6120H1Z7 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty	Rate	Amount
01	996719	Rent of Tankers	3	—	17000
02	996719	———	6	—	48000
GST Amount			TOTAL		65000
Bank Name :			CGST 9%		5850
Bank A/c. No. :			SGST 9%		5850
Bank IFSC Code :			IGST		
			G.TOTAL		76700

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

47

402

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 07 Date 01-5-21

Name Lovedhar Mines and Minerals

Address Near Water Tank, Mundh, Tosham

GSTIN 06PARF4682OH1Z7 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
01	996212	Rent of Tankers	7	-	560000

403

254

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 09 Date 1-6-21

Name Goverdhan Mines & Minerals

Address Near Hiser Naka, Kanak, Tosham

GSTIN 06AALFP1342Q1Z5 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
01	9972	Rent of tankers	7	-	56000
					/
GST Amount		TOTAL			56000
Bank Name :		CGST 9%			5040
Bank A/c. No. :		SGST 9%			5040
Bank IFSC Code :		IGST			
		G. TOTAL			66080

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 08 Date 31-5-21

Name Govardhan Mines & Minerals

Address Near Hiser Naka, Kanak, Tosham

GSTIN 06AALFP1342Q1Z5 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
01	9972	Rent of tankers	7	-	197000/-
					/
GST Amount		TOTAL			197000
Bank Name :		CGST 9%			17730
Bank A/c. No. :		SGST 9%			17730
Bank IFSC Code :		IGST			
		G. TOTAL			232460

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

304

404

GSTIN : 06CBLPP1342Q1ZS TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 10 Date 23-6-21

Name Govardhan Mines and Minerals

Address Near Tehsil Office Tosham

GSTIN 06AARFG6120H1ZZ State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
01	997319	Rent of Jonkey	3	-	19150
GST Amount		TOTAL			19150
Bank Name :		CGST 9%			1722.50
Bank A/c. No.:		SGST 9%			1722.50
Bank IFSC Code :		IGST			
		G. TOTAL			22595

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

Govardhan Mines & Minerals

Authorised Signatory

GSTIN : 06CBLPP1342Q1ZS TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 11 Date 27-8-21

Name Govardhan Mines & Minerals

Address Near Tehsil Office Tosham

GSTIN 06AARFG6120H1ZZ State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
01	997212	Rent of Jonkey	7	-	86000
GST Amount		TOTAL			86000
Bank Name :		CGST 9%			7740
Bank A/c. No.:		SGST 9%			7740
Bank IFSC Code :		IGST			
		G. TOTAL			101480

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

255

404

405

256

GSTIN : 06CBLPP1342Q1ZS TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 13 Date 01-8-21

Name Govardhan Mines & Minerals

Address Near Hisar Naka Kharak Tosham

GSTIN 06AARFP6120H1ZT State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
01	9973 12	Rental Tankers	8	—	64000/-
GST Amount		TOTAL			64000
Bank Name :		CGST 9%			5760
Bank A/c. No.:		SGST 9%			5760
Bank IFSC Code :		IGST			
		G. TOTAL			75520

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

GSTIN : 06CBLPP1342Q1ZS TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 12 Date 31-7-21

Name Govardhan Mines & Minerals

Address Near Hisar Naka Kharak Tosham

GSTIN 06AARFP6120H1ZT State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	9973 12	Rental Tankers	8	—	137360
GST Amount		TOTAL			137360
Bank Name :		CGST 9%			16861.5
Bank A/c. No.:		SGST 9%			16861.5
Bank IFSC Code :		IGST			
		G. TOTAL			171083

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

406

857

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 15 Date 01-9-21

Name Goverdhan Mines & Minerals

Address Near Hisar Naka, Khanak, Tosham

GSTIN 06AARFG6920H1Z7 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	9711	Rent of Tanker	8	-	640000/-
GST Amount			TOTAL		640000/-
Bank Name :			CGST 9%		57600
Bank A/c No.:			SGST 9%		57600
Bank IFSC Code :			IGST		
			G.TOTAL		755200

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 14 Date 31-8-21

Name Goverdhan Mines & Minerals

Address Near Hisar Naka, Khanak, Tosham

GSTIN 06AARFG6920H1Z7 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	9711	Rent of Tanker	3	-	180000
GST Amount			TOTAL		191460
Bank Name :			CGST 9%		17730
Bank A/c No.:			SGST 9%		17730
Bank IFSC Code :			IGST		
			G.TOTAL		226460

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

407

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 17 Date 1/10/21

Name Gokuldham Mines & Minerals

Address Near Hira Pakka Khurd, Tosham

GSTIN 06AABFP6240H1Z4 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	9965	Rent of tankers	8		64000/-
GST Amount		TOTAL			64000/-
Bank Name :		CGST			5760
Bank A/c. No.:		SGST			5760
Bank IFSC Code :		IGST			
		G. TOTAL			75520/-

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 16 Date 30/9/21

Name Gokuldham Mines & Minerals

Address Near Hira Pakka Khurd, Tosham

GSTIN 06AABFP6240H1Z4 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	9965	Rent of tankers	3		19200/-
GST Amount	3456	TOTAL			19776/-
Bank Name :		CGST			1728
Bank A/c. No.:		SGST			1728
Bank IFSC Code :		IGST			
		G. TOTAL			22534/-

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

408

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 19 Date 01/11/21

Name Govardhan Mines & Minerals

Address Near High Mast, Hasak, Tosham

GSTIN 06AARFG6720H1Z7 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	9172	Set of Tanker	8		64000/-
GST Amount		TOTAL			64000/-
Bank Name :		CGST			5760.00
Bank A/c. No.:		SGST			5760.00
Bank IFSC Code :		IGST			
		G. TOTAL			75520/-

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 18 Date 31/10/21

Name Govardhan Mines & Minerals

Address Near High Mast, Hasak, Tosham

GSTIN 06AARFG6720H1Z7 State Code 06

Sr. No.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	9172	Set of Tanker	3		19200/-
GST Amount		TOTAL			19200/-
Bank Name :		CGST			1728.00
Bank A/c. No.:		SGST			1728.00
Bank IFSC Code :		IGST			
		G. TOTAL			22656/-

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

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GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 21 Date 1/12/21

Name Gowardhan Mines & Minerals

Address Near Mine Naka, Kanak, Tosham

GSTIN 06AARFG6726K1ZJ State Code 06

Sr. no.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	27252	Par of tanker	9		720000/-
					/
GST Amount		TOTAL			720000/-
Bank Name :		CGST			64800
Bank A/c. No.:		SGST			64800
Bank IFSC Code :		IGST			
		G. TOTAL			849600/-

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

Gowardhan Mines & Minerals

GSTIN : 06CBLPP1342Q1Z5 TAX INVOICE/BILL M.:- 9728010213

PAL AND PAL GROUP

Near Tehsil Office, TOSHAM- 127040 (Bhiwani)

Sr. No. 20 Date 30/11/21

Name Gowardhan Mines & Minerals

Address Near Mine Naka, Kanak, Tosham

GSTIN 06AARFG6726K1ZJ State Code 06

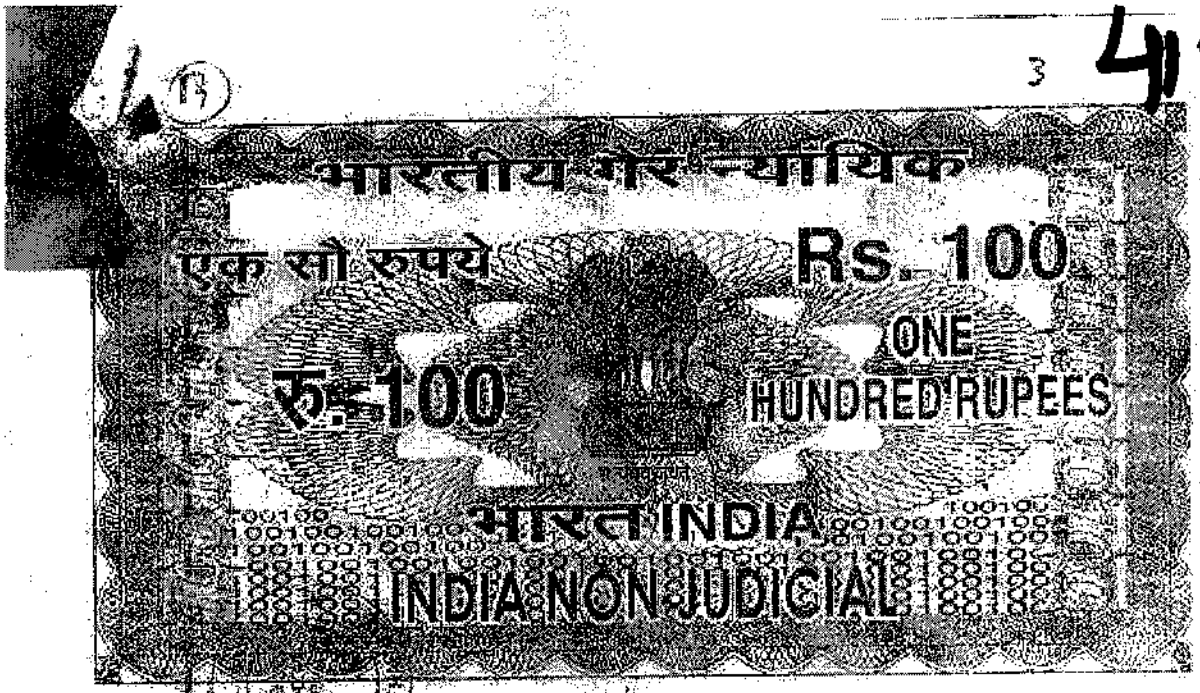
Sr. no.	HSN Code	PARTICULARS	Qty.	Rate	Amount
1	27252	Par of tanker	3		132000/-
					/
GST Amount		TOTAL			120 000/-
Bank Name :		CGST			11772
Bank A/c. No.:		SGST			11772
Bank IFSC Code :		IGST			
		G. TOTAL			154462/-

E. & O.E.

For PAL AND PAL GROUP

Authorised Signatory

40



हरियाणा HARYANA

स्टाम्प वेन्डर U 346075

आज दिनांक 9 सितम्बर 2021 को गोपाल्स माईन्स व मिनरल सप्लाय द्वारा मैं व
रजत शर्मा नियामती मनोहरा निवासी अलावेदी अकबरपुर उत्तरप्रदेश हिरासिंह पक्षा मैं के व
शपथ पत्रक में रास्तों पर पानी का छिड़काव व खान से सम्बन्धित कार्यों के लिये यह
शुल्क है। मेरे टैंकर का रजिस्ट्रेशन नम्बर- पी बी 65 जी-5976 कैपेसिटी 20000 लीटर
है तथा मैं सभी पर्यावरण की शर्तों को मानूंगा व नियम के अनुसार काम करूंगा।

शर्तों की शर्तें निम्न अनुसार है :-

1- टूव टैंकर की कैपेसिटी 12000 व 20000 लीटर व ट्रैक्टर टैंकर की 6000 लीटर होनी चाहिये।

2- दो टैंकरों का प्रयोग पक्का में रास्तों में पानी छिड़काव व पेड़ पौधों को पानी देने लिये किया जायेगा।

3- समय 12 घण्टे का सुबह 8 बजे से 8 बजे शाम तक रहेगा।

4- टैंकर अच्छी कंडीशन में होना चाहिये और आग बुझाने की कंडीशन नहीं होनी तो पेना हटाने के लिये पर्याप्त व्यवस्था होगी।

5- पहीनक ड्राइवर बैंक्स ड्रिवी लाईसेन्स बीमा व अन्य कागजात के साथ होना चाहिये।

Authorised Person

Rajat Sharma

261

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6- गाड़ी व टैक्टर टैक्टर के सभी बिल्ल पोर होने चाहिये इन्श्योरेन्स के साथ ।

7- पत्थर में सेफ्टी का पूरा ध्यान रखना होगा ।

8- ड्राईवर व हैल्पर और ट्रक व टैक्टर की मैन्टेन्सा गाड़ी व टैक्टर मालिक की होगी । ट्रक टैक्टर को केवल डीजल पर्म देगी और इसकी लोकबुक ट्रक मालिक मैन्टेन करेगा ।

9- पानी भरने का प्रबन्ध गाड़ी व टैक्टर मालिक की होगी ।

10- गाड़ी व टैक्टर टैक्टर की पेमेन्ट हर महीने की 7 तारीख को होगी और दी जाएगी । कटर ।

11- किराया प्रति ट्रक टैक्टर टैक्टर 45000 रुपये ट्रक टैक्टर 20000 लीटर 90000 और ट्रक 12000 लीटर 80000 रुपये होगा ।

12- नियम का पालन न करने पर पर्म कंपनी भारी जुर्माना रद्द कर सकती है ।

13- यह कान्ट्रैक्ट एक साल के लिये 8 सितम्बर 2022 तक वैलिड है ।

Witness

Mr. Chauhan
J.S. Rajput Adv.

पार्टी नं. 1
Gondhan Mines And Minerals
गोपदान माईन्स/अनुज्ञप्तिधारी होल्डर

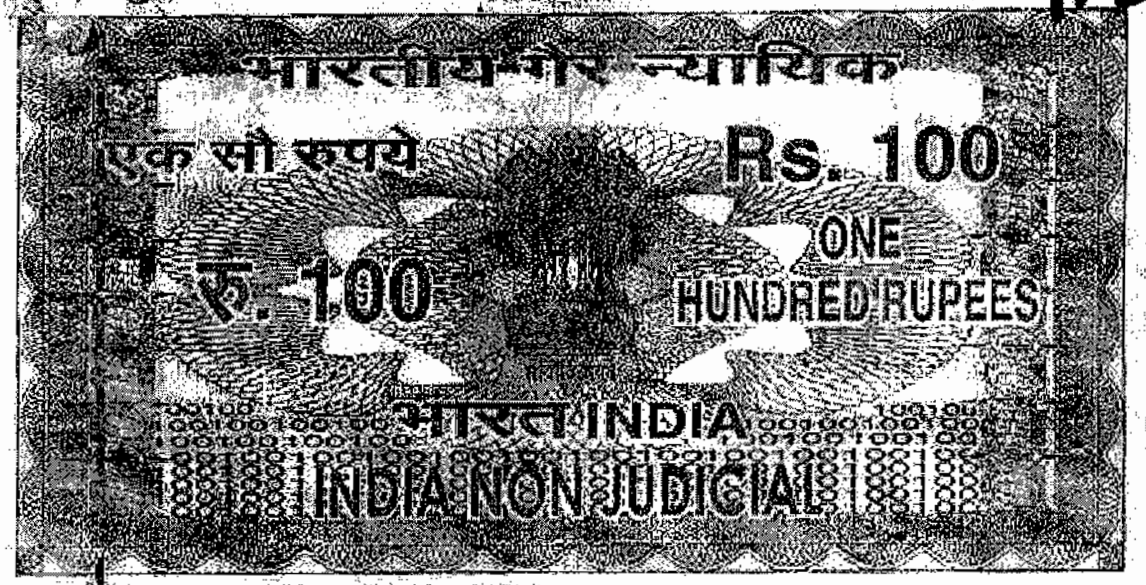
द्वितीय पक्ष Rajat Sharma
श्री रजत शर्मा निवासी मनोला नि
आलमगी जिला सहारनपुर उत्तरप्रदेश

ATTESTED
Deepak Kumar Advocate
Notary Distt. TOSHAM
09-09-22

Gondhan Mines And Minerals
Licensed Person

262

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हरियाणा HARYANA

T 093248

अनुबंध (अग्रीमेंट)

आज दिनांक 09 सितम्बर 2020 को गोवर्धन स्टाइस व मिनरल डाडम (प्रथम पक्ष), व श्री रजत शर्मा निवासी नैनोत्ता, निगम कॉलोनी जिला सहारनपुर, उत्तरप्रदेश (द्वितीय पक्ष) के मध्य डाडम पहाड़ के रास्तो पर पानी का छिड़काव व खान से संबधित कार्यो के लिए समझौता हुआ है। मेरे टैंकर का रजिस्ट्रेशन नंबर PB 65G 5476 कैपेसिटी 20000 लीटर है तथा मै सभी फर्म की सर्तो को मानुगा व नियम के अनुसार काम करुगा।

जिसकी शर्तें निम्न अनुसार है:-

1. ट्रक टैंकर की कैपेसिटी 12000 व 20000 लीटर व ट्रैक्टर टैंकर की 6000 लीटर होनी चाहिए।

2. इन टैंकरों का प्रयोग पहाड़ के रास्तों में पानी छिड़काव व पेड़ पौधो को पानी देने के लिए किया जाएगा।

3. समय 12 घंटे जो सुबह 08 बजे से शाम 08 बजे तक रहेगा।

4. टैंकर टैंकर अच्छी कंडीशन में होना चाहिए और अगर सही कंडीशन नहीं होगी तो सेवा से हटाने के लिए फर्म बाध्य होगी।

5. व्हीकल ड्राइवर वैलिड हैवी लाइसेंस, बिमा व अन्य कागजात के साथ होना चाहिए।

Rajat Sharma

Govardhan Minerals and Minerals
Authorised Person

263

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6. गाड़ी व ट्रक्टर टैंकर के सभी वैलिड पेपर होने चाहिए इन्शुरन्स के साथ

7. पहाड़ में सेफ्टी का पूरा ध्यान रखना होगा।

8. ड्राइवर/हेल्पर और ट्रक व टैंकर की मेन्टेन्स गाड़ी व ट्रकटर मालिक की होगी।
ट्रक टैंकर को केवल डीज़ल फर्म देगी और इसकी लोग बुक ट्रक मालिक मेन्टेन करेगा।

9. पानी भरने का प्रबंध गाड़ी व ट्रकटर मालिक की होगी।

10. गाड़ी व ट्रकटर टैंकर की पेमेंट हर महीने की 07 तारीख को होगी और टीडीएस काटकर।

11. किराया प्रतिमाह ट्रैक्टर टैंकर 45000/-, ट्रक टैंकर 20000 लीटर 90,000/- और ट्रक टैंकर 12000 लीटर 80,000 रूपये होगा।

12. नियम का पालन न करने पर फर्म कभी भी अनुबंध रद्द कर सकती है।

13. यह कॉन्ट्रैक्ट एक साल के लिए 08 सितम्बर 2021 तक वैलिड है

Rajat Sharma

Goverdhan Mines And Minerals
प्रथम पक्ष
गोवर्धन माईंस एंड मिनरल्स

द्वितीय पक्ष
श्री रजत शर्मा निवासी नैनोला, निगम कॉलोनी
जिला सहारनपुर, उत्तरप्रदेश

Goverdhan Mines And Minerals
Authorised Person

264

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M/s GOVARDHAN Mines & Minerals

Regd. Office: 51, U.E. - II HISAR

Rajat Sharma -Tankar

Ledger Account

1-Feb-2018 to 2-Feb-2022

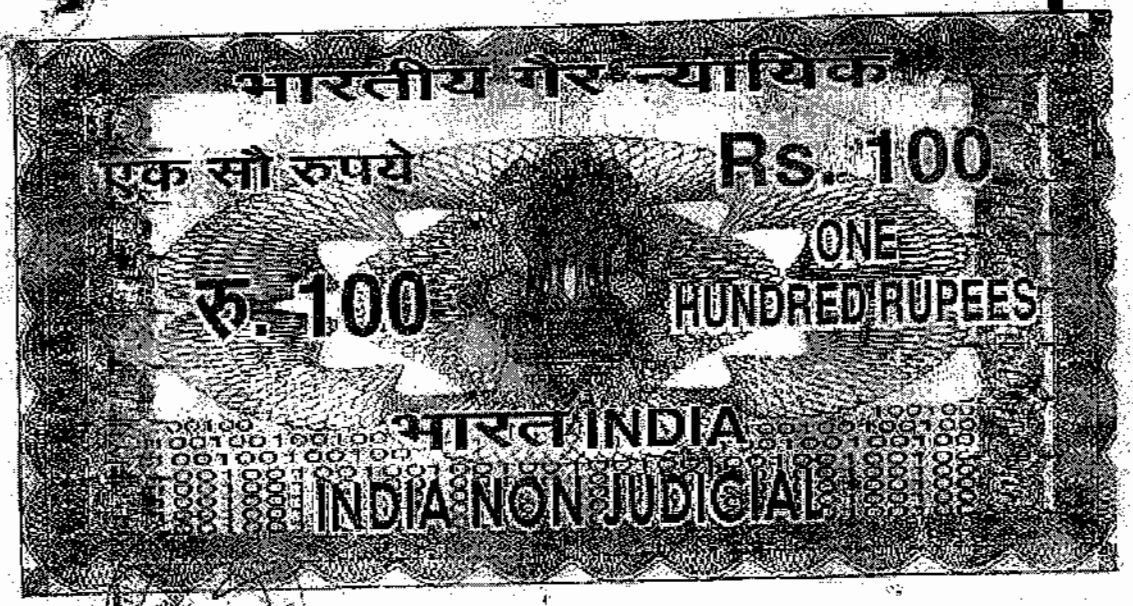
Date	Particulars	Vch Type	Vch No.	Debit	Credit
30-9-2020	By Water Tanker Exp	Journal	828		90,000.00
	To Tds Payable	Journal	829	675.00	
7-10-2020	To AU SMALL BANK	Payment	1495	89,325.00	
31-10-2020	By Water Tanker Exp	Journal	1014		90,000.00
	To Tds Payable	Journal	1017	675.00	
5-11-2020	To AU SMALL BANK	Payment	1608	89,325.00	
30-11-2020	By Water Tanker Exp	Journal	1303		90,000.00
	To Tds Payable	Journal	1304	675.00	
3-12-2020	To AU SMALL BANK	Payment	2127	89,325.00	
31-12-2020	By Water Tanker Exp	Journal	1497		90,000.00
	To Tds Payable	Journal	1498	675.00	
4-1-2021	To AU SMALL BANK	Payment	2384	89,325.00	
31-1-2021	By Water Tanker Exp	Journal	1675		90,000.00
	To Tds Payable	Journal	1676	675.00	
3-2-2021	To AU SMALL BANK	Payment	2700	89,325.00	
28-2-2021	By Water Tanker Exp	Journal	1972		90,000.00
	To Tds Payable	Journal	1973	675.00	
5-3-2021	To AU SMALL BANK	Payment	3072	89,325.00	
31-3-2021	By Water Tanker Exp	Journal	2187		90,000.00
	To Tds Payable	Journal	2188	675.00	
				5,40,675.00	6,30,000.00
	To Closing Balance			89,325.00	
				6,30,000.00	6,30,000.00
1-4-2021	By Opening Balance				89,325.00
9-4-2021	To AU SMALL BANK	Payment	126	89,325.00	
30-4-2021	By Water Tanker Exp	Journal	229		90,000.00
	To Tds Payable	Journal	230	900.00	
10-5-2021	To AU SMALL BANK	Payment	558	89,100.00	
31-5-2021	By Water Tanker Exp	Journal	427		90,000.00
	To Tds Payable	Journal	428	900.00	
5-6-2021	To AU SMALL BANK	Payment	919	89,325.00	
30-6-2021	By Water Tanker Exp	Journal	613		90,000.00
	To Tds Payable	Journal	614	900.00	
3-7-2021	To AU SMALL BANK	Payment	1299	88,875.00	
31-7-2021	By Water Tanker Exp	Journal	843		90,000.00
	To Tds Payable	Journal	844	900.00	
3-8-2021	To AU SMALL BANK	Payment	1714	89,100.00	
	By AU SMALL BANK	Receipt	2183		89,100.00
4-8-2021	To AU SMALL BANK	Payment	1731	89,100.00	
31-8-2021	By Water Tanker Exp	Journal	1090		90,000.00
	To Tds Payable	Journal	1091	900.00	
8-9-2021	To AU SMALL BANK	Payment	2173	89,100.00	
30-9-2021	By Water Tanker Exp	Journal	1394		90,000.00
	To Tds Payable	Journal	1395	900.00	
8-10-2021	To AU SMALL BANK	Payment	2585	89,100.00	
31-10-2021	By Water Tanker Exp	Journal	1489		90,000.00
	To Tds Payable	Journal	1490	900.00	
	Carried Over			7,19,325.00	8,08,425.00

continued ...

Govardhan Mines and Minerals

Authorised Person

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हरियाणा HARYANA अनुबंध (एग्रीमेन्ट) U 346074

आज दिनांक 9 सितम्बर 2021 को गोयल्स माईन्स एण्ड मिनरल हारम (द्वितीय प
क श्री राजेश पुत्र श्री ताराचन्द निवासी नई आबाद मण्डी आदमपुर (द्वितीय पक्ष)
मध्य हारम पहाड़ के रास्तों पर पानी का छिड़काव व आने से प्रभावित क्षेत्र
के लिये सहमति हुआ है द्वितीय पक्ष का एक टैंकर व टैक्टर का रजिस्ट्रेशन नम्बर
टैक्टर टैंकर 6000 लीटर रजिस्ट्रेशन नं० एच आर 46सी-8980 व एच आर 46सी-9
लगा में सभी प्र.मं की शर्तों को मानूगा व नियम के अनुसार काम करना जिसकी
निम्न अनुसार है :-

1- टूक टैंकर की क्षमता 12000 व 20000 लीटर व टैक्टर टैंकर की 6000 लीटर
पानी होगी ।

2- इन टैंकरों का पहाड़ी पहाड़ के रास्तों में पानी छिड़काव व ऐसे क्षेत्रों को पा
देने के लिये किया जायेगा ।

3- समय 12 घण्टे का सुबह 8 बजे से शाम 8 बजे तक रहेगा ।

4- टैंकर अच्छी कंडीशन में होना चाहिये और अगर खराब कंडीशन मिली होगी त
से हटाने के लिये प्र.मं बाध्य होगी ।

Goyal Mines And Minerals Pvt. Ltd.

5- ड्राईवर ड्राईवर वैलिड ड्रैवी लाईसेन्स बीमा व अन्य कागजात के साथ होना चा

6- गाड़ी व टैक्टर के नम्बरी वैलिड प्लेट होने चाहिये इन्शायरेन्शा के साथ।

7- पहाड़ में सेफ्टी का पूरा ध्यान रखना होगा ।

8- ड्राईवर /क्लीनर और ट्रक व टैक्टर की मैन्टेन्शा गाड़ी व टैक्टर मालिक की होगी ट्रक टैक्टर को लेवल डीजल प,में देगी और झाली लोयल ट्रक मालिक मैन्टेन करेगा ।

9- पानी भरने का प्रबन्ध गाड़ी व टैक्टर मालिक की होगी ।

10- गाड़ी व टैक्टर टैक्ट की पेमेन्ट हर महीने की 7 तारीख को होगी और टी एस कारबन किराया प्रतिमाह ट्रैक्टर टैक्ट 45000/- ट्रक टैक्ट 20000 लीटर 90000 और ट्रक टैक्ट 12000 लीटर 80000रूपये होगा ।

12- नियम का पालन न करने पर प,में कभी भी प्रबन्ध रद्द कर सकती है ।

13- यह कान्ट्रक्ट एक साल के लिये 8 सितम्बर 2022 तक वैलिड है ।

Witness:-

1.

2.

J.S. Rawat

प्रथम पक्ष

Goverdhan Mines And Minerals

गोवर्धन माईन्स एण्ड मिनरल्स

Authorised Person

ATTESTED

Parbhu Ram Advocate

Notary Distt. TOSHAM

द्वितीय पक्ष

श्री राजेश पुत्र नारायण मजदी

नई [illegible] मजदी तोशाम

R Jain

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हरियाणा HARYANA T 093250

अनुबंध (अग्रीमेंट)

आज दिनांक 09 सितम्बर 2020 को गोवर्धन माईंस एंड मिनरल डाडम (प्रथम पक्ष), व श्री राकेश पुत्र श्री तारा चाँद नजदीक नई अनाज मंडी, तोशाम (द्वितीय पक्ष) के मध्य डाडम पहाड़ के रास्तो पर पानी का छिड़काव व खान से संबधित कार्यो के लिए समझौता हुआ है। द्वितीय पक्ष का ट्रक टैंकर व ट्रैक्टर टैंकर का रजिस्ट्रेशन नंबर :-

ट्रैक्टर टैंकर 6000 लीटर रजिस्ट्रेशन HR 48 C 8989 व HR 48 C 9389

तथा मैं सभी फर्म की सर्तो को मानुगा व नियम के अनुसार काम करुगा। जिसकी शर्तें निम्न अनुसार है।

1. ट्रक टैंकर की केपेसिटी 12000 व 20000 लीटर व ट्रैक्टर टैंकर की 6000 लीटर होनी चाहिए।

2. इन टैंकरों का प्रयोग पहाड़ के रास्तो में पानी छिड़काव व पेड़ पौधो को पानी देने के लिए किया जाएगा।

3. समय 12 घंटे जो सुबह 08 बजे से शाम 08 बजे तक रहेगा।

4. टैंकर टैंकर अच्छी कंडीशन में होना चाहिए और अगर सही कंडीशन नहीं होगी तो सेवा से हटाने के लिए फर्म बाध्य होगी।

Rajesh

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5. व्हीकल ड्राइवर वैलिड हेवी लाइसेंस, बिमा व अन्य कागजात के साथ होना चाहिए।
6. गाड़ी व ट्रक्टर टैंकर के सभी वैलिड पेपर होने चाहिए इन्शुरन्स के साथ
7. पहाड़ में सैफ्टी का पूरा ध्यान रखना होगा।
8. ड्राइवर/हेल्पर और ट्रक व टैंकर की मेन्टेन्स गाड़ी व ट्रक्टर मालिक की होगी।
   ट्रक टैंकर को केवल डीज़ल फर्म देगी और इसकी लोग बुक ट्रक मालिक मेन्टेन करेगा।
9. पानी भरने का प्रबंध गाड़ी व ट्रक्टर मालिक की होगी।
10. गाड़ी व ट्रक्टर टैंकर की पेमेंट हर महीने की 07 तारीख को होगी और टीडीएस काटकर।
11. किराया प्रतिमाह ट्रैक्टर टैंकर 45000/-, ट्रक टैंकर 20000 लीटर 90,000/- और ट्रक टैंकर 12000 लीटर 80,000 रूपये होगा।
12. नियम का पालन न करने पर फर्म कभी भी अनुबंध रद्द कर सकती है।
13. यह कॉन्ट्रैक्ट एक साल के लिए 08 सितम्बर 2021 तक वैलिड है

Goverdhan Mines And Minerals
Authorised Person

प्रथम पक्ष
गोवर्धन माइंस एंड मिनरल्स, टोडिम

द्वितीय पक्ष
श्री राजेश पुत्र श्री तारा चाँद नजदीक
नई अनाज मंडी, तोशाम

Mines And Minerals
Authorised Person

M/s GOVARDHAN Mines & Minerals

Regd. Office: 51, U.E. - I, HISAR

Rajesh Tankar

Ledger Account

1-Feb-2018 to 2-Feb-2022

Date		Particulars	Vch Type	Vch No	Debit	Credit
10-9-2020	To	AU SMALL BANK	Payment	1212	89,325.00	
	By	Water Tanker Exp	Journal	709		90,000.00
	To	Tds Payable	Journal	710	675.00	
30-9-2020	By	Water Tanker Exp	Journal	826		90,000.00
	To	Tds Payable	Journal	827	675.00	
7-10-2020	To	AU SMALL BANK	Payment	1497	89,325.00	
31-10-2020	By	Water Tanker Exp	Journal	1013		90,000.00
	To	Tds Payable	Journal	1015	675.00	
5-11-2020	To	AU SMALL BANK	Payment	1809	89,325.00	
30-11-2020	By	Water Tanker Exp	Journal	1301		90,000.00
	To	Tds Payable	Journal	1302	675.00	
3-12-2020	To	AU SMALL BANK	Payment	2124	89,325.00	
31-12-2020	By	Water Tanker Exp	Journal	1489		88,200.00
	To	Tds Payable	Journal	1500	512.00	
4-1-2021	To	AU SMALL BANK	Payment	2387	67,688.00	
31-1-2021	By	Water Tanker Exp	Journal	1677		78,200.00
	To	Tds Payable	Journal	1678	587.00	
3-2-2021	To	AU SMALL BANK	Payment	2702	77,613.00	
28-2-2021	By	Water Tanker Exp	Journal	1968		90,000.00
	To	Tds Payable	Journal	1969	675.00	
5-3-2021	To	AU SMALL BANK	Payment	3076	89,325.00	
31-3-2021	By	Water Tanker Exp	Journal	2190		90,000.00
	To	Tds Payable	Journal	2191	675.00	
					5,97,075.00	6,86,400.00
	To	Closing Balance			89,325.00	
					6,86,400.00	6,86,400.00
1-4-2021	By	Opening Balance				89,325.00
16-4-2021	To	AU SMALL BANK	Payment	221	89,325.00	
30-4-2021	By	Water Tanker Exp	Journal	233		90,000.00
	To	Tds Payable	Journal	234	900.00	
12-5-2021	To	AU SMALL BANK	Payment	601	89,100.00	
31-5-2021	By	Water Tanker Exp	Journal	425		90,000.00
	To	Tds Payable	Journal	426	900.00	
10-6-2021	To	AU SMALL BANK	Payment	1011	89,100.00	
30-6-2021	By	Water Tanker Exp	Journal	617		90,000.00
	To	Tds Payable	Journal	618	900.00	
3-7-2021	To	AU SMALL BANK	Payment	1304	89,100.00	
31-7-2021	By	Water Tanker Exp	Journal	841		53,000.00
	To	Tds Payable	Journal	842	530.00	
11-8-2021	To	AU SMALL BANK	Payment	1857	52,470.00	
31-8-2021	By	Water Tanker Exp	Journal	1092		84,200.00
	To	Tds Payable	Journal	1093	842.00	
10-9-2021	To	AU SMALL BANK	Payment	2341	83,358.00	
30-9-2021	By	Water Tanker Exp	Journal	1302		68,200.00
	To	Tds Payable	Journal	1303	682.00	
12-10-2021	To	AU SMALL BANK	Payment	2040	67,518.00	
31-10-2021	By	Water Tanker Exp	Journal	1483		1,01,000.00
		Carried Over			5,84,725.00	6,85,725.00

continued ...

Rajesh Tankar

Detail of Plantation Area, Goverdhan Mines & Minerals

1	Just near Puran Weight Bridge	2.00 Acres
2	In front of Puran pit South side from path Puran weight Bridge to mines	1.00 Acres
3	Plantation in Strips near weight Bridge Puran	
	(i) One side 30 m length 14m width =30x14 =	0.11 Acres
	(ii) Other side 8 m width 90 m length = 8x90 =	0.16 Acres
	(iii) To Jai Bajrangbali 120 m length 4 m width Single layer Single layer = 120 x 4 =	0.10 Acres
	(iv) 190 m length 18 m width =	0.76 Acres
4	Plantation along Baganwala Road from Mihir weight Bridge to Bore well = 340 m x 10 m	0.76 Acres
5	Plantation in strips along Rasta from Sharma weight Bridge to Jai Bajrangbali weight Bridge	
	(i) Plot near Bajrang Bali weight Bridge = 24 x 50 =	0.27 Acres
	(ii) From Bajrang bali weight Bridge to hanuman Mandir = 7m width x 380 m length =	0.60 Acres
	(iii) Pit No. 27 to Pit No. 35-36 along Rasta= 300m length x 7m	0.48 Acres
	(iv) From Pit No. 35-36 to Sharma Weight Bridge = 310 m length x 3 m width=	0.23 Acres
	(v) Plantation in plot in front of hanuman Mandir towards Baganwala Road Near Shhoaka weight Bridge=	1.00 Acres
6	All weight Bridge Campus which is non susceptible of measurement L.S.	1.00 Acres
	Total Area	8.47 Acres

New Plantation

1	Near Baba Mungipa Weight Bridge toward North side	1.30 Acres
2	In between Pit No. 18-21 to Pit No. 1 East side (For Simple way near and around LAL BUILDING	4.50 Acres
	Total Area	5.80 Acres
	Grand Total	14.27 Acres

Goverdhan Mines and Minerals
Auth. Person

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From

The Director General,
Mines and Geology, Haryana,
30-Bays, Sector-17, Chandigarh.

To

M/s Govardhan Mines and Minerals,
House No. 51, Urban Estate-2,
Hisar.

Memo No. DMG/HY/ML/Dadam/2018/ 10604
Dated Chandigarh, the 2.8.18

Subject:- Show Cause Notice in respect of mining areas of villages Dadam, district Bhiwani.

On the above noted subject.

2. Whereas you (M/s Govardhan Mines and Minerals) are holding a mining lease for extraction of stone over an area of 46.87 hectares falling in Khasra nos. 132 min @ Rs. 92.12 crore per annum in village Dadam, district Bhiwani for a period of 10 years w.e.f 22.12.2018 . In this regard a lease deed on model Form ML 1 appended to the Haryana Minor Mineral Concession, Stocking and Transportation of Minerals, and Prevention of Illegal Mining Rules, 2012(the State Rules,2012) have been executed by you with the State/ Department.

3. Whereas as per lease deed executed by you with the State Government readwith Rule 56(8) of the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rules, 2012 (State Rules, 2012), all the mineral concession holders are to erect boundary pillars around the mining area at their own expenses as per their plan of mining and shall at all times maintain and keep the same in good condition. Each of the boundary pillars shall also be numbered along with the GPS readings dully marked thereon.

4. Whereas as per Rule 72 of the State Rules, 2012, the mining operations shall be undertaken in a scientific and systematic manner i.e. mining operations consistent with the approved Mining Plan/ scheme of mining, clearances/

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...missions granted by the competent authority. Any un-scientific operation or contravention of the terms of grant or permission (excepting the conditions relating to payment of government dues) to operate by the mineral concession holder shall amount to violation or breach of the grant.

5. Whereas, a the Inspecting Team headed by the State Geologist inspected your mining lease area in village Dadam district Bhiwani during its inspections of various mining areas of District Mahendergarh, Charkhi Dadri and Bhiwani from 12.02.2020 to 15.02.2020. The inspecting team observed/ found the following discrepancies in your lease hold area of village Dadam Bhiwani:-

(a) The depth of old pit in the Southern side of the lease area is about 109 meters where no bench formation was observed. In this part of lease, no bottom working was found at the time of the visit. This area of pit is being used for transportation of mineral using existing road network of this pit. The direction of advancement of mining is towards Northern side of the lease area.

(b) The depth of pit no. 8, 11 & 12 in Northern-Western side of the lease area was found to be around 30 meters from surface level and the inspecting team found only partial benches in operational lease hold area of Dadam mine.

(c) As per Mining Plan, the plantation was not found satisfactory. The survival rate is also very low.

(d) The team though checked the boundary pillars with the help of DGPS and location of the pillars was found as per lease map but being zig-zag area of lease for more accuracy survey work to fix boundary pillars be done using Total Survey station. Accordingly the same you shall also get the area / boundary pillars fixed after detailed survey using Total Survey station

6. Whereas, the above it is clear that during the inspection by the Inspecting Team discrepancies, as at (a) to (c) above you are hereby served with Show Cause Notice to show cause within a period of 15 days as to why your mining lease in village Dadam may not be suspended/ prematurely terminated on account of above said discrepancies found in the lease hold are of Dadam mine, district Bhiwani held by you. It is made clear that in case your reply to the notice is not received within the period of 15 days, further action in the matter will be

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initiated without giving further notice. Further action as per (d) shall be taken without any delay and shall be reported to this office and also to the office Mining Officer, Bhiwani for verification and reporting.

State Mining Engineer
For Director General, Mines and Geology,
Haryana

Endst. No. DMG/HY/ML/Dadam/2018/ 1944 Dated: 26.06.2020

A copy is forwarded to the Mining Officer, Mines and Geology Department, Bhiwani for information and further necessary action.

State Mining Engineer
For Director General, Mines and Geology,
Haryana

Annexure-D

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From

Assistant Mining Engineer,
Deptt. of Mines & Geology,
Bhiwani.

To

M/s Govardhan Mines and Minerals,
H.No. 51, Urban Estate-2, Hisar,
Stone Mine of vill. Dadam

Memo No. BWN/Dadam/ 719 Date: 05-08-2022

Subject: **Closure of Deep Mining pit along the Eastern Boundary of the Mine-regarding.**

*****

As you are aware that you are working in an area if 48.87 Hect mining area granted to you vide LOI dated 11.10.2018. The mining in the Eastern, North Eastern and South Eastern area of the mine situated along boundary pillar no. 13 to 19 has gone deep to a depth of approximate 300 feet and if you go further deeper, water table may be touched any time. Further, you have demolished the benches which were earlier present along the boundary of the deep pit as mentioned above. As per observation, no stone is available for mining in the said deep pit situated inside of the pillar no. 13 to 19 as the area along the boundary has already been mined out.

A number of complaints from the land owners of adjoining fields apprehending eroding of their land into the above stated pit have also received in this office directly or through other Authorities of the district.

In view to the above observations, you are hereby directed to stop carrying mining operations in the area of the deep pit situated inside the pillars no. 13 to 19 with immediate effect. You are also directed to get the area properly fenced and reclaimed in accordance with the mining plan of your mine.

Assistant Mining Engineer,
Deptt. of Mines & Geology,
Bhiwani.

Date: 05-08-2022

Endstt. No. BWN/Dadam/ 719

A copy of the above is forwarded to the Director General, Mines and Geology Department, Haryana, Chandigarh for kind information.

Assistant Mining Engineer,
Deptt. of Mines & Geology,
Bhiwani.

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M/s. Govardhan Mines & Minerals
Site: Dadam Mine, Dadam (Tosham)
Regd. Office: Near Hisar Naka, Khanak, Tosham-127040
Email ID: govardhanminesminerals@gmail.com Contact: 9992100001

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To

Director General,

Mines & Geology, Haryana.

Sir,

Sub:- Show cause notice in respect of mining area of village Dadam, Distt. Bhiwani.-

ref:-

Kindly refer to Memo no. DMG/HY/ML/Dadam/2018./4183 dated 5-10-2020 addressed to Mining Officer Bhiwani vide which a copy of Memo no. DMG/HY/ML/Dadam/2019/190< dated 26-6-2020 was received by us on 26-10-2020.

2. Vide above mentioned letter following discrepancies in the working of Dadam stone mines were pointed by inspecting team headed by State Geologist during period 12-1-2020 to 15-2-2020 in which all the mines of Bhiwani/Dadri/Mahendergarh were checked. The alleged discrepancies are as under:-

a) The depth of the old pit in southern side of the lease area is about 109 meters where no bench formation was observed. In the part of lease, no bottom working was found at the time of visit. This area of pit is being used for transportation of minerals using existing road network of this pit. The direction of advancement of mining is towards Northern side of lease area.

b) The depth of the pit no. 8,11 & 12 in Northern-Western side of lease area was found to be around 30 meters from surface level and inspecting team only found partial benches in operational lease hold area of dadam mine.

c) As per Mining plan, the plantation was not found satisfactory. The survival rate is also very low.

Vide show cause notice we have been asked to show why mining lease of Dadam mine may not be suspended/prematurely terminated.

3. On the above notice we submit as under:-

We started mining work in Dadam Stone mines from 25-2-2019. The mining work was started on the basis of judgment of Hon;ble High Court of Punjab & Haryana high Court in CWP no 28378 of 2018. The permission was given to Directions Mines & Geology vide Memo dated 21-12-2018. The mining work was started on the Environmental clearance granted to previous

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...der. Thus we are doing mining work on the terms & conditions of M/S Sunder marketing associate. We are doing mining as per norms and conditions of EC in the area of 48.87 hectares given to us. In the said pit whose depth is stated at 109 meters, we are using the existing roads for extractions of stone material which falls below from area in which mining is being done. The portion of said pit is same as that was allotted to us in auction. All rules and regulations of mining are followed while doing mining work in the area. In the said pit between pillers no. 13 to 19 the Mining Officer, Bhiwani vide Memo No. BWN/dadam/718 dated 5/8/2020 directed to stop mining operations. The Court of hon'ble Additional Civil Judge (sr. Div) tosham vide judgment dated 14-8-2010 directed the Mining department not to interfere in mining activities as provided by lease agreement or authorized by Govt. and authorities concerned. The order is still in force. A copy of judgment enclosed.

As regards second point is concerned, it is submitted that in mining work formation and breaking of Benches is regular process. The main issue is that the mining should be scientific i.e, there should not be danger to human life, vibrations are low, blasting is controlled and stones etc. do not go beyond 50-100 meters from blasting site. All these parameters are being followed. Benches are regularly formed. It is further submitted that Director General (mines & Safety) is the competent authority which looks after safety of mining operations. We are strictly following all the directions & Rules and every steps are being taken for scientific mining and safety.

The next point is regarding planting of trees. We have planted more 10000 trees not only in lease area but also on lands purchased by firm. The photographs of same are enclosed. The plants are growing. At the time of inspection only one year was passed since our working. We are enclosing photographs of plantations. These show the position as on today. We have installed permanent sprinkler systems for watering of these plants. A special team of workers have been deployed exclusively to after the trees planted. We are continuously planting trees. The plants are being planted as per conditions of EC.

In view of above it is prayed that notice for suspension/ prematurely termination may kindly be filed. It is further submitted that before considering any adverse action a revisit of/ re-inspection of mining area may kindly be considered. We assure you that we are doing mining as per terms and conditions.

Enc. CWP 28378 of 2018

Tosham court order

Photo of plants.

FOR GOVARDHAN MINES AND MINERALS

Govardhan Mines And Minerals

Authorised Signatory

Authorised Person

16/11/20

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The next point is regarding planting of trees. We have planted more 10000 trees not only in lease area but also on lands purchased by firm. The photographs of same are enclosed. The plants are growing. At the time of inspection only one year was passed since our working. We are enclosing photographs of plantations. These show the position as on today. We have installed permanent sprinkler systems for watering of those plants. A special team of workers have been deployed exclusively to after the trees planted. We are continuously planting trees. The plants are being planted as per conditions of EC.

In view of above it is prayed that notice for suspension/ prematurely termination may kindly be filed. It is further submitted that before considering any adverse action a revisit of/ re-inspection of mining area may kindly be considered. We assure you that we are doing mining as per terms and conditions

Enc. CWP 28378 of 2018

Tosham court order

Photo of plants.

FOR GOVARDHAN MINES AND MINERALS

Govardhan Mines And Minerals

Authorized Signatory

Authorised Person

12/8/20

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ANNEXURE-18

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LEGAL OPINION

Sub:- Legal advice for taking action in compliance of orders dated 11.08.2017 of Hon'ble Supreme Court passed in Special Leave to Appeal (C) No. 19166 of 2017 regarding Dadam Stone Mine of Tehsil Tosham District Bhiwani.

This file has been sent to the office of Advocate General, Haryana for its advice on the following issues:-

(a) As to what action be taken with regards to directions of the Hon'ble Supreme Court qua implementation of Mine Closure Plan on or before 30.11.2017 particularly keeping in view that the mine in question has not reached to the stage of final closure plan; and

(b) As to whether state shall take stringent action in the present case with regards to action for recovery of dues on account of the period prior to commencement of mining for want of environmental clearance particularly in the light of separate litigation pending before the Hon'ble Supreme Court and also that similar dues are pending against other mineral concession holders where such action had not been taken and also that Hon'ble Supreme Court while

disposing off the SLP allowed them to undertake mining till 30.11.2017.

The brief facts of the case may be noticed at NP-22 to 28. As may be noticed from the brief facts the decision taken by the Government dated 17.06.2015 permitting the transfer of 51% share of lead partner namely KJSL in the joint venture of M/s KJSL-Sunder (JV) in favour of minority partner M/s Sunder Marketing Associates was withdrawn by the State Government vide a detailed speaking order dated 29.09.2016. M/s Sunder Marketing Associates challenged the order dated 29.09.2016 by filing Civil Writ Petition No. 20986 of 2016 before the Punjab and Haryana High Court. The Hon'ble High Court initially stayed the operation of the order dated 29.09.2016. Finally, dismissed the writ petition vide order dated 01.06.2017 and upheld the order dated 29.09.2016. The Hon'ble High Court, however, continued the interim order upto 31.07.2017 to enable the petitioners to challenge this judgment. M/s Sunder Marketing Associates filed SLP (c) No. 19166 of 2017 challenging the order dated 01.06.2017 passed by the Hon'ble High Court. The said SLP was dismissed by the Hon'ble Supreme Court. The Hon'ble Supreme Court, however, permits the petitioners to continue its mining operation till 30.11.2017 in accordance with

Mining plan and also issued few other directions. The operative part of the order dated 11.08.2017 is reproduced as under:-

"33. Keeping in view the prayer made"

(i) We permit the petitioner to continue its mining operations till 30th November, 2017 in accordance with the Mining Plan. On or before that date, it shall ensure implementation of the mine closure plan to the satisfaction of the concerned authorities in the State of Haryana.

(ii) The petitioner will be under an obligation to continue paying the dead rent or royalty whichever is higher till 30th November, 2017 regardless of whether it ceases its mining operations before that date or not.

(iii) The petitioner shall ensure that all the dues (including wages etc.) of all the persons (including labour) employed in the mining operations in terms of Rule 56 (10) of the Rules are paid to the satisfaction of the concerned authorities in the State

of Haryana. To ensure that the employees and labour (casual or otherwise) are not left in the lurch, the petitioner is restrained from alienating or transferring or otherwise creating any charge or encumbrance on the equipment and machinery and all other moveable property in the lease area and connected with the mining operations (such as trucks, excavators etc.) so that there is no difficulty in recovery of dues.

(iv) All the laws applicable to the petitioner shall be strictly enforced by the State Government regardless of its apparent influence in high places. We make it clear that we will hold the Chief Secretary of the State of Haryana responsible for any lapse in this regard.

(v) It is not clear whether or not the security deposit of Rs. 28.75 crores has been refunded to KJSL or the petitioner. If the refund has not

been made, it is deemed to have been forfeited to the State and is not adjustable against any dues of the petitioner."

In compliance of the directions of the Hon'ble Supreme Court, the Chief Secretary Haryana had reviewed the action taken by all the concerned and held two meetings in this regard i.e. on 14.08.2017 and 18.09.2017. In the meeting held on 18.09.2017, it has been pointed out that M/s Sunder Marketing Associates has not paid the dues for the period prior to commencement of mining for want of environmental clearance. Though all the dues on account of dead rent for the period during which the mine was under operation from 29.10.2015 have been paid. Various notices have also been issued to M/s Sunder Marketing Associates by the AME, Bhiwani to deposit the dues for the period from 03.01.2015 to 28.10.2015. M/s Sunder Marketing Associates, however, its reply denied its allegations to pay the said due on the ground that since the lease deed executed on 05.08.2015 in favour of M/s Sunder Marketing Associates declared void by order dated 29.09.2016. It cannot be asked to pay dues for the un-operated period of mine. It has been noticed by the department that similar dues are pending against the other

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mineral concession holders and State is not taking coercive steps in such cases as a separate litigation is pending before the Hon'ble Supreme Court. Although M/s Sunder Marketing Associates is not a party in those cases. Another issue which has cropped up in the meeting held on 18.09.2017 is with regard to the closing of mining operation with the petitioner after 30.11.2017. It has been observed by the department that Mine Closure Plan are made and implemented for the mining areas where entire mineral deposits are extracted and area cannot be used for further mining. The directions of the Hon'ble Supreme Court in Para 33 (i) is that the petitioner shall ensure implementation of the mine closure plan to the satisfaction of the concerned authorities on or before 30.11.2017. The predicament of the department is as to how the said direction can be complied with when no mine closure plan can be prepared at this stage.

I have gone through the entire file and also the order passed by the Hon'ble Supreme Court. The Hon'ble Supreme Court has allowed the petitioner to continue its mining operation till 30.11.2017 in accordance with the Mining Plan. I am dealing with issue (b) as raised by the department at the first instance. The Hon'ble Supreme Court in its directions

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contained in Para 33 (iv) has observed that all the laws applicable to the petitioner shall be strictly enforced by the State Government regardless of its apparent influence in high places. Since the dues for the period after expiry of one year from the date of letter of intent and before the actual commencement of mining are also legally enforceable dues against the petitioner but at the same time the Hon'ble Supreme Court has permitted the petitioner to continue its mining operations till 30.11.2017, in my view, an interlocutory application may be filed in the Hon'ble Supreme Court bringing the above said fact with regard to the dues pending against the petitioner. The factum of the litigation pending in the Hon'ble Supreme Court with regard to the similar dues pending against other mineral concession holders may also be stated in the said application.

So far as the issue (a) is concerned, the Hon'ble Supreme Court in para 33 (i) has mentioned that the petitioner shall ensure implementation of the mine closure plan to the satisfaction of the concerned authorities on or before 30.11.2017. However, as per the department, the mine closure plan are made and implemented for the mining area where entire mineral deposits are extracted and the area cannot be used for further mining. Since in the

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present case, the mine had not reached to the stage of final closure, Mine Closure Plan cannot be made.

In my view, the above said fact can also be stated in the interlocutory application which I have advised to be filed with regard to the pending dues against the petitioner. By mentioning all the facts in the interlocutory application, the appropriate directions may be sought from the Hon'ble Supreme Court.

In view of above, the department may take decision at its own level.

Opined accordingly.

(Lokesh Sinhal)
Addl. Advocate General, Haryana.
11.10.2017.

Ld. A.G., Haryana

16.10.2017

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Pl. draft I/A.

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Annexure C-3

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IN THE HON'BLE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

I.A. No._____ of 2017
IN

SLP No (Civil) 19166 of 2017

IN THE MATTER OF :

Sonder Marketing Associates

.....Petitioner

Versus

State of Haryana and others

...Respondent

AND IN THE MATTER OF:-

State of Haryana,
Mines & Geology Department,
Chandigarh

...Applicant

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1.	Affidavit		

Special Secretary to Government Haryana,
Mines & Geology Department

Place: Chandigarh
Dated: 15.11.2017

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lease was granted for a period of 10 years through auction held in December 2013. The mine was granted subject to condition that the mining operations will be allowed only after obtaining environmental clearance as per requirement of EIA Notification dated 14.09.2006 of the MoEF, CC, GoI. Subsequently the share of lead partner was allowed to be transferred in the favour of M/S Sunder Marketing Associatys (in Short SMA) the minority partner, along with change in the name from M/s KJSL-sunder (JV) to M/s Sunder marketing Associates. In this way SMA owned all liabilities arising out of the lease.

3. That the MoEF, CC, GoI granted the EC on 03.08.2015 in favour of M/s KJSL-Sunder (JV) the original allottee. As by that time lease was allowed to be changed in the name of SMA the lease deed was executed with SMA on 05.08.2015. Keeping in view the specific requirement of the EIA notification dated 14.09.2006 of the MoEF, & CC, GoI, the SMA got the environment clearance also transferred in its name from the MoEF, & CC GoI on 28.10.2015. The SMA thereafter commenced mining operations in the Dadam mines area from 29.10.2015.

4. That subsequently the matter relating to granting of permission to mine for was re-examined and the permission for transfer of share of the lead partner was decided to be withdrawn. The notice issued on 16.08.2016 in this regard to SMA was challenged by them by way of a Civil Writ Petition no. 26725 of 2016 before the Hon'ble Punjab and Haryana High Court. As it was the stage of show cause notice and final decision was yet to be taken by Hon'ble Punjab and Haryana High

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Court vide orders dated 27.08.2016 disposed of the said writ petition with the direction that after hearing them the final orders be passed. However, in case the orders are adverse to the M/s Sunder Marketing Associates, the same shall not be implemented for a period of two weeks after the service of the same to SMA.

5. That after giving an opportunity being heard to the applicants, the Department vide orders dated 29.09.2016 withdrew the permission granted to transfer the share and the lease deed executed on 05.08.2015 with M/s Sunder Marketing Associates was also declared as void. However, the same could not have been implemented for a period of two weeks after the service of the same to SMA. In the meantime they challenged the orders dated 29.09.2016 by way of another Civil Writ Petition no. 20986 of 2016 and obtained stay on 29.06.2016 from the Hon'ble High Court.

6. That the Hon'ble Punjab and Haryana High Court vide judgment dated 01.06.2017 was pleased to uphold the orders of the State Government. However, the Hon'ble High Court in order to enable the petitioner to challenge the judgement continued the interim orders up to 31.07.2017.

7. That M/s Sunder Marketing Associates, challenged the orders dated 01.06.2017 of Hon'ble High Court by way of SLP (C) No. 19106 of 2017 which came up for hearing on 30.07.2017. The same was also dismissed by the Hon'ble Supreme Court vide orders dated 11.08.2017. However, the Hon'ble Supreme Court permitted the petitioners to continue its mining operations till 30.11.2017.

8. That in the light of above the mining operations being undertaken by

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M/s Sunder Marketing Associates in the area/ mine would be closed/ stopped on 30.11.2017. It is also submitted that the Mining Officer, Bhiwani, Mines and Geology Department along with revenue officials and police will take over the mining site at 12:00 Mid night 30.11.2017 and shall ensure that no operation of any nature is undertaken thereafter.

9. That it may be submitted that in view of above, actual operations by SMA in the present mining area has been/would be for about two years. As per existing status the mine / area the mineral deposits have not exhausted and huge material / mineral which otherwise would have been excavated during rest of the lease period or even after that remains to be excavated. The same shall now be mined out by the new lease holder after the fresh mining lease is granted.

10. That it may be pointed out that the Dadam stone mine after cancellation of the lease was put to auction on 23 August, 2017 and 22 September, 2017 for grant of mining lease for a period of 10 years with reserve price of Rs.115 crore per annum [equal to that of last bid price] In both rounds of auction no one came forward even to deposit the EMD. It may also be relevant to submit that Sh. Ved Pal Tanwar (Private Respondent before Hon'ble High Court) who stated/ undertook before the Hon'ble High Court that in case of fresh auction he would offer minimum bid of Rs.150 crore for the mine in question did not make any such offer. In fact Sh. Ved Pal Tanwar was directed by the Hon'ble High Court to deposit Rs.15 crore to the department before 31.07.2017 and participate in the fresh auction and shall offer [illegible] crore. In case of failure the amount of Rs.15

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crore (directed to be deposited) was ordered to be forfeited. The Sh. Ved Pal Tanwar submitted a post dated cheque of Rs.15 crore but same could not be encashed due to insufficient funds in his account. The department has already filed a Civil Miscellaneous Application for initiating contempt proceeding against Ved Pal Tanwar in the Hon'ble High Court. As the mine could not attract bid even with Reserve Price of Rs.115 crore per annum the area has been again notified for fresh round of auction to be held by 6th of December'201[illegible] with reduction of the reserve price by 20% i.e at the rate of Rs.92 crore per annum. Once the mine attracts a bidder, the fresh lease holder would prepare his own Mining plan for undertaking mining in the area after getting the Environmental Clearance and other required approval.

11. That it is worth clarifying here that a mining area after exploiting entire available and extractable mineral reaches the stage of closure i.e. a stage after which the area cannot be used for further mining. The mine closure plan, as per Rules, means steps taken for reclamation and rehabilitation measures of the land affected by the mining operation in the light of the present status of the mine to ensure mineral deposits have not been exhausted and are still available for further mining and that the mine in question has not reached the stage of Mine Closure. Even the contract was for a 10 year period and only 02 years or so have elapsed and the mine is expected to yield minerals for 5-7 years more at the present level of extraction. Hence as such the implementation of the mine closure plan at this stage can not be relevant. It may be also pointed out that the mine is an opencast mine of stone and has no processing unit. The only [illegible]

structures like office/ canteen etc and 07 weighbridges. The rest of the machineries / equipments are movable. Though the area of the lease on removal of the said structures may be required to be got levelled/ reclaimed but same shall be only a part of the lease. However, the permanent structures / weighbridges and other machineries have been taken in their inventory and would be allowed to be removed only after ensuring that all dues are cleared to the satisfaction of the authorities.

12. That it may also be worth pointing out here that the state of Haryana is also collecting an additional amount of 10% of the dead rent/ royalty for a fund namely the 'Mines & Mineral Development, Restoration & Rehabilitation Fund' under Rule 76 of the State Rules, 2012. This fund has been created to ensure that all mines after reaching the stage of closure are reclaimed and rehabilitated. M/s Sunder Marketing Associates have deposited a total amount of nearly Rs. 2[illegible] crore in the said fund and the same is lying with the department under the said Fund.

13. That it may also be a case where for undertaking the complete restoration and rehabilitation works in respect of any mining area arises only when a mine reaches the closure stage. In this regard it is likely that the mining operations would be undertaken by multiple mineral concession holders before reaching the stage of closure of a mine. In such case it becomes imperative that the comprehensive measures for restoration and rehabilitation of a mine are taken up only upon closure of such mine. The responsibility for execution of such plan should be with the mineral concession holder operating such area at

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the time of its closure. Since the contribution to the fund is also made by each of the lessees/ contractors who have operated the area during the intervening period, the financial burden of restoration and rehabilitation measures shall not be borne by the last contractor/ lessee alone. Hence any unused amount deposited in 'Mines & Mineral Development, Restoration & Rehabilitation Fund' would remain with the state and will be used at later stage. The related provisions of the State Rules, 2012 as contained in chapter 12 and the Notification dated 10 July, 2015 issued to establish the 'Mines & Mineral Development, Restoration & Rehabilitation Fund' are attached as Annexure R/1 and R/2.

11 That in view of above it is submitted that apart from some minor works relating to temporary mine closure, as per on-site conditions, such as fencing of some of the part of the mining pit, clearing of the waste material etc. no major works for mine closure plan may be required. The SMA has been directed to submit their closure plan and it will be ensured that same shall be got executed before 30.11.2017.

12 That the other important issue which is required to be brought to the notice/ kind consideration of this Hon'ble Court relates to recovery of the dues towards dead rent for the period of the lease before actual commencement of mining operations for want of environmental clearance. In this regard following may be considered:

12.1 That as per EIA Notification dated 14.09.2006 of the MoEF, CC, GoI for undertaking mining operations prior environmental clearance is necessarily required to be obtained by the project proponent.

12.2 That the state of Haryana in December,2015 auctioned the minor

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mineral mines subject to condition that mining operations would be allowed to be undertaken only after the prior environmental clearance is obtained by the project proponent as per requirement of the EIA Notification dated 14.09.2006 of the MoEF, CC, GoI. It was further stipulated that the period of lease shall commence w.e.f the date of grant of Environmental Clearance by the competent authority as per EIA Notification dated 14.09.2006 of the MoEF, CC, GoI or after expiry of 12 months from the date of issuance of LoI, whichever is earlier.

15.1 That in the cases of mines auctioned in December, 2013 (including in the present case) the bids accepted were communicated through LoIs issued on 03.01.2014

15.2 That none of the mineral concession holders could obtain the EC before 03.01.2015 i.e within the period of 12 months from the date of issuance of LoI. One of mining contractors granted mineral concessions on same terms and could not obtain the Environmental Clearance within 12 months from the date of issuance of LoI, filed a Civil Writ Petition no.of 2015 before the Hon'ble Punjab and Haryana High Court challenging the condition of the auction relating to the commencement of the period of w.e.f the date of grant of Environmental Clearance by the competent authority as per EIA Notification dated 14.09.2006 of the MoEF, CC, GoI or after expiry of 12 months from the date of issuance of LoI, whichever is earlier. It was alleged that time granted for seeking EC/ approval was less and it was sought that the period of lease and liabilities of payment of dues shall commence from the date of commencement of mining after

grant of Environmental Clarence / approvals.

15.5 That the Hon'ble High Court in said case on 02.01.2015 vide its interim orders restrained the state government from taking any coercive steps against the contractor for recovery of payment of amount for the un-commenced period prior to grant of Environmental Clearance. Subsequently many of the other similarly situated mineral concession holders filed similar cases before the Hon'ble Punjab and Haryana High Court and obtained same orders.

15.6 That mineral concession holder's during the pendency of the above said cases after obtaining the EC and other approvals commenced mining operations. Such mineral concession holders had not paid the dues for un-commenced period for want of environmental clearance. It is worth pointing that such dues could not be recovered from all mineral concession holders irrespective of the fact as to whether or not they were party in the High Court.

15.7 That subsequently said CWPs got dismissed as per orders dated 19.10.2015 of the Hon'ble High Court and Hon'ble High Court held that the lease holders shall pay dues as per terms of grant. However, the Hon'ble High Court stayed the operation of its own orders dated 19.10.2015 till 07.12.2015 in order to give opportunity to the petitioners to file appeal. A copy of the order / judgment dated 19.10.2015 is attached as Annexure R/3.

15.8 That orders dated 19.10.2015 of the Hon'ble High Court are under challenge before this Hon'ble Court. This Hon'ble Court on 27.11.2015 extended the stay dated 19.10.2015. But the same was vacated on 22.02.2016 with direction that if the petitioners deposits the amount

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within four weeks, then in case of their success, they will be entitled to refund with interest. In this way the related case is pending for adjudication before this Hon'ble Court in said SLPs. In view of above litigation the dues for the period before actual commencement of mining operations have not been paid by the mineral concession holders on the plea that litigation before Hon'ble Apex Court qua such liability is pending for adjudication.

18 That as have been stated in the initial paras the mining operations in case of Dadam stone mine commenced from 27.10.2015, the SMA as lease holder of the Dadam mine though had deposited all dues towards the monthly dead rent / royalty from 29.10.2015 to 31.10.2017 and Rs. 04,00,00,000/- as part payment of November,2017. The balance/ part instalment amount of Rs. 09,60,33,333/- pending on account of dead rent towards November, 2017 would also be recovered/ deposited before 30.11.2017. But the dues on account of dead rent for the un-commenced period of lease (i.e Rs. 76,25,62,500/- on account of dead rent for the period from 27.04.2015 to 28.10.2015 and interest of Rs.50,23,04,937/- calculated up to 30.11.2017 [in case the same is not deposited by the lessee in time], which total accounts to Rs. 144,48,71,938/- have not been paid. In this regard notices have been issued to the SMA by the Assistant Mining Engineer, Bhiwani. The SMA in reply to the notice has submitted before the AME Bhiwani that the dues for the period are not payable as the st ate revoked the permission granted to them w.e.f. 06.2016 and has thus declared the lease deed as void and once the lease itself got declared void and not allowed to complete the

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period they can not be asked to pay dues for the un-operated period of mine. The SMA on 27.11.2017 has also filed an appeal before the Director Mines and Geology as per provisions of the Rule 109 of the State Rules, 2012, challenging the demand of above dues.

(xv) That in view of above it is submitted that coercive action for recovery of the dues for the period prior to actual commencement of mining had not been taken at this stage in the light of separate litigation pending by way of NLP No. 32335 of 2015 pending for adjudication before this Hon'ble Court and also that similar dues are pending against other mineral concession holders and state is not taking coercive steps in such cases.

(xvi) That it is submitted that the SMA had furnished sureties of amount equal to that of Rs.115 crore at the time of execution of lease deed hence the dues if any for said period before commencement of mining are found to be recoverable would be liquidated from the SMA and/ or from the sureties offered by them as per procedure to be initiated as per law. Since the said surety is only for Rs. 115 crore, SMA be directed to give further surety to the extent of Rs. 30 crores more.

DEPONENT

VERIFICATION

Verified at Chandigarh on this 23. day of November, 2017, I, the above named deponent do hereby verify that the contents of the above additional affidavit are true and correct. No part of it is false and nothing material has been concealed therein. The financial figure in respect to installment stated above is of as on 17.11.2017.

DEPONENT

period they can not be asked to pay dues for the un-operated period of mine. The SMA on 27.10.2017 has also filed an appeal before the Director Mines and Geology as per provisions of the Rule 109 of the State Rules, 2012, challenging the demand of above dues.

10. That in view of above it is submitted that coercive action for recovery of the dues for the period prior to actual commencement of mining had not been taken at this stage in the light of separate litigation pending by way of SLP No. 32335 of 2015 pending for adjudication before this Hon'ble Court and also that similar dues are pending against other mineral concession holders and state is not taking corrective steps in such cases.

11. That it is submitted that the SMA had furnished sureties of amount equal to that of Rs.115 crore at the time of execution of lease deed hence the dues if any for said period before commencement of mining are found to be recoverable would be liquidated from the SMA and/ or from the sureties offered by them as per procedure to be initiated as per Law. Since the said surety is only for Rs. 115 crore. SMA be directed to give further surety to the extent of Rs. 30 crores more.

DEPONENT

VERIFICATION

Verified at Chandigarh on this 23. day of November, 2017. I, the above named deponent do hereby verify that the contents of the above additional affidavit are true and correct. No part of it is false and nothing material has been concealed therein. The financial figure in respect to installment stated above is of [illegible] 2017.

DEPONENT

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ANNEXURE-19

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Minutes of meeting held under the Chairmanship of Chief Secretary Haryana on 01.12.2017 at 04.00 PM to review the action taken for compliance of orders dated 11.08.2017 of Hon'ble Supreme Court passed in Special Leave to Appeal (C) No. 19166 of 2017 regarding Dadam Stone Mine of Tehsil Tosham district Bhiwani.

The following were present:

1. Sh. A.K. Singh, IAS, Principal Secretary, Mines & Geology, Haryana
2. Sh. Sanjay Joon, IAS, Director, Mines & Geology, Haryana
3. Sh. Ansul Singh, IAS, Deputy Commissioner, Bhiwani
4. Sh. P.K. Sharma, State Mining Engineer, Mines & Geology, Haryana
5. Sh. Rameshwere Mehra, Addl. ETC, Haryana
6. Sh. Rajev Chaudhary, Joint ETC, Haryana
7. Sh. R.K. Sharma, Mining Engineer, Mines & Geology, Haryana
8. Sh. Bhupinder Singh, Mining officer, Bhiwani

2. At the outset, it was informed by the DC Bhiwani that operations of the Dadam mine which were to be stopped on 30.11.2017, actually got closed on 22.11.2017 itself as per orders dated 22.11.2017 of the Hon'ble High Court passed in CWP No. 26094 of 2017. He further informed that on 30.11.2017 the possession of the mine as well as deployed machinery and other immovable assets including the mineral (broken stone which could not be removed) was taken over by the Mining Officer and other officers of the district administration specially deputed for the purpose. He also informed that adequate police force has been deployed in the area to assist the department in ensuring that no illegal mining takes place or the mineral and the machinery seized are not removed from the area till all dues are cleared. The latest report of the Deputy Commissioner, Bhiwani dated 30.11.2017 along with details of machinery etc (available on file) was considered and discussed.

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3. The action taken on each of the directions of the Hon'ble Supreme Court as contained in the para 33 of the orders dated 11.08.2017 were reviewed in detail as under:-

Para 33(i) *"We permit the petitioner to continue its mining operations till 30th November, 2017 in accordance with the Mining Plan. On or before that date, it shall ensure implementation of the mine closure plan to the satisfaction of the concerned authorities in the State of Haryana."*

In this regard, the Deputy Commissioner, Bhiwani informed that as per reports of the Mining Officer, Bhiwani the mining in the area has been carried out within permissible limits under the approved Mining plan and M/s SMA has not excavated the mineral more than the permissible quantity. It is already on record that the mine has not reached to the stage of final closure and it is being auctioned again for operation for another term of 10 years. The e-auction is scheduled for 6th December, 2017 at a reserve price of ₹ 92 crores after two previous auctions failed to elicit a response. The Mine Closure Plan is implemented for reclamation and rehabilitation measures of the land affected by the mining operation after the area reaches to the stage of closure. Thus, in the mine in question the mineral deposits have not been exhausted and are still available for further mining. The department is in process of granting the mine for fresh allotment and the new lease holder after taking all approval would undertake further mining in the area.

Hence, as such the implementation of the mine closure plan at this stage is not required as per law and rules. Minor works relating to temporary mine closure such as fencing of some of the part of the mining pit is being done and no major works for mine closure was required. It was also pointed

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out that as per decision taken in the earlier meeting the advice of AG, Haryana was obtained on 17.10.2017. On the basis of the same initially it was decided to file an IA and bring the factual position to the notice of Hon'ble Apex Court. However, due to a fresh court matter relating to compensation to a private land owner, the matter is under consideration of the Hon'ble High Court and related facts have been placed before Hon'ble High Court in CWP No. 26094 of 2017 and action as per orders in this writ will be taken.

Para 33(ii) ***"The petitioner will be under an obligation to continue paying the dead rent or royalty whichever is higher till 30th November, 2017 regardless of whether it ceases its mining operations before that date or not."***

a. As regards the pending dues, the Mining officer Bhiwani informed that payment of ₹ 4.00 Crore towards dead rent for the month of November, 2017 has already been paid and the remaining amount of ₹ 5.58 Crore (for the period up to 30.11.2017) was due. In this regard, it was clarified that mining operation in the mine got closed on 22.11.2017 itself as per orders of Hon'ble High Court. So the dead rent for the period from 23.11.2017 to 30.11.2017 may not be recoverable and also for a few days in this month mine was closed by the HSPCB as per directions of EPCA in another case qua Smog in North India pending in NGT. The final accounts for the current month will be settled after adjusting the same and balance shall be fully recovered.

Actual mining closed on 22.11.2017 but it was to close upto 30.11.2017 as per directions of Hon'ble the Supreme Court / High Court

b. The status of the pending dues on account of dead rent payable for the period prior to commencement of mining i.e. for the period from 03.01.2015 to 29.10.2015, was also discussed and it was informed that action for recovery of the same is being taken as per law. The

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said amount shall be recovered from the lease holder and his sureties as arrears of land revenue as per due provisions of law. The department has sureties of Rs. 115 crore which were taken at the time of execution of lease. The Mining Officer, Bhiwani was directed to take further action to get the amount declared as arrears under Land revenue as per rule 113 of State Rules, 2012. It was further decided that concerned departments shall prepare details for the dues which were pending before 11.08.2017 and the dues thereafter.

c. As per report of ETC, Haryana an amount of ₹ 28,71,25,595/- is due against M/s Sunder marketing associates. Sh. Rameshwar Mehra, Addl. ETC, Haryana informed that the Excise & Taxation department is taking action as per its law and rules to recover the dues relating to VAT/GST and shall invoke their surety, if needed.

d. As regards, the compensation to the Gram Panchayat, Dadam it was informed that all dues till 20.11.2017 have been paid.

After detailed deliberations it was decided that all related departments shall ensure that action as are required to recover the dues pending against the SMA are recovered as per the respective relevant laws and required action is taken without any further delay.

Para 33(iii) ***"The petitioner shall ensure that all the dues (including wages etc.) of all the persons (including labour) employed in the mining operations in terms of Rule 56(10) of the Rules are paid to the satisfaction of the concerned authorities in the State of Haryana. To ensure that the employees and labour (casual or otherwise) are not left in the lurch, the petitioner is restrained from alienating or transferring or otherwise creating any charge or encumbrance on the equipment and machinery and all other moveable property in the lease area***

and connected with the mining operations (such as trucks, excavators etc.) so that there is no difficulty in recovery of dues."

The Deputy Commissioner, Bhiwani informed that matter relating to payment of wages to the labours and other employees working in the mine relates to Labour Commissioner, Ministry of Labour, Government of India. He informed that as per latest report received from the ALC (C) Karnal, GoI all dues towards the wages/Salary to the employees and labourers have been paid.

Para 33(iv) *"All the laws applicable to the petitioner shall be strictly enforced by the State Government regardless of its apparent influence in high places. We make it clear that we will hold the Chief Secretary of the State of Haryana responsible for any lapse in this regard."*

Chief Secretary Haryana has been regularly, once every fortnight, reviewing the status since 11.08.2017 and all the directions issued are being complied with. The operations in the area has been stopped and vigil is being maintained to ensure that no illegal mining or encroachment happens in the mine area.

Para 33(v) *"It is not clear whether or not the security deposit of Rs. 28.75 crores has been refunded to KJSL or the petitioner. If the refund has not been made, it is deemed to have been forfeited to the State and is not adjustable against any dues of the petitioner."*

The Director Mines & Geology has on 17.08.2017 ordered the forfeiture the security amount of ₹ 28.75 Crore lying with the department as per the directions of Hon'ble Supreme Court.

The meeting ended with note of thanks to the Chair and all present.

———x———

ANNEXURE - 20

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From

Mining Officer,
Deptt. of Mines & Geology,
Bhiwani.

To

Babu Ram,
Technical Expert,
Office of the Monitoring Committee, Tower No. 5, 4th Forest Complex,
Sector 68, SAS Nagar, Mohali

Memo No. BWN/Dadam/319 Date: 17/03/2022

Subject: Minutes of the meeting of the joint Committee, constituted by Hon'ble National Green Tribunal, for investigation of issue regarding illegal Mining in area of 0.8 Hectare in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of irrigation, in compliance to order dated 20.07.2021 and 10.01.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 14.03.2022 at 11.00 AM in the Committee Room, HSPCB, Sector-6, Panchkula.

*****

Kindly refer to your memo no CMC/2022/700 dated 15.03.2022 on subject cited above.

In this regard reply of the para 2.3 that it is intimated that a survey of Dadam stone Mines conducted on 14.03.2022 & 15.03.2022 by Sh. U. Narasimha, Senior Surveyor, HQ, Panchkula along with Sh. Sonu, Mining Inspector Bhiwani. The team used GPS machine and measuring tape for survey work to measuring 7.5 meter barrier area along the mining lease boundary line of Dadam Stone Mine. During the Survey it is found that total area of 7.5 meters barrier along the mining lease boundary is 3.91 Hectares, out of which the encroachment area in 7.5 meters barrier is 0.37 Hectares and the volume of the material extracted is found 64,167 MT. Undisturbed balance area is left in 7.5 meter barrier line along mining lease boundary is 3.54 Hectares. Survey Report is Attached herewith.

Encl:- As above.

Mining Officer,
Deptt. of Mines & Geology,
Bhiwani.

Endstt. No. BWN/Dadam/320-21 Date: 17/03/2022

A copy of above is forwarded to following for kind information:-

1- Director General, Mines and Geology Department, Panchkula
2- Deputy Commissioner, Bhiwani.

Mining Officer,
Deptt. of Mines & Geology,
Bhiwani.

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INSPECTION REPORT OF DADAM MINES IN RESPECT OF OA NO. 169/2021 IN THE MATTER OF KULDEEP SINGH V/S STATE OF HARYANA AND OTHERS AND OA NO. 01/2022 HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

As per the direction issued by Joint Committee constituted by the Hon'ble NGT in OA No. 01/2022 as the Indian Express Newspaper dated 02.01.2022 titled "Four Killed in Haryana Mine landslide" in proceeding of visit dated 04.02.2022 and the Monitoring Committee in OA No. 169/2021 vide memo no. EMC/2022/780 dated 08.03.2022 in its meeting dated 07.03.2022.

In this regard Sh. U. Narasimha Senior Surveyor, HQ, Panchkula along with Sh. Sonu, Mining Inspector, Bhiwani inspected on dated 14 & 15.03.2022. The team used GPS machine and measuring tape for survey work to measuring 7.5 meter barrier area along the mining lease boundary line of Dadam Stone Mine. The Details of broken/encroachment area in 7.5 meter barrier is found given as under:-

Pocket No.	Location	Area (in Hectare)	Quantity of Mineral Extracted (in M.T.)
P-1	Near Boundary Pilar No. 1	0.08 (110X7.5)	20625
P-2	Between Boundary Pilar No. 1 & 2	0.02 (30X7.5)	5625
P-3	Between Boundary Pilar No. 16 & 17	0.03 (40X7.5)	3750
P-4	Between Boundary Pilar No. 19 & 20	0.024 (60X4.0)	2400
P-5	Between Boundary Pilar No. 28 & 29	0.024(32X7.5)	6000
P-6	Between Boundary Pilar No. 30 & 31	0.02(52X3.5)	2730
P-7	Between Boundary Pilar No. 31 & 32	0.01(40X3.5)	2100
P-8	Between Boundary Pilar No. 32 & 1	0.06(80X7.5)	6000
P-9	Near Boundary Pilar No. B	0.03(50X5)	3125
P-10	Between Boundary Pilar No. B & C	0.02(30X7.5)	3937
P-11	Between Boundary Pilar No. C & 1	0.05(70X7.5)	7875
	TOTAL	0.37	64167

Total area of 7.5 meters barrier along the mining lease boundary is 3.91 Hectares, out of which the encroachment area in 7.5 meters barrier is 0.37 Hectares. Undisturbed balance area is left in 7.5 meter barrier line along mining lease boundary is 3.91-0.37 = 3.54 Hectares., Map Enclosed.

Submitted for further action please.

16/3/2022
Mining Inspector,
Bhiwani

14/3/2022
Sr. Surveyor, HQ
Panchkula

Mining Officer,
Dept. of Mines and Geology
Bhiwani

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ANNEXURE-21

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From

The Director General,
Mines and Geology, Haryana,
DHL Square, Plot No. 9, IT Park, Sector-22, Panchkula.

To

Dr. Babu Ram,
(Technical Expert, Monitoring Committee Constituted by Hon'ble NGT),
Tower No. 5, 4th Floor, Forest Complex,
Sector 68, SAS Nagar.

Memo No. DMG/HY/Comp/Rakesh Dalal/Dadam/ 2073
Dated Panchkula, the 22-3-22

Subject: **Action taken by the Department of Mining on the reply of show cause notice submitted by M/s Govardhan Mines & Minerals vide its letter dated 16.11.2020**

Please refer to your e-mail dated 19.03.2022 on the subject noted above.

2. At the outset, it is submitted that the Joint Committee has a meeting on 14.03.2022 deliberated various issues and circulated the minutes of meeting on 15.03.2022 but the copy was not sent to this office. The committee had discussed the related issues in its next meeting held on 19.03.2022 and after follow up with SME, sent the e-mail along with minutes of meeting and is placed below at PUC.

3. As regard point no. 2.3 it pointed out that following issues had been recorded:

1) The Mining officer, Department of Mines & Geology, Bhiwani shall submit the progress report regarding 7.5 m barrier all around the boundary of the mining lease area and the status of plantation done in the strip of 7.5 m all around the mining lease area and the volume of the material extracted illegally by M/s Sunder Marketing Associates and M/s Govardhan Mines and Minerals.

2) The Mining Department shall submit the response of the department on the reply of the show cause notice submitted by M/s Govardhan Mines & Minerals vide its letter dated 16.11.2020 and action taken regarding closing of deep mining pit as per letter dated 5.8.2020 of the department, as mentioned in para-No. 7 of order dated 18.01.2022 of Hon'ble National Green Tribunal. The matter may be taken with the Sh. P.K. Sharma, State Mining Engineer, Department of Mines & Geology, Panchkula.

4. As regard progress report regarding 7.5 m barrier all around the boundary of the mining lease area and the status of plantation done in the strip of 7.5 m. It is pointed out that as per terms and conditions of the EC, granted by the SEIAA on 24.12.2020 (copy enclosed) in favour of the M/s Govardhan Mines and Minerals the related condition is as under:

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"The project Proponent shall develop green belt in 7.5 meters wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from the mining operations within the lease. The whole green belt shall be developed within first 05 years starting from windward side of the active mining area. The development of green belt shall be governed as per the EC granted irrespective of the stipulations made in approved mining plan."

5. In the light of above, the green belt all around lease boundary, the green belt should be developed within 05 years of the lease period. In this regard, as per information provided by the Mining Officer, Bhiwani he got the whole sides of lease granted in favour of M/s Goverdhan Mines and Mineral, through Sr. Surveyor of the Department and has given his report to the Committee. **The copy of report submitted by the Mining Officer, Bhiwani is not available on records at head office.**

6. As regard the response of the department on the reply of the show cause notice submitted by M/s Govardhan Mines & Minerals vide its letter dated 16.11.2020 and action taken regarding closing of deep mining pit as per letter dated 5.8.2020 of the department, as mentioned in para-No. 7 of order dated 18.01.2022 of Hon'ble National Green Tribunal. It is submitted that:

6.1 An inspecting Team of the department on 12.02.2020 during inspection observed that the depth of a old pit in the Southern side of the lease area was about 109 meters and in the bottom no working was found / noticed. The said part / side was not having any bench formation. The team noted that the said part of lease area/ pit was being used for transportation of mineral using existing road network of this pit.

6.2 Team found partial benches in operational lease hold area of Dadam mine the depth of other pit No. 8, 11 & 12 (as marked by the lease holder) on Northern-Western side of the lease area was found to be around 30 meters from surface level.

6.3 The team noted that as per Mining Plan, the plantation was not found satisfactory and the survival rate was reported to be very low.

6.4 The team found boundary pillars as per lease map but suggested the same to be surveyed to fix boundary pillars using Total Survey Station.

7. As show cause notice dated 26.06.2020 was issued to them directing them to explain their position on above (copy enclosed). The Show Cause Notice dated 26.06.2020 was received back undelivered on 03.09.2020, so was again sent on 05.10.2020 for delivery of same through Mining Officer, Bhiwani.

8. In the meantime, the then AME, Bhiwani having noted that between pillar no 13 to 19 of the lease hold area where the depth was already about 300 feet directed them to stop any further mining in apprehensions that water table may be touched and also to fence the area. He also informed them that there were benched in the past but same were demolished vide letter dated 05.08.2020 directed to stop mining operations.

9. M/s Govardhan Mines and Minerals filed a civil suit before the Court of Hon'ble ADC (Sr. Div) Tosham who vide orders dated 14.08.2020 directed the Mining Department not to interfere in mining activities as provided by lease agreement or authorized by Government and authorities concerned. Keeping in view that actual mining was not undertaken for further digging and was being used for other ancillary works such as for transportation of vehicles, parking of machinery etc., the orders dated 05.08.2020 had no impact as it was not to permit any mining which was not permissible as per terms of grant.

10. M/s Govardhan Mines and Minerals in response to said notice dated 26.06.2020 vide their letter dated 16.11.2020 (stated that they could receive the notice on 26.10.2020 only) stated that the pit whose depth is stated to be 109 meters, they are using the existing roads for transportation of mineral excavated from the mine. As per the lease holder the position of said pit was same as was allotted to them in auction and at the time of inspection held in Feb, 2020 their operations were only one year old. With regard to partial benches on other side it was claimed that in mining operations the formation and breaking of Benches is regular process and same is being ensured as per regulating authority Director General Mines Safety, Government of India for scientific mining and safety. Even about plantation they claimed that within one year they planted more than 10000 trees not only in leased area but also on lands purchased by firm and a special team of workers have been deployed exclusively to after the trees planted and they are continuously planting trees as per conditions of EC.

11. In the meantime, an OA No. 132 of 2020 Rakesh Dalal v/s State got filed before the Hon'ble NGT on similar issues in Dadam Mine. Further, in an another matter CWP No. 15753 of 2020 filed by one Smt. Ram Ratti, before taking further action the DGMG directed Sr. Geologist and Sr. Surveyor to inspect the 'Dadam' Stone mine and give full detailed report on the working of lease holder including allegations of illegal mining, mining as per terms of grant, locations/verification of boundary pillars etc. and submit consolidated report on all complaints. As per their report dated 03.11.2020, the boundary pillars were found in place and the maximum depth of the mining pit (in part earlier noticed in Feb, 2020) was 109 meters from surface level, hence was same as was found in last inspection. The allegations in said CWP No. 15753 of 2020 were negated by the team and based on same detailed written submissions were filed before the Hon'ble High Court.

12. Further, as stated earlier another matter was under consideration of the Hon'ble NGT and reports were submitted by the team of officers of the Forest, Pollution Control Board and Mining through HSPCB and then through other teams as per orders of the Hon'ble NGT. In said reports even the report dated 03.11.2020 of the Sr. Geologist got filed before the Hon'ble NGT in OA No 132 of 2020.

13. In the light of above, the whole issues raised under notice dated 26.06.2020 issued by the Department based on inspection dated 12th Feb, 2020 and letter dated 05.08.2020 of the then AME, Bhiwani and further report dated 03.11.2020 came

under legal scrutiny of the Hon'ble NGT also in OA No 132 of 2020. The Hon'ble NGT disposed of the OA No 132 of 2020 vide orders dated 02.06.2021.

14. However, The Hon'ble NGT vide an order dated 28.07.2021 passed in OA No. 169/2020 – **Kuldeep Singh** Versus State of Haryana sought fresh report by the Committee headed by Justice Mr. Pritam Pal, Retd. High Court Judge and now the matter is under consideration for filing of final report.

15. In the light of above the issues which were raised in the show cause notice dated 26.06.2020 issued by the department and letter dated 05.08.2020 of the Mining Officer Bhiwani were / are still under examination, so no further action could be taken as matter could not have been concluded.

Encls: As above.

Mining Engineer,
for Director General, Mines and Geology,
Haryana, Panchkula.

ANNEXURE R/21

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STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HARYANA
Bay No. 55-58, Paryavan Bhawan, Sector-2, PANCHKULA
Tel: 0172-2560232
E-mail Id: seiaa.hry@gmail.com

No. SEIAA(120)/HR/2020/

Dated: ____/12/2020

To

M/s Govardhan Mines & Minerals,
House No. 51, Urban Estate-2, Hisar, Haryana-125005
E-mail Id: wazirsinghkuhar@gmail.com

Subject: **Environment Clearance for Proposed Mining Project "Stone along with associated Minor Mineral Mine, Projection capacity (ROM) 15307992.7 TPA at Khasra No. 132 Min, Mine Area 46.87 Ha Near Village Dadam, Tehsil Tosham, District Bhiwani, Haryana.**

1) This letter is in reference to your application dated 18.06.2019 addressed to M.S. SEIAA, Haryana received on 20.06.2019 and subsequent letters dated 25.07.2019, 02.11.2020 & 12.11.2020 seeking prior Environmental Clearance of the above project under the EIA Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., Form-1, Pre-feasibility report, copy of approved Mining Plan, EIA/EMP on the basis of approved TOR and the additional clarifications furnished in response to the observations of the State Expert Appraisal Committee (SEAC) constituted by MoEF & CC, GoI vide their Notification dated 30.01.2019, in its meeting held on 28.02.2019, 25.07.2019 & 16.11.2020.

2) The SEAC has examined the application for Mining Project "Stone along with associated Minor Mineral Mine, Projection capacity (ROM) 15307992.7 TPA at Khasra No. 132 Min, Mine Area 46.87 Ha near Village Dadam, Tehsil Tosham, District Bhiwani, Haryana. The detail of the project is as under:

Sr. No.	Particulars			
1.	Online Proposal Number	SIA/HR/MIN/56009/2018		
2.	Latitude	Pillar No.	Latitude	Longitude
3.	Longitude	P-1	28°53' 14.7375"N	75°50' 40.0167"E
		P-2	28°53' 12.2486"N	75°50' 52.8392"E
		P-3	28°53' 17.4676"N	75°50' 54.0918"E
		P-4	28°53' 16.8270"N	75°50' 57.3155"E
		P-5	28°53' 12.6396"N	75°50' 56.968"E
		P-6	28°52' 11.4548"N	75°51' 01.0161"E
		P-7	28°53' 13.2672"N	75°51' 03.964"E
		P-1	28°53' 13.2086"N	75°51' 04.2481"E

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P-9	28°53' 10.6602"N	75°51' 06.5519"E
P-10	28°53' 08.9869"N	75°51' 13.1925"E
P-11	28°53' 09.1481"N	75°51' 15.5943"E
P-12	28°53' 11.7797"N	75°51' 18.1465"E
P-13	28°53' 12.9145"N	75°51' 21.3148"E
P-14	28°53' 11.7833"N	75°51' 22.2179"E
P-15	28°53' 01.9383"N	75°51' 22.4746"E
P-16	28°53' 01.9450"N	75°51' 21.5245"E
P-17	28°52' 56.9241"N	75°51' 18.453"E
P-18	28°52' 55.6067"N	75°51' 16.6778"E
P-19	28°52' 55.4439"N	75°51' 12.6869"E
P-20	28°52' 58.0181"N	75°51' 11.5553"E
P-21	28°52' 59.1414"N	75°51' 8.0104"E
P-22	28°52' 58.4532"N	75°51' 4.4678"E
P-23	28°52' 56.3512"N	75°51' 2.2339"E
P-24	28°52' 54.9888"N	75°50' 59.455"E
P-25	28°52' 51.9484"N	75°50' 58.1109"E
P-26	28°52' 52.0634"N	75°50' 55.4144"E
P-27	28°52' 50.2454"N	75°50' 51.3455"E
P-28	28°52' 51.8567"N	75°50' 46.0144"E
P-29	28°52' 55.8663"N	75°50' 41.8626"E
P-30	28°53' 01.6004"N	75°50' 38.7877"E
P-31	28°53' 06.4183"N	75°50' 36.9323"E
P-32	28°53' 12.6679"N	75°50' 37.8223"E
P-33	28°53' 11.3924"N	75°50' 42.3651"E
P-34	28°53' 07.3594"N	75°50' 39.9908"E
P-35	28°52' 58.8510"N	75°50' 43.8563"E

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Table: 2
Environment Management Expenditure

Sr. No.	Description of Item	Budgetary Calculation	Capital Cost (Rs)	Recurring Cost (Rs)/ Year
1	Air Pollution Control - Water Sprinkling	Water Sprinkling	-	50,000/-
2	Water Pollution Control	(Maintenance of toilet facility Provided at mine site)	-	20,000/-
3	Environmental Monitoring and Management	1. Air quality monitoring location (6×5000×2)= 60,000 2. Water sampling analysis (5× 3000 × 2)= 30,000 3. Soil Sampling analysis (6×3000×1) = 18,000 4. Noise Sampling (6×1500×2)= 18,000	1,20,000 (Weather Monitoring Station)	1,26,000/-
4	Green Belt Development	Water and maintenance cost for 200 days (100 Rs/plant) 100 Rs./plant 100 X 2725= 2,72,500 Rs./-	2,72,500 Rs./-	50,000/-
5.	Environmental Awareness	Awareness campaign to be carried out on various environmental issues, practical training	-	1,00,000
6.	Social Welfare	Health check-up Camp, Sanitation facility, Infrastructure Development in nearby school, Education facility such as Books, Uniforms	5,00,000	----
		Total	8,92,500	2,46,000

Table3:
List of Machinery

S. NO.	Machine	No's	Capacity
1	JCB/Excavator/ Scrapper	6	0.9 m³
2	Dumper	12	16 Tons
3	Water Tanker	1	4000 Liters
4	Light Vehicles		.....

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TABLE 4:

Year wise Production details of Mineral and waste

Year	ROM(in MT)
1st year	559543.808
2nd year	559543.808
3rd year	559543.808
4th year	559543.808
5th year	559543.808

The SEIAA in its 126th meeting held on 11.12.2020 decided to agree with the recommendations of SEAC to accord Environment Clearance for One Year under Category B1, 1(a) to this project by imposing the following conditions:

A. Specific Conditions:-

1. The PP shall comply with sand and mining Enforcement & Monitoring Guidelines for Sand Mining, 2020.
2. The PP shall construct the paved link roads connected to the main road at the mining site before the start of mining.
3. The PP shall construct the Haul roads of width 10 meters.
4. The PP shall submit the approved Wildlife Conservation Plan by Chief Wildlife Warden /Competent Authority before the start of the mining.
5. The PP shall provide only one exit and one entry to the Mining Project area and all the mining shall be dispatched through E-billing.
6. The PP shall maintain at un-mined block of 50 meters width after every block of 1000 meters over which mining is undertaken or at such distance as may be directed by the Director or any officer authorized by him.
7. The PP shall restrict mining within the central 1/4th width of the river/rivulet.
8. The PP shall not permit any mining in a river bed up to a distance of five times of span of a bridge on upstream and ten times the span of such bridge on downstream side , subject to a minimum of 250meters on the upstream side and 500 meters on the downstream side.
9. The PP shall not exceed depth of mining in the river bed more than 3 meters from the un-mined bed level at any point in time with proper bench formation.
10. The PP shall not permit any mining in an area up to width of 500 meters from the active edges of embankments in case of River Yamuna, 250 meters in case of Tangri, Markanda and Ghaggar and 100 meters on either side of all other rivers/rivulets.
11. The PP shall develop 4.356 hectares for Green Area development outside the lease area of the project.
12. Separate wet and dry bins must be provided in each unit and at ground level for facilitating segregation of waste. Solid Waste shall be segregated into wet garbage and inert materials. Wet Garbage shall be composted in Organic waste convertor. Adequate area shall be provided for solid waste management within the premises which will include area for segregation, composting. The Inert waste from the project will be sent to dumping site.
13. The PP shall maintain the garland drains in the project area and catchment area for preserving overburden and dump mining.
14. The PP shall take all measures that while mining, heavy machineries shall not be used for excavation/digging which may adversely impact the aquatic biota.
15. Traffic management plan as submitted shall be implemented in letter and spirit. Apart, a detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of services of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project.

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16. The PP shall not carry out the mining below 3 meter depth in the project area as per approved mining plan.
17. The PP shall submit the scientific replenishment study for the project site in the river bed within 1 year after the start of the mining at the project site.
18. The Project Proponent shall obtain all necessary clearance/permission from all relevant agencies before commencement of work.
19. Consent to establish/operate for the project shall be obtained from the State Pollution Control Board as required under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
20. The PP shall take precautions to suppress the dust in and around the mining site. The PP shall use mixed cannon water sprinkle for dust suppression instead of conventional sprinkles for efficient dust suppression.
21. The PP shall also provide the 2 truck mounted mist cannon in the project for suppression of dust and shall use the treated water, if feasible.
22. The PP shall create environment division unit in the project for implementing the conditions of Environment clearance.
23. The PP shall obtain the permission regarding withdrawal of ground water from CGWA before the start of the project and also obtained the CTO from HSPCB after the approval from CGWA.
24. The PP shall adhere to the approved mining plan and approved closure plan by the competent authority.
25. Action plan for the public hearing issues shall be complied in letter and spirit.
26. The Proponent will provide adequate sanitary facility in the form of mobile toilets to the labours engaged for the project work.
27. The Project proponent shall comply all the measures, conditions suggested in the approved mining plan with post closure mine plan, Environmental Management Plan (EMP) in a letter and spirit.
28. The PP shall restrict maximum mining depth 2 meters above the Ground Water Table.
29. Any change in stipulations of EC of the approved mining plan will lead to Environment Clearance void-ab-initio and PP will have to seek fresh Environment Clearance.

B: <u>Statutory Compliance:-</u>

1. This Environmental Clearance (EC) is subject to orders/judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable. The project would be operated in accordance with the Orders passed by Hon'ble NGT dated 04.09.2018 (O.A. No. 173 of 2018).
2. The Project proponent complies with all the statutory requirements and judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Others before commencing the mining operations.
3. The State Government concerned shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgment of Hon'ble Supreme Court dated 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors.
4. This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing Committee of National Board for Wildlife, if applicable to the Project.
5. This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, if applicable to the Project.
6. Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish/Consent to Operate from the concerned State Pollution Control Board/Committee.
7. The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety

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(DGMS), Mines & Geology Department, Haryana and Indian Bureau of Mines from time to time. Also adhere to Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rules, 2012.

8. The Project Proponent shall obtain consents from all the concerned land owners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.

9. The Project Proponent shall follow the mitigation measures provided in MoEF&CC Office Memorandum No. Z-11013/57/2014-IA.II (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".

10. The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.

11. A copy of EC letter will be marked to concerned Panchayat/local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.

12. State Pollution Control Board/Committee shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Offices for 30 days.

13. The Project Authorities should widely advertise about the grant of this EC letter by putting the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within 7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/Committee and web site of the Ministry of Environment, Forest and Climate Change (www.parivesh.nic.in). A copy of the advertisement may be forwarded to the concerned MoEF & CC Regional Office for compliance and record.

14. The Project Proponent shall inform the MoEF&CC for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred then mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

I. Air Quality Monitoring and Preservation

i. The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatologically data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM_{10}, $PM_{2.5}$, NO_2, CO and SO_2 etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PCI/L, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.

ii. Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM_{10} and $PM_{2.5}$ are evident such as haul road, loading and unloading point and transfer points. The fugitive dust emissions from all sources shall be regularly controlled by installation of required equipments/machineries and preventive maintenance. Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEF&CC/Central Pollution Control Board.

II. Water Quality Monitoring and Preservation

i. In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground

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water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEF&CC is in place before such mining operations. The permission for interception of ground water table shall essentially be based on detailed hydro-geological study of the area.

ii. Regular monitoring of the flow rate of the springs and perennial Nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in or around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug well located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Ground-water Department/State Pollution Control Board.

iii. Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezometer installations during the mining operation in consultation with Central Ground Water Authority/State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department/State Pollution Control Board.

iv. The Project Proponent shall undertake regular monitoring of natural water course/water resources/springs and perennial Nallahs existing/flowing in and around the mine lease and maintain its records. The project proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/or alteration be made to water bodies during mining operations without justification and prior approval of MoEF&CC. The monitoring of water courses/bodies existing in lease area shall be carried out four times in a year viz. pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Offices, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.

v. Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off, acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J-20012/1/2009-IA.II (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.

vi. Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area in consultation with Central Ground Water Board/State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEF &CC annually.

vii. Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.

viii. The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF& CC and State Pollution Control Board/Committee.

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III. Noise and Vibration Monitoring and Prevention

i. The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.

ii. The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/masks away from the villagers and keeping the noise levels well within the prescribed limits for day/night hours.

iii. The Project Proponent shall take measures for control of noise levels below 85 dba in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs/muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/personals/laborers are working without personal protective equipment.

IV. Mining Plan

i. The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal wherein year-wise plan was mentioned for total excavation i.e. quantum of mineral, waste, over burden, inter burden and top soil etc. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management, O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the Ministry of Environment, Forest and Climate Change, which entail adverse environmental impacts, even if it as a part of approved mining plan modified after grant of EC as granted by State Govt. in the form of Short Term Permit (STP), Query license or any other name.

ii. The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology as required under the Provision of the MMDR Act, 1957 and Rules/Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change and SEIAA for record and verification.

iii. The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the MoEF&CC and its concerned Regional Office.

V. Land Reclamation

i. The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.

ii. The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.

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iii. The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan.

iv. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/compactors thereby ensuring proper filling/leveling of dump mass. In critical areas, use of geo textiles/geo-membrane/clay liners/Bentonite etc. shall be undertaken for stabilization of the dump.

v. The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC/SEIAA.

vi. Catch drains, settling tanks and siltation ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/River/Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.

vii. Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/silt material. The sedimentation pits/sumps shall be constructed at the corners of the garland drains.

viii. The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

VI. Transportation

i. No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. In such cases, PP shall construct a "bypass" road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated. All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.

ii. The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

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VII. Green Belt

i. The Project Proponent shall develop greenbelt in 7.5m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted irrespective of the stipulation made in approved mine plan.

ii. The Project Proponent shall carryout plantation/afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/Agriculture Department/ Rural development department/Tribal Welfare Department/Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.

iii. The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.

iv. The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt. and implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry.

VIII. Public Hearing and Human Health Issues

i. The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEF&CC Regional Office and DGMS on half-yearly basis.

ii. The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighborhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.

iii. The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic Chromium- Fortnightly skin inspection of hands and forearms by a responsible person: Except routine tests all tests would be carried out in a Lab accredited by

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NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos, Hard Rock Mining, Silica, Gold, Kaolin, Aluminum, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 x 14 inches and of good quality).

iv. The Proponent shall maintained a record of performance indicators for workers which includes (a) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -25.0, (b) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities (c) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1),Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age, (d) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented), (e) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement, (f) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEF&CC annually along with details of the relief and compensation paid to workers having above indications.

v. The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.

vi. Project Proponent shall make provision for the housing for workers/labors or shall construct labor camps within/outside (company owned land) with necessary basic infrastructure/facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.

vii. The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry along with District Administration.

IX. Corporate Environment Responsibility (CER)

i. The project proponent shall comply with the provisions as applicable, regarding Corporate Environment Responsibility

X. Miscellaneous

i. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.

ii. The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area once in five years purpose of monitoring land use pattern and submit a report to concerned Regional Office of the MoEF & CC.

iii. The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.

iv. The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEF&CC &its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.

v. A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified

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Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEF & CC.

vi. The concerned Regional Office of the MoEF & CC including other authorized organization shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEF & CC officer(s) including other authorized officer by furnishing the requisite data/information.

vii. The SEIAA, Haryana reserves the right to add new conditions, modify/annul any of the stipulated conditions and/or to revoke the clearance if implementation of any of the condition stipulated by SEIAA, Haryana or any other competent authorities is not satisfactory.

viii. Failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.

ix. All the other statutory clearances such as the approvals for storage of diesel from the Chief Controller of Explosives, Fire department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (protection) Act, 1972 etc. shall be obtained, as may be applicable, by Project proponent from the competent authority before the start of mining operation.

x. That the grant of this EC is issued from the environmental angle only and does not absolve the project proponent from the other statutory obligations prescribed under any other law or any other instrument in force. The sole and complete responsibility, to comply with the conditions laid down in all other laws for the time being in force, rests with the industry/unit/project proponent. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under section 16 of National Green Tribunal Act, 2010.

xi. PP shall submit the replenishment study of the area within one year after the start of the project and shall carry out mining as per Mining plan. It is also decided that after the receipt of replenishment study of the area, the further decision on the environmental clearance will be taken accordingly by the committee.

Chairman,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.

Endst. No. SEIAA/HR/2020/654 Dated: 24/12/2020

A copy of the above is forwarded to the following:

1. Director (IA Division), MoEF & CC, GoI, Indra Paryavaran Bhavan, Zor bagh Road, New Delhi-110003.
2. Regional office, Ministry of Environment, Forests & Climate Change, Govt. of India, Bay's no. 24-25, Sector 31-A, Dakshin Marg, Chandigarh-160018.
3. Chairman, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula.
4. Director General, Mines & Geology Department Haryana, Chandigarh.
5. Concerned File/ Office Copy

Chairman,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.

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From

The Director General,
Mines and Geology, Haryana,
30-Bays, Sector-17, Chandigarh

To

M/s Govardhan Mines and Minerals,
House No. 51, Urban Estate-2,
Hisar.

Memo No. DMG/HY/ML/Dadam/2018/ 1904
Dated Chandigarh, the 8.5.2018

Subject:- **Show Cause Notice in respect of mining areas of villages Dadam, district Bhiwani.**

On the above noted subject.

2. Whereas you (M/s Govardhan Mines and Minerals) are holding a mining lease for extraction of stone over an area of 48.87 hectares falling in khasra nos. 132 min @ Rs. 92.12 crore per annum in village Dadam, district Bhiwani for a period of 10 years w.e.f 22.12.2018 . In this regard a lease deed on model Form ML I appended to the Haryana Minor Mineral Concession, Stocking and Transportation of Minerals, and Prevention of Illegal Mining Rules, 2012(the State Rules,2012) have been executed by you with the State/ Department.

3. Whereas as per lease deed executed by you with the State Government readwith Rule 56(8) of the Haryana Minor Mineral Concession, Stocking Transportation of Minerals and Prevention of Illegal Mining Rules, 2012 (State Rules, 2012), all the mineral concession holders are to erect boundary pillars around the mining area at their own expenses as per their plan of mining and shall at all times maintain and keep the same in good condition. Each of the boundary pillars shall also be numbered along with the GPS readings dully marked thereon.

4. Whereas as per Rule 72 of the State Rules, 2012, the mining operations shall be undertaken in a scientific and systematic manner i.e. mining operations consistent with the approved Mining Plan/ scheme of mining, clearances/

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permissions granted by the competent authority. Any un-scientific operation or contravention of the terms of grant or permission (excepting the conditions relating to payment of government dues) to operate by the mineral concession holder shall amount to violation or breach of the grant.

5. Whereas, a the Inspecting Team headed by the State Geologist inspected your mining lease area in village **Dadam district Bhiwani** during its inspections of various mining areas of District Mahendergarh, Charkhi Dadri and Bhiwani from 12.02.2020 to 15.02.2020. The inspecting team observed/ found the following discrepancies in your lease hold area of village **Dadam Bhiwani**:-

(a) The depth of old pit in the Southern side of the lease area is about 109 meters where no bench formation was observed. In this part of lease, no bottom working was found at the time of the visit. This area of pit is being used for transportation of mineral using existing road network of this pit. The direction of advancement of mining is towards Northern side of the lease area.

(b) The depth of pit no. 8, 11 & 12 in Northern-Western side of the lease area was found to be around 30 meters from surface level and the inspecting team found only partial benches in operational lease hold area of Dadam mine.

(c) As per Mining Plan, the plantation was not found satisfactory. The survival rate is also very low.

(d) The team though checked the boundary pillars with the help of DGPS and location of the pillars was found as per lease map but being zig-zag area of lease for more accuracy survey work to fix boundary pillars be done using Total Survey station. Accordingly the same you shall also get the area / boundary pillars fixed after detailed survey using Total Survey station

6. Whereas, the above it is clear that during the inspection by the Inspecting Team discrepancies, as at (a) to (c) above you are hereby served with Show Cause Notice to show cause within a period of 15 days as to why your mining lease in village **Dadam** may not be suspended/ prematurely terminated on account of above said discrepancies found in the lease hold are of **Dadam** mine, district Bhiwani held by you. It is made clear that in case your reply to the notice is not received within the period of 15 days, further action in the matter will be

initiated without giving further notice. Further action as per (d) shall be taken without any delay and shall be reported to this office and also to the office Mining Officer, Bhiwinai for verification and reporting.

State Mining Engineer
For Director General, Mines and Geology,
Haryana

Endst. No. DMG/HY/ML/Dadam/2018/ 19648 Dated: 26-6-2020

A copy is forwarded to the Mining Officer, Mines and Geology Department, Bhiwani for information and further necessary action.

State Mining Engineer
For Director General, Mines and Geology,
Haryana

ANNEXURE-22

Tele No. 01664-256269

Regional Office

Haryana State Pollution Control Board,

SCF-32, Opp. Community Centre, Sector-13, HSVP, Bhiwani

Email-hspcbrojr@gmail.com

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No. HSPCB/BHI/2022/2364 Dated: 23/ 02 /2022

To

Dr. Babu Ram, Technical Expert,
Monitoring Committee, HSPCB,
Panchkula

Sub: Minutes of the meeting of the sub Committee, constituted by the Chairman of the eight member Joint Committee for investigations of issues regarding illegal mining in an area of 0.8 hectares in forest area, mining done upto depth of 109 m in mining area and abandoned/ damaged distributary/ minor constructed by the department of Irrigation in compliance to order dated 20.7.2021 and 18.1.2022 of Hon'ble National Green Tribunal in OA no. 169 of 2020 in the matter of Kuldeep Singh Vs State of Haryana & Ors on 21.2.2022 at 11.00 AM in the Committee Room, HSPCB, Panchkula

Ref: Kindly refer your office letter no. CMC/2022/733 dated 22.02.2022.

In this connection, it is submitted that the said unit i.e. M/s Goverdhan Mines & Minerals, Dadam, Bhiwani has installed the dust suppression sources through HEMM & Other equipment i.e. wet drilling process at the time of drilling, 03 nos. foggers to control harmful fumes & dust, deployed the water tanker sprinklers on haul road to control dust due to dumpers activity (transportation) and planted trees at lease boundary for control dust suppression. Copy of photographs are enclosed herewith.

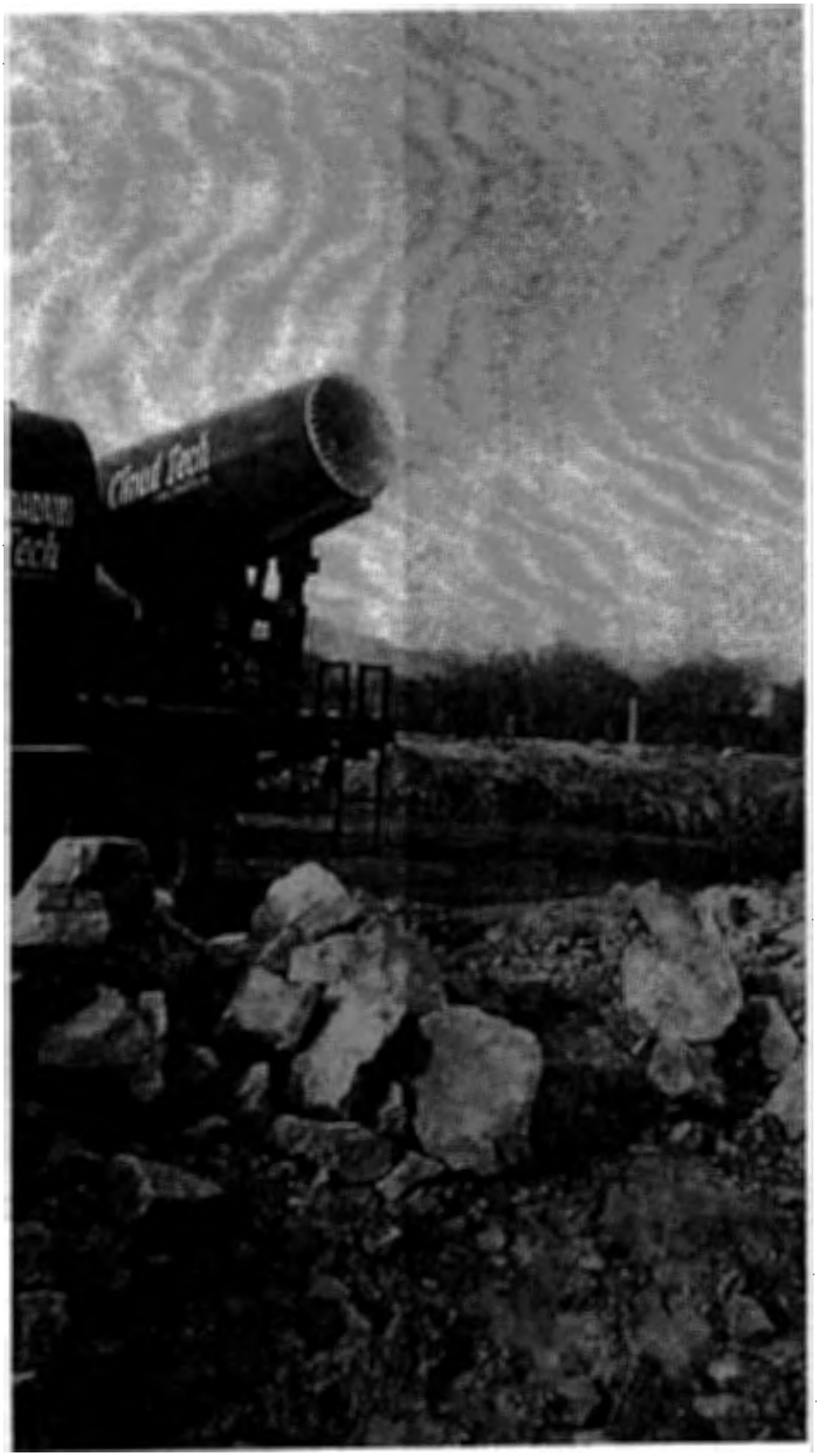
Submitted for your kind information and further necessary action please.

DA/As above

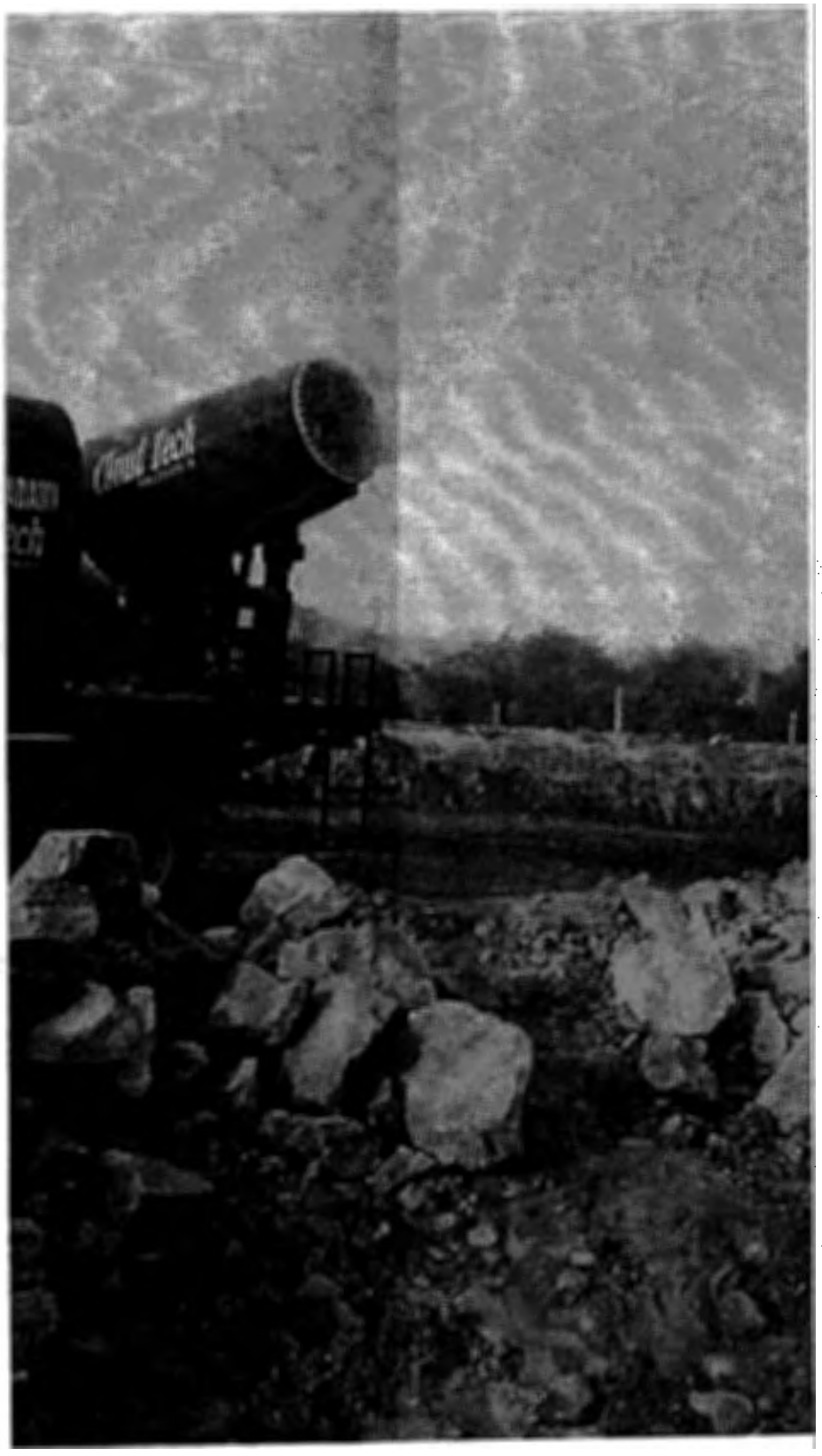
Rakesh Kumar Bhonsle

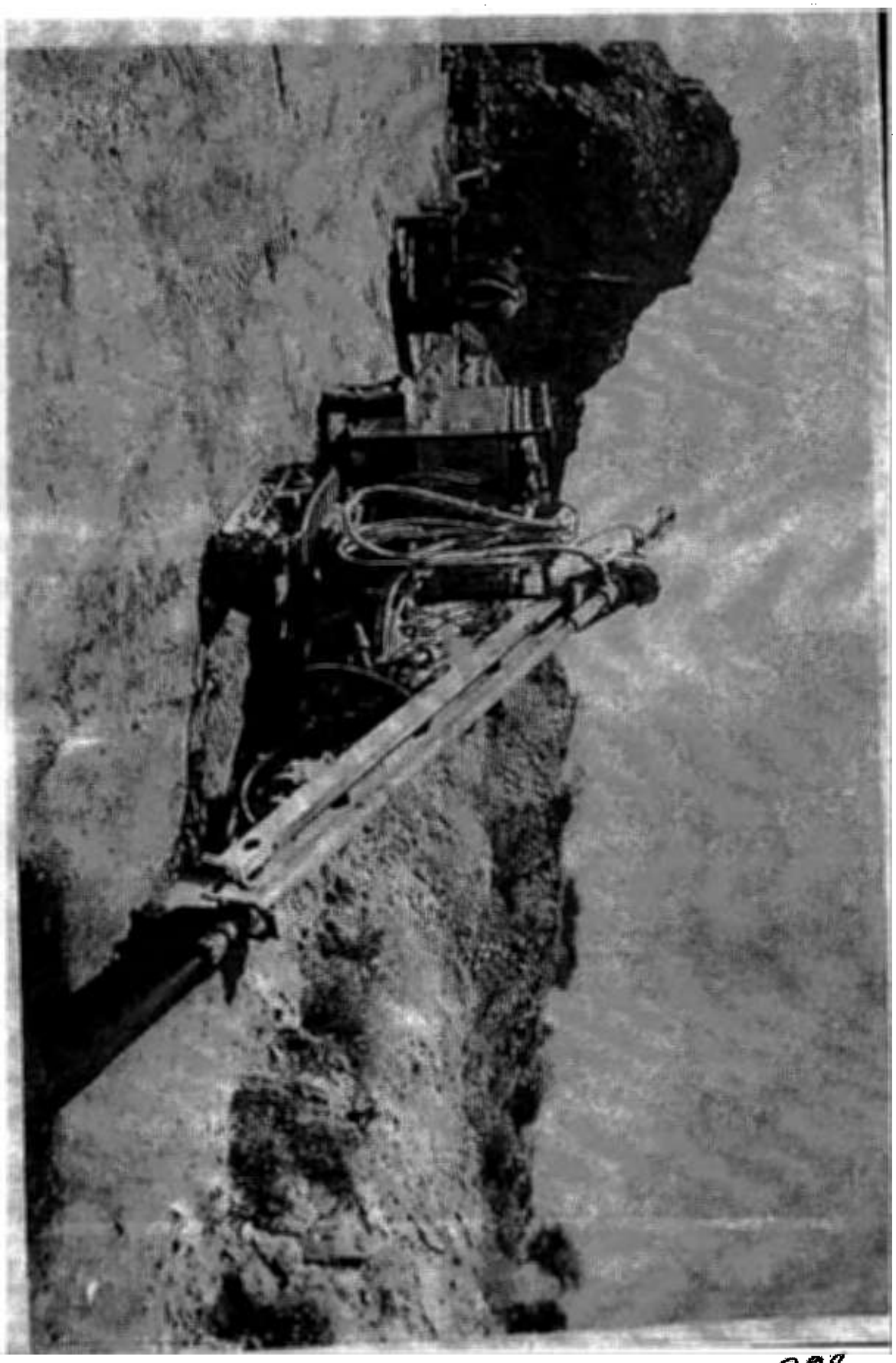
Regional Officer,
Bhiwani Region

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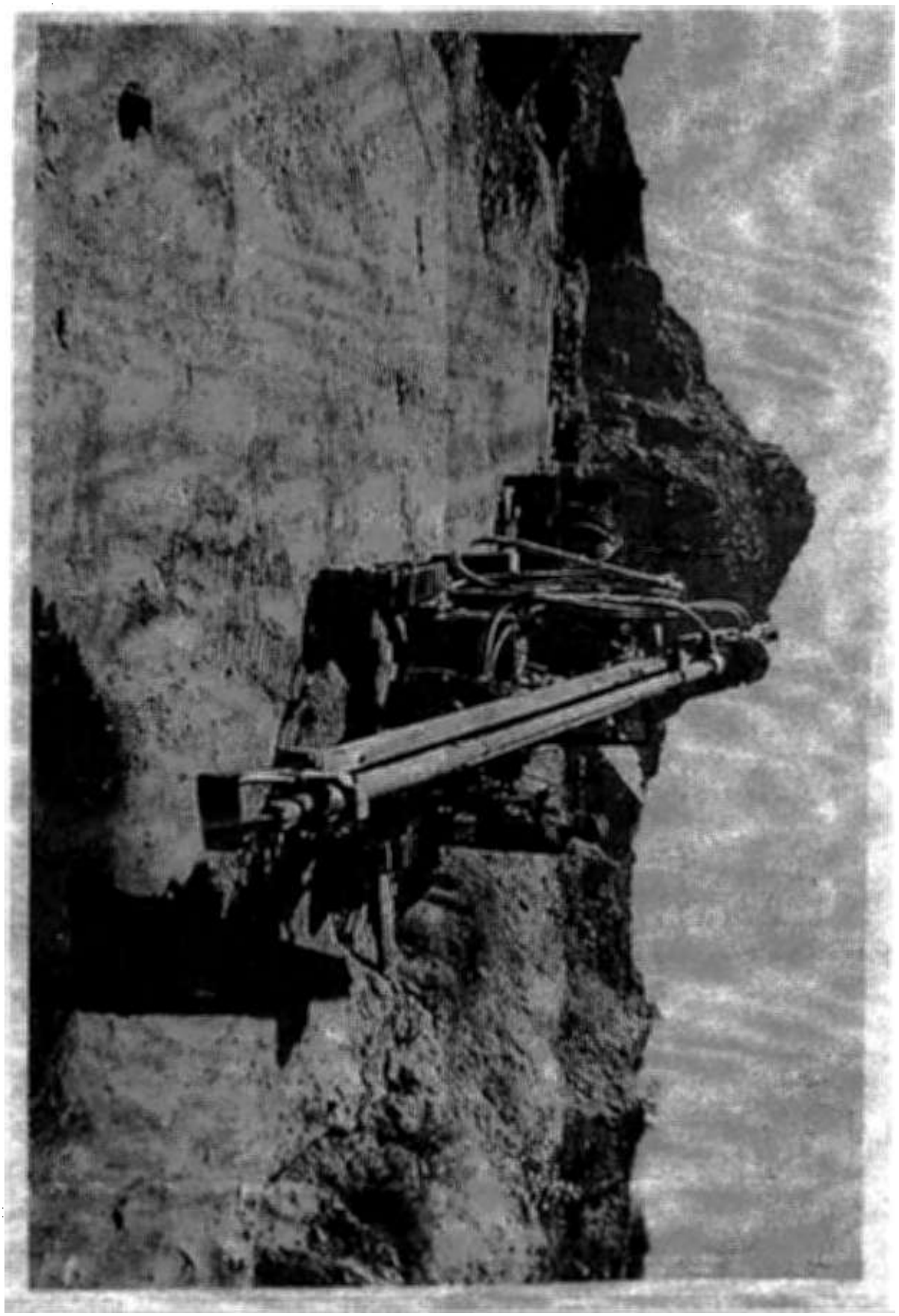

Cloud Tech

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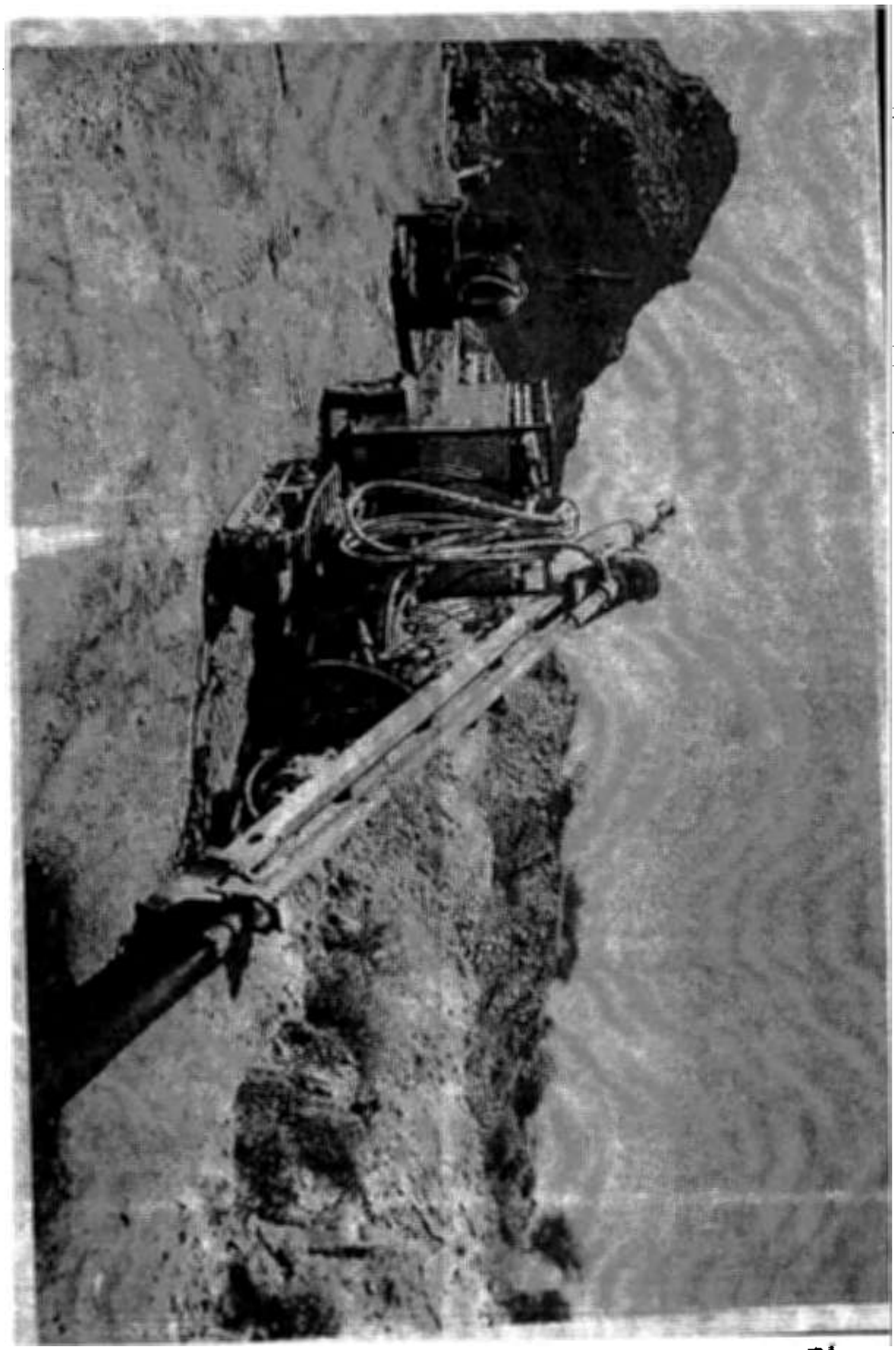








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480



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Tech



ANN R/2/28 484

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Annexure-29
Ann-29

From: "ps harsac gpm" <ps.harsac.gpm@gmail.com>
To: "DC Bhiwani" <dcbhw@hry.nic.in>
Cc: dirpcoharsac@gmail.com
Sent: Thursday, February 11, 2021 9:53:58 AM
Subject: Requirement of information of mining of Village Dadam

With reference to your mail dated 02.02.2021 we would like to submit that the mining depth cannot be estimated from the satellite data. However, the Digital Surface Model (DSM) generated as a product from ultra resolution drone data can be used to some extent to find the mining depth. But this is a research perspective and has tolerances associated with it.However for your references we are attaching the images (zipped) of the shaded area khasras draped over the google earth images for the year 2010,2011,2013,2018,2019.

Thanks & Regards
Principal Scientist, HARSAC
HARSAC Node Gurugram
Haryana

Scanned with CamScanner