

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI
O.A. No. 916/ 2024**

IN THE MATTER OF

LAL CHAND

..... **APPLICANTS**

VERSUS

STATE OF HARYANA & Ors.

RESPONDENTS

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Filed By:



Date: 04.03.2025

Rahul Khurana, Advocate
Counsel for Respondent
09811894060
rkhuranalegal@gmail.com

Interim Report of the Joint Committee in the matter of OA No. 916/2024 titled as Lal Chand Versus State of Haryana in Hon'ble NGT, New Delhi, in compliance to the Orders of Hon'ble National Green Tribunal dated 24/01/2025.

1.0. Background and the Orders of Hon'ble NGT:

The matter pertains to a grievance of the applicant filed by Sh. Lal Chand S/o Sh. Rati Ram, R/o Village Panchnota, Tehsil Narnaul, District Mahendergarh, which has been registered as Original Application by Hon'ble National Green Tribunal.

It is alleged in the grievance of the applicant that the illegal carving out of "Rasta" by Respondent No.5 through "Aravalli Plantation" for accessing its mines. The said "Kacha Rasta" is the only way for accessing the mines of Respondent No.5. The heavily loaded trucks of Respondent No.5 pass through the said "Rasta" on daily basis, thereby damaging and harming the "Aravalli Plantation", which has been held to be forest by the Hon'ble Supreme Court in the case of "M.C. Mehta Vs Union of India, (2004) 12 SCC 118.

It was observed and directed by Hon'ble NGT in its Order dated January 24, 2025 (**Annexure-1**) that:

Para 06: *At this stage, Learned Counsel for the applicant has vehemently submitted that to bring the correct factual position on record, a joint committee be appointed with some independent members who can ascertain the ground situation and submit the report before the Tribunal.*

Para 07: *In the facts of the present case, prayer is accepted, and a joint committee comprising representatives of Member Secretary, CPCB; RO, MoEF&CC, Chandigarh, Member Secretary, HSPCB and District Magistrate, Mahendragarh. District Magistrate Mahendragarh will be the nodal agency for compliance and coordination.*

Para 08: *The joint committee will visit the site, ascertain the correctness of the allegations made by the applicant and also find out if project proponent has constructed the road through Aravalli Plantation and project proponent is violating the environmental norms and submit the report before the Tribunal within four weeks.*

2.0. Action taken to comply with the directions of Hon'ble NGT:

2.1. Constitution of the Joint Committee:

In compliance to the directions of the Hon'ble NGT, a joint committee comprising of the following members, was constituted:

- i. Sh. Anand Sharma, Additional Deputy Commissioner, Mahendragarh, Member and Nodal officer, nominated by Deputy Commissioner Mahendragarh).
- ii. Dr. Narender Sharma, Scientist 'F', CPCB, Regional Directorate, Chandigarh (Member nominated by Member Secretary, CPCB).
- iii. Dr. K.M. Selvan, Addl. Director/Scientist 'E' RO, MoEF&CC, Chandigarh.
- iv. Sh. Krishan Kumar, Regional Officer, HSPCB, Mahendragarh Region.

2.2. Site Visit and Collection of relevant information:

The Joint Committee conducted a site visit on 27/02/2025 to: (i) *Ascertain the correctness of the allegations made by the applicant* ii) *To find out if project proponent has constructed the road through Aravalli Plantation* and iii) *if the project proponent is violating the environmental norms.*

Sh. Vijender Singh, Deputy Conservator of Forests (DCF), Mahendragarh, and Sh. Rajnish Kumar, Range Forest Officer of Forest Department, Regional Officer, HSPCB, Mahendragarh and Dr. Rajesh Kumar, A.M.E, Mines & Geology Department, Mahendragarh also participated in the site inspection, to assist the Joint Committee. The attendance sheet is attached as **Annexure-2**.

The Joint Committee carried out inspections of the mining site of unit M/s Maa Santoshi Hanji Udyog, Village Musnota, Nangal Chaudhary, Distt. Mahenderagarh. The Joint Committee also interacted with Shri Lal Chand, applicant in Original Application 916 of 2024 & other villagers present at the site. **(Photographs attached as Annexure-3)**

The Joint Committee asked the Project Proponent and the officials of District Administration, Forest Department, HSPCB and Mining Department, who were accompanying the committee for providing assistance, to produce the record as outlined below for verification of the facts and preparation of Factual Report, as directed by Hon'ble National Green Tribunal:

- i. Environmental Clearance granted to M/s Maa Santoshi Khanij Udyog Vill-Musnota, Nangal Chaudhary Distt-Mohindergarh, for mining activities.
- ii. CTE/CTO granted to M/s Maa Santoshi Khanij Udyog for mining activities.
- iii. Compliance of half yearly report with regard to the compliance of the conditions of Environmental Clearance granted to Maa Santoshi Khanij Udyog.

- iv. Approved Mining Plans of M/s Maa Santoshi Khanij Udyog
- v. The details of permission of way (rasta) allowed to mining project by Forest Department in the Mahendragarh along with action taken by the Forest Department & status of Court proceedings for the same.
- vi. The details of illegal mining activities reported to and by Forest Department in the Forest area in around the concerned mining unit by PP along with action taken by the Forest Department.
- vii. Inspection reports of Mining Department prepared during last 05 years, with regard to compliance of the conditions of approved mining plans.
- viii. The report of Mining department with regard to the fresh re-verification of the boundary pillars & survey report of the mining site is required for verification of the contents mentioned in the grievance against M/s Maa Santoshi Khanij Udyog Vill-Musnota, Nangal Chaudhary Distt-Mohindergarh.

However, record is still awaited from the concerned departments except Sr. Nos. i, ii, iii, and v, which was made available to the Joint Committee at site.

2.3. Findings/Observations made by the Joint Committee during site inspection:

The findings of the Joint Committee with regard to the Points mentioned the Order of Hon'ble NGT are as follows:

2.3.1. Correctness of the allegations made by the applicant that the project proponent has constructed the road through Aravali Plantation:

- i. M/s Maa Santoshi Khanij Udyog Vill-Musnota, Nangal Chaudhary Distt-Mohindergarh is operating a mining site measuring 8.107 hectares in Khasra No. 550 of Village Munsota, after obtaining Environmental Clearance (EC) and Consent to Operate (CTO) from MoEF&CC and HSPCB respectively (**Annexure-4 and 5**).
- ii. As per interaction held with the Complainant, other villagers, Forest Department and Mining Department, the "Rasta" under reference illegally carved out by Respondent No.5 through "Aravalli Plantation" for accessing its mines as alleged in the petition, falls under Khasra No. 487 and as per records it is a strip of land approximately two hundred feet in length in southern -western part of Khasra no. 487 in revenue estate of village Musnota Tehsil Nangal Chaudhary District Mahendergarh.

In this regard, the examination of the record made available to the Joint Committee by the Forest Department indicates that the “Rasta” under reference falling under Kharsa No. 487 in revenue estate of village Musnota Tehsil Nangal Chaudhary District Mahendergarh, come under Aravali Plantation. ***Therefore, the allegation of the Petitioner appears correct that the Unit is using this part of Aravali Plantation as a way to access its mining lease (Annexure-6).***

- iii. However, a copy of the Order of Civil Judge, Junior Division, Narnaul dated 02/01/2019 was shared by the project proponent. ***The Order of the Civil Judge, Junior Division, Narnaul is with regard to the application of M/s Ma Santoshi Khanij Udyog Vs. State of Haryana; Financial Commissioner and Principal Secretary to Govt. of Haryana Mines and Geology Department; Director, Mines and Geology Department; District Mining Officer, Narnaul and Divisional Forest Officer, Mohindergarh, filed under Order 39 Rule 1 and 2 read with Section 151 CPC 1908 praying for ad-merim injunction restraining the defendants, his agents, employees, servants from causing any objection over the Rasta in question (strip of land approximately less than two hundred feet in length in southern -western part of Khasra no. 487 in revenue estate of village Musnota Tehsil Nangal Chaudhary District Mahendergarh. Civil Judge, Narnaul vide above referred order dated 02/01/2019 allowed the above injunction application of M/s Ma Santoshi Khanij Udyog (Annexure-7) The Joint Committee was informed that this matter is pending, and is still sub judice before the Civil court Narnaul.***
- iv. Divisional Forest Officer, Mahendragarh, has intimated vide its previous inspection dated 14.09.2023 that the lease area at Khasra No. 550 is covered surrounding the Aravali Plantation. As per the demarcation report of the revenue department dated 16.09.2023, the leaseholder has mined the 15,648 sq.ft. of illegal mining surrounding Khasra No. 550 and transpired that 161 numbers shrubs like muskat have illegally been damaged, and accordingly a Forest Offence Report (FOR) dated 02.10.2023 was prepared under section 32-33 of the Indian Forest Act, 1927, and also granted sanction for filing a prosecution case against offenders in the Special Environment Court at Faridabad. DCF, Mahendragarh, had taken action against the unit for the use of this pathway/rasta connecting to the Narnaul-Bayal road. The unit then approached the Civil Judge Court Narnaul against the same, and the Court vide its dated 02.01.2019,

had granted a stay on the same (**Annexure-7**), and this matter is pending, and is still sub judice before the Civil court Narnaul.

- v. A.M.E. Mines & Geology Department, Mahendragarh has intimated that as per the previous demarcation report prepared after the joint survey on 14.09.2023, it was found that the total excavation outside the lease/contract area i.e Khasra No. 487 & 551 is 15,648 sq.ft. and the quantity of excavated mineral is 24,812.50 M.T. A demand notice was issued to the leaseholder of M/s Maa Santoshi Khanij Udyog of Musnota stone Mine vide memo no. MO/Narnaul/3369 dated 17.10.2023 to deposit the penalty, royalty and price of mineral illegally excavated minor mineral i.e **Rs 42,28,125** (fourty two lakh twenty-eight thousand one hundred twenty-five only) and same has not been deposited by the unit to date. (**Annexure-8**).

2.3.2. Violation of the environmental norms:

The Joint Committee was also directed by Hon'ble NGT, to find out if project proponent is violating the environmental norms

1. It was observed by the Joint Committee that Unit is not complying with various conditions of Environmental Clearance and approved mining plan including:
 - i. The Unit has not obtained forest clearance for the Rasta before started its operation, as per conditions of Environmental Clearance.
 - ii. The Unit has not provided a Safety Zone of 7.5 meter width along the boundary of the lease and not raised plantation in the safety zone.
 - iii. The Unit has not provided dust control measures.
2. Regional Officer, HSPCB Mahendragarh region intimated that HSPCB has already imposed the Environmental Compensation of Rs. 22,60,000/- (Twenty-Two Lacs Sixty Thousand only) vide order no. 1/260030/2024 dated 05.11.2024 for the non-compliance of the conditions of Environment Clearance granted to the Unit (**Annexure-9**). However, the unit has not deposited the said amount, so far.
3. The Joint Committee is yet to receive the relevant documents listed in Section 2.2, sought during site inspection, to verify the point-wise compliance of the conditions of Environmental Clearance and Approved Mining Plan.

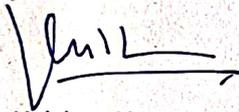
3.0. Submission of the Joint Committee:

The Joint Committee humbly submits that:

1. Preliminary findings/observations made by the Joint Committee based on site inspection and the examination of relevant documents, indicate that *the allegation of the Petitioner appears correct that the Unit is using a part of Khasra No. 487 in revenue estate of village Musnota Tehsil Nangal Chaudhary District Mahendergarh, which falls in Aravali Plantation, as a way to access its mining lease.*
2. *The project proponent is not complying with various conditions of Environmental Clearance and approved mining plan. However, the Joint Committee is yet to receive the relevant documents sought during site inspection, to verify the point-wise compliance of the conditions of Environmental Clearance and Approved Mining Plan.*

Therefore, it is respectfully submitted that this "Interim Report" of the Joint Committee may kindly be considered and taken on record by the Hon'ble NGT and further 06 weeks' time may be granted for filing the final report before the Hon'ble National Green Tribunal.

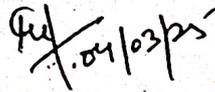
The Joint Committee shall abide by further directions of Hon'ble NGT in this matter.



Er. Krishan Kumar
RO, HSPCB,
Mahendragarh

—sd—

Dr. K.M. Selvan,
Scientist 'E', MoEF&CC,
RO Chandigarh



Dr. Narender Sharma
Scientist 'F'
CPCB, RD, Chandigarh



Dr. Anand Sharma
ADC, Mahendragarh
at Narnaul

Date: March 04, 2025



HSPCB RO MG Mahendragarh <hspcbromg@gmail.com>

Draft Status cum Progress Report of the Joint Committee in the matter of OA No. 916/2024 titled as Lal Chand Versus State of Haryana in Hon'ble NGT, New Delhi, in compliance to the Orders of Hon'ble National Green Tribunal dated 24/01/2025

K MUTHAMIZH SELVAN <km.selvan@gov.in>

Mon, Mar 3, 2025 at 10:32 AM

To: HSPCB RO MG Mahendragarh <hspcbromg@gmail.com>

Cc: "Dr. Vivek Bharti" <dcnrl@hry.nic.in>, Narender Sharma <narendersharma.cpcb@gov.in>, Narender Sharma <narendersharma.cpcb@nic.in>, DFO Divisional Forest Officer Mgarh <dfomgarh@yahoo.co.in>, "ADC Nrl, Mahendragarh" <adcnrl@hry.nic.in>

Sirs,

The report seems to be fine. Kindly check the spelling and typo errors.

With sincere regards,

--- On Sat, 01 Mar 2025 20:54:30 +0530 HSPCB RO MG Mahendragarh <hspcbromg@gmail.com> wrote ---

[Quoted text hidden]

Annexure-1

Item No. 14

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**Original Application No. 916/2024
(I.A. No. 326/2024)

Lal Chand & Anr.

Applicant(s)

Versus

State of Haryana & Ors.

Respondent(s)

Date of hearing: 24.01.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Tarun Gupta & Mr. Hirday Viridi, Advs. for Applicant

Respondent: Mr. Rahul Khurana, Adv. for R - 1 to 3
Ms. Suhasini Sen & Ms. Surbhi, Advs. for MoEF & CC**ORDER**

1. Grievance of the applicant in this original application is that respondent no.5-M/s. Maa Santoshi Khanij Udhyog/project proponent has illegally carved out a road through Aravalli Plantation for accessing its mines.
2. He submits that heavy vehicles transporting the minerals are regularly plying through the Aravalli Plantation and are damaging it.
3. Notices were issued to the respondents on 30.07.2024; thereafter, a prayer for a grant of time to file the reply was accepted on 08.11.2024, but no reply has come on record until now.

4. Learned Counsel appearing for respondent no.4- MoEF&CC submits that reply has been filed today.

5. Sh. Rahul Khurana, Learned Counsel appearing for respondent no.1- State of Haryana, respondent no.2- State Environment Impact Assessment Authority, Haryana (SSEIAA, Haryana) and respondent no.3- Divisional Forest Officer seeks three weeks to obtain instructions and file the reply.

6. At this stage, Learned Counsel for the applicant has vehemently submitted that to bring the correct factual position on record, a joint committee be appointed with some independent members who can ascertain the ground situation and submit the report before the Tribunal.

7. In the facts of the present case, prayer is accepted, and a joint committee comprising representatives of Member Secretary, CPCB; RO, MoEF&CC, Chandigarh, Member Secretary, HSPCB and District Magistrate, Mahendragarh. District Magistrate Mahendragarh will be the nodal agency for compliance and coordination.

8. The joint committee will visit the site, ascertain the correctness of the allegations made by the applicant and also find out if project proponent has constructed the road through Aravalli Plantation and project proponent is violating the environmental norms and submit the report before the Tribunal within four weeks.

9. A copy of this order be forwarded to members of the joint committee by email for compliance.

10. List on 05.03.2025.

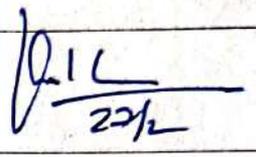
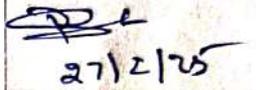
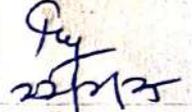
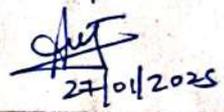
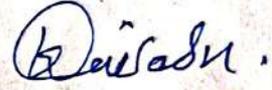
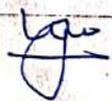
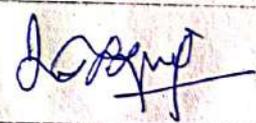
Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

January 24, 2025
Original Application No. 916/2024
(I.A. No. 326/2024)
JG..

Inspection of Joint Committee in matter of Original Application No. 916/2024 titled as Lal Chand Versus State of Haryana in Hon'ble NGT, New Delhi. conducted on 27.02.2025.

Sr. No.	Name of officer	Designation & Department	Mobile No.	Email ID	Signature
1.	Krishan Kumar	RO HSPCB Mgarh	9810232041		 27/2
2.	Dr. Rajesh Kumar	A.M.E, Mines & Geology, Hnl.	9416996184		 27/2/25
3.	Dr. Narendra Chavme	RD, CPCB Ind	9814004377	narendastome. cpcb@gmail	 25/2/25
4.	Anuj Narwal	AEE, HSCLB	9996192738	anpchrong@gmail. com	 27/01/2025
5.	Kailash Chand.	P.R.O P.P.	9466864216		
6.	Anand Sharma	ADC mahadgarh	9832259767		
7.	Rajnish Kumar	RFONangal choudhary	9416903077		
8.	Vijender Singh	DCF Mohinder -garh	9416237198		
9.	Dr. K.M. SELVAN	Superst E RO Chandigarh MOEF&CE	8610039 753	K.M. Selvan@ gov.in	
10.	Ldall		8813832433		
11.					
12.					
13.					





No. SEIAA(125)/HR/2020/ 461

Dated: 20/10/2020

✓ M/s MAA Santoshi Khanij Udyog,
 Behind PNB, VPO Qutubpur, District Rewari-123401
 E-mail Id: mohit.sarv@gmail.com

Subject: Environment Clearance for Capacity Expansion of Calcite Mine by addition of Associated Minor Mineral (Stone) total production enhancement from 9000 TPA to 12,59,000 TPA ROM {9,000 TPA for calcite and 12,50,000 TPA for associate minor mineral (stone) and 1,40,000 TPA. Overburden/Side burden/ Inter-Burden at Village Musnota, Tehsil Narnaul, District-Mahendergarh, Haryana.

This letter is in reference to your application addressed to M.S. SEIAA, Haryana received on 01.05.2019 and subsequent letters dated 29.05.2020 & 23.06.2020 seeking prior Environmental Clearance for Capacity Expansion 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 15.05.2019 & 23.06.2020.

[2] The SEAC has examined the application for capacity expansion of Calcite Mine by addition of Associated Minor Mineral (Stone) total production enhancement from 9000 TPA to 12,59,000 TPA ROM {9,000 TPA for calcite and 12,50,000 TPA for associate minor mineral (stone) and 1,40,000 TPA. Overburden/Side burden/ Inter-Burden at Village Musnota, Tehsil Narnaul, District-Mahendergarh, Haryana. The detail of the project is as under:

1.	Particulars	Existing	Expansion	Total
2.	Category/Item no. (in schedule):	Category-B1, Sector I (a)		
3.	Area of the project	Area- 8.107 ha		
4.	Date of LoI granted by Mines & Geology Department, Haryana	Initially, the mining lease was granted in favor of Shri Ashok Kumar on 16-11-1994. Later the mining lease was transferred in the name of M/s Maa Santoshi Khanij Udyog vide form (O) on dated 03.02.2009.		
5.	Date of approval of Mining plan granted by Mines & Geology Department, Haryana	19.03.2019		
6.	Location of Project	Village Musnota, Tehsil Narnaul, District Mahendergarh, Haryana.		
7.	Project Details Khasra No	550		
8.	Project Cost	Rs. 2.25 Crores	Rs. 5 Crore/-	7.25 Crore
9.	Water Requirement	15 KLD	26.00 KL	41 KLD

10.	Source of water	Public Health Engg. Sub Divisional office (PHED) Rewari Haryana.																																															
11.	Environment Management Budget	Plan	Rs. 5.62 lakhs Capital and 16.87 Recurring	11.00 Lakhs capital and 15 lakhs recurring																																													
12.	CER Budget		Rs. 4.5 Lakhs	Rs. 8.00 Lakhs																																													
13.	Production		9000 TPA	12,50,000 TPA																																													
14.	Corner Coordinates of the lease area		Latitude- 27° 52' 38.10" N to 27° 52' 48.04" N Longitude- 76° 00' 04.00" E to 76° 00' 15.10" E																																														
15.	Green belt/ plantation		-	33% of total plot area 2.67 hectares 33% of total plot area																																													
16.	Machinery required	Following equipment's are proposed to be deployed for the desired production		Following equipment's are proposed to be deployed for the desired production.																																													
		<table border="1"> <thead> <tr> <th>Sr. No</th> <th>Equipment</th> <th>Nos</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Diesel hydraulic shovel</td> <td>1</td> </tr> <tr> <td>2</td> <td>Diesel back hoe</td> <td>1</td> </tr> <tr> <td>3</td> <td>Rear dumpers</td> <td>5</td> </tr> <tr> <td>4</td> <td>Drill</td> <td>1</td> </tr> <tr> <td>5</td> <td>Water sprinkler</td> <td>1</td> </tr> <tr> <td>6</td> <td>Maintenance van</td> <td>1</td> </tr> <tr> <td>7</td> <td>Tractor</td> <td>1</td> </tr> <tr> <td>8</td> <td>Tractor mounted compressor</td> <td>1</td> </tr> </tbody> </table>	Sr. No	Equipment	Nos	1	Diesel hydraulic shovel	1	2	Diesel back hoe	1	3	Rear dumpers	5	4	Drill	1	5	Water sprinkler	1	6	Maintenance van	1	7	Tractor	1	8	Tractor mounted compressor	1		<table border="1"> <thead> <tr> <th>Machine</th> <th>No's</th> </tr> </thead> <tbody> <tr> <td>Excavator</td> <td>2+1*</td> </tr> <tr> <td>Dumper</td> <td>7+2*</td> </tr> <tr> <td>Air Compressor motor(tractor mounted)</td> <td>1</td> </tr> <tr> <td>Rock Breaker</td> <td>2+1*</td> </tr> <tr> <td>Diesel Operated Pump</td> <td>1</td> </tr> <tr> <td>Generator</td> <td>1</td> </tr> <tr> <td>Bolero Jeep</td> <td>1</td> </tr> <tr> <td>Maintenance Van</td> <td>1</td> </tr> </tbody> </table> <p>*Standby machinery to be used in case of any breakdown. Source: Mining Plan and Progressive Mine Closure Plan</p>	Machine	No's	Excavator	2+1*	Dumper	7+2*	Air Compressor motor(tractor mounted)	1	Rock Breaker	2+1*	Diesel Operated Pump	1	Generator	1	Bolero Jeep	1	Maintenance Van	1
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17.	Power Requirement	Electricity is available near to site, DG set are also proposed to be kept in case of failure of electricity.																																															
18.	Power Back up	DG Set is proposed to be kept in case of failure of electricity.																																															
19.	Incremental Load in respect of:	<table border="1"> <thead> <tr> <th>Parameter</th> <th>Max Baseline Conc. (µg/m³)</th> <th>Predicted GLC (µg/m³) ISCST3 Model</th> <th>Cumulative GLC (µg/m³)</th> </tr> </thead> <tbody> <tr> <td>i) PM_{2.5}</td> <td>49.40</td> <td>0.0001</td> <td>49.4001</td> </tr> <tr> <td>ii) PM₁₀</td> <td>89.70</td> <td>0.003</td> <td>89.7030</td> </tr> <tr> <td>iii) SO₂</td> <td>21.60</td> <td>0.000001</td> <td>21.6000</td> </tr> <tr> <td>iv) NO₂</td> <td>35.50</td> <td>0.0082</td> <td>35.5082</td> </tr> </tbody> </table>	Parameter	Max Baseline Conc. (µg/m ³)	Predicted GLC (µg/m ³) ISCST3 Model	Cumulative GLC (µg/m ³)	i) PM _{2.5}	49.40	0.0001	49.4001	ii) PM ₁₀	89.70	0.003	89.7030	iii) SO ₂	21.60	0.000001	21.6000	iv) NO ₂	35.50	0.0082	35.5082																											
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Table 2:- CER ACTIVITIES

Sr. No.	Activities suggested by the Communities during need assessment survey, for implementation	Estimated Expenditure (Rs. in Lakhs)		
		Existing Phase (To be done in 3 years)	Expansion Phase (To be done in 5 years)	Total
1	Sanitation and Hygiene: Construction of covered nallas in village Pachnota/Musnota	0.50	1.00	1.50

2.	Repair & maintenance of toilets (separate nos. toilets for boys & girls) at Primary School in Village Musnota & Pachnota, etc.	1.00	2.50	3.50
3.	Installation of (15-15 No.s) of street solar light at village Musnota & Pachnota in consultation with Village Panchayat	1.50	3.00	4.50
4.	Pond adaptation at village Musnota in consultation with Village Panchayat.	1.50	1.50	3.00
Total		4.50	8.00	12.50

Table 3:-ENVIRONMENTAL MANAGEMENT PLAN

S. No.	Particulars	Capital Cost (in Lakhs) One time cost	Recurring cost in lakhs Per year	Total cost in Lakhs for 5 years
1.	Dust Suppression	0	4	20
2.	Environmental Monitoring – Air, Water, Noise and Soil	0	3	15
3.	Haul road and other roads construction and Maintenance	0	1	5
4.	Plantation	1.5	0.5	4
5.	Waste water & solid waste treatment	1.5	1.5	9
6.	Garland drain and settling tank	3	2	13
7.	Retaining wall	3	2	13
8.	Rainwater recharging	2	1	7
Total		11	15	86

The SEIAA in its 125th meeting held on 07.10.2020 decided to agree with the recommendations of SEAC to accord Environment Clearance to this project by imposing the following conditions:

A: Specific conditions:-

1. The PP shall construct the pucca link roads connected to the Main Road at the mining site before the start of mining.
2. The PP shall construct the Haul roads of 10 meters wide as proposed in EIA Report.
3. 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 service of the roads within a 05 kms radius of the project is marinated and improved upon after the implementation of the project.
4. The Mining Lease holders shall, after ceasing mining operations, undertaking re-gassing 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.
5. No tree cutting has been proposed in the project. 2500 Plants per hectare should be planted and maintained. The Existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. As proposed the plantation in 2.67 hectares area will be carried out including statutory boundary barrier. 4000 trees will be planted in 5 years out of which 3667 trees on barrier zone and 333 on haul roads.
6. The Project Proponent shall obtain all necessary clearance/permission from all relevant agencies before commencement of work.
7. 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.

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- 17
8. 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.
 9. The PP shall manage the overburden at the mining site.
 10. The PP shall create environment division unit in the project for implementing the conditions of Environment clearance.
 11. 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
 12. The PP shall adhere to the approved mining plan and approved closure plan by the competent authority.
 13. Action plan for the public hearing issues shall be complied in letter and spirit.
 14. The Proponent will provide adequate sanitary facility in the form of Mobile Toilets to the labours engaged for the project work.
 15. 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.
 16. PP shall make channels to divert rain water run-off from surrounding catchment area to enrout water in the excavated pit to ensure water collection for sustained ground water recharge
 17. The PP shall restrict maximum mining depth 4 meters above the Ground Water Table i.e. upto 326 MRL.
 18. The PP shall divert the first order stream in post mining to save the natural drainage system.
 19. 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.
 20. No mining activity is being carried out within the 500 meter of the radius by the Project Proponent itself and or by anybody else.
 21. No intention to expand the mining activity beyond the stated/ approved area.
 22. Sprinkler would be deployed to curb fugitive emission by using treated water.
 23. Area concerned would be reclaimed as per the norms and Judicial Orders there upon.
 24. Reclamation status would be submitted along with the six monthly compliance reports.
 25. Trees would be planted as per the submitted plantation plan.
 26. Water trough would be provided for incoming/ outgoing water to wash the wheels.
 27. No natural water course/ water body would be obstructed due to any mining activity or due to the dumping of the material.
 28. Smog Gun/Dust Suppression system of sufficient would be installed at the project site.

B: Statutory Compliance:-

- i. 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.
- ii. 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.
- iii. 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.

- iv. 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.
- v. 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.
- vi. 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.
- vii. 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 (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.
- viii. 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.
- ix. 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".
- x. 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.
- xi. 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.
- xii. 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 Office for 30 days.
- xiii. The Project Authorities should widely advertise about the grant of this EC letter by printing 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.
- xiv. 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 than 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

- 1. 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. PM₁₀, PM_{2.5}, NO₂, CO and SO₂ etc. as per the methodology mentioned in NAAQS Notification No. B-



29016/20/90/PCI/I, 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.

2. 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/ CPCB.

II. Water Quality Monitoring and Preservation

1. 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 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 intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
2. 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 an 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 wall 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 Groundwater Department / State Pollution Control Board.
3. 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.
4. 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 Office, 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.

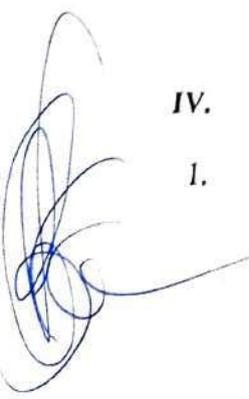
- 5. Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The 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-20012/1/2006-IA.II (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
- 6. 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.
- 7. 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.
- 8. 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.

III. Noise and Vibration Monitoring and Prevention

- 1. The peak particle velocity at 500 m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- 2. 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.
- 3. 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

- 1. 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 is a part of approved mining plan



2. 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.
3. 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

1. 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.
2. 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.
3. The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan.
4. 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/geomembranes/clay liners/Bentonite etc. shall be undertaken for stabilization of the dump.
5. 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.
6. 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.
7. 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.
8. 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

1. 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.
2. 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.

VII. Green Belt

1. 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 by the Ministry irrespective of the stipulation made in approved mine plan.
2. 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.
3. 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.
4. 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

1. 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.
2. 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.
3. 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 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 x14 inches and of good quality).
4. 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 -24.9; (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.
5. 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.

6. 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.
7. 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.

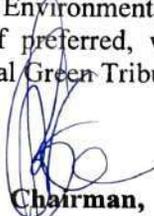
IX. Corporate Environment Responsibility (CER)

1. The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. II (M) dated 01.05.2018 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC annually along with audited statement.
2. Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEF & CC and its concerned Regional Office.
3. PP must submit the Balance sheet/Account statement duly attested & signed by the Chartered Accountant showing the dispersal of funds in said schemes along with the "Compliance Report".

X. Miscellaneous

1. 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.
2. 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.
3. 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.
4. 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.
5. 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 Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEF & CC.
6. 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.
7. The SEIAA, Haryana reserves the right to add new conditions, modify/annual 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.
8. 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.

9. 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.
10. That the grant of this Environment Clearance (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 Hon'ble National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of National Green Tribunal Act, 2010.



Chairman,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.

Endst. No. SEIAA/HR/2020/

Dated: _____/10/2020

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.



HARYANA STATE POLLUTION CONTROL BOARD

Lala Nemi Chand Singhal Enc.Sohna Road, Near Hanuman Mandir,Dharuhera Ph. 01274-244440-41(O) Email:- hspcbrodr@gmail.com

E-mail: hspcb@hry.nic.in



No. HSPCB/Consent/ : 313100421MAHCTO8425600

Dated:04/01/2021

To.

M/s :Maa Santoshi Khanij Udyog
Vill-Musnota, Nangal Chaudhary Distt-Mohindergarh

Subject: Grant of consent to operate to M/s Maa Santoshi Khanij Udyog.

Please refer to your application no. 8425600 received on dated 2020-12-12 in regional office Dharuhera. With reference to your above application for consent to operate, M/s Maa Santoshi Khanij Udyog is here by granted consent as per following specification/Terms and conditions.

Consent Under	BOTH
Period of consent	04/01/2021 - 30/09/2025
Industry Type	Mining and ore beneficiation
Category	RED
Investment(In Lakh)	500.0
Total Land Area(Sq. meter)	32807.0
Total Builtup Area(Sq. meter)	0.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	0.5 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	SEPTIC TANK
2. Trade	
Domestic Effluent Parameters	
1. NA	
Trade Effluent Parameters	
1. NA	
Number of stacks	1
Height of stack	
1. ATTACHED TO DG SET	3 METER
Emission parameters	
1. SPM	150 mg/m ³
Product Details	

1. Calcite	30 Metric Tonnes/day
2. ASSOCIATE MINOR MINERAL (STONE)	4167 Metric Tonnes/day
3. OVER BURDON	467 Metric Tonnes/day
Capacity of boiler	
1. NA	0 Ton/hr
Type of Furnace	
1. NA	0
Type of Fuel	
1. Diesel	0.15 KL/day
Raw Material Details	
Calcite	30 Metric Tonnes/Day
ASSOCIATE MINOR MINERAL (STONE)	4167 Metric Tonnes/Day
OVER BURDON	467 Metric Tonnes/Day

Regional Officer, Dharuhera
Haryana State Pollution Control Board.

HARYANA STATE Terms and conditions

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.
3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time

the concentration of any characteristics should exceed these limits for discharge.

10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any account and that shall be paid by the industry and the industry would immediately submit the consent application to the Board in the event of any change during the year in the raw material, quantity, quality of the effluent, mode of discharge, treatment facilities etc.

11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.

12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.

13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.

14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.

15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.

16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.

HARYANA STATE

Specific Conditions :

1) The unit will maintain its APCM / dust suppression system in well working condition. 2) The unit will plant sufficient Nos. of trees within & outside the premises. 3) The unit will strictly comply with all the conditions of EC granted by SEIAA and CTE granted by the Board and in case of non compliance of the conditions the CTE shall be revoked without giving any more opportunity. 4) unit will provide adequate pollution control devices as proposed to meet the prescribed standards under EP Rules,1986, 5) Unit will comply/obtained necessary Authorization /Registration under the provisions of HOWM, Rules,2016. 6) Unit will comply all the applicable Environmental laws/Acts/ Notification/ CPCB direction/Policy of the Board. 7) This Consent to operate shall be supersession to the already issued CTO vide no. No. HSPCB/Consent/ : 313100419MAHCTO6694059 Dated:07/08/2019 for the period 1.10.2019 to 30.9.2021 under Water Act/Air Act 8) CTO so granted is on the basis of detail submitted by the unit in online application, CTO granted will be without prejudice to any violation made by unit in past & will be deemed revoked & further action will be taken as per law if any violation is observed at any stage.

KULDEEP SINGH Digitally signed by KULDEEP SINGH
Date: 2021.01.04 09:42:43 +05'30'

Regional Officer, Dharuhera
Haryana State Pollution Control Board.

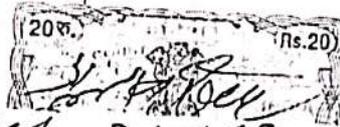
Annexure-6

Details of the areas under Aravali Plantation undertaken by Mining Department under Aravali Project during the period from 1990 to 2000				Detail of mining/mineral bearing area as per revenue record.		Remarks
Sr. No.	Name of Village	Area under Plantation in Hect.	Details of Khasra No. of the area under Aravali Plantation	Khasra Nos.	Mining/Mineral bearing area in hect.	
25	Musnota	505.67	221/3, 224, 225min, 226min, 227, 228min, 229, 230, 232, 234min, 235-238, 282, 283/2, 284/1, 284/3, 285min, 291min, 293, 294min, 302min, 309min, 322, 310/1, 312, 323, 324, 327, 331, 246-249, 250/1, 250/2, 250/3, 251/1, 251/2, 253, 255/1, 258-263, 264/1, 267, 270, 271, 272, 486, 487, 493, 494, 497, 500, 501, 502, 504-509, 513-517, 522, 453, 455-460, 462-468, 470/1, 471, 473, 473/1, 474, 475, 478-480, 483, 484, 411, 412, 415-418, 420, 421, 423, 424, 427-428, 433, 436/1, 438, 438/1, 439, 440, 444, 334-336, 337/1, 338, 348/1, 351/1, 351/9, 352/2, 354, 364, 365min, 368min, 369min, 379, 380, 387-389, 394, 395, 398-400, 409, 410, 522, 514, 524, 526, 539/1, 544/1, 551-555, 556/1, 556/2, 556/3, 559/1, 562, 564, 566-569, 572, 573, 576-585, 587, 588/1, 590, 593, 595, 598/3, 599/2, 600-604, 605/1, 607, 610-612, 614-627, 628/2, 629, 630, 632, 634, 635, 637, 640-643, 675, 676, 678-680, 682-690, 647, 648/2, 649, 650-653, 655-668, 670-674, 515-518, 532, 534, 533, 535-537, 527, 528	220, 221/3, 224, 225min, 226min, 227, 228min, 229, 230, 232, 234min, 235-238, 240, 245-249, 250/1, 250/2, 250/3, 252/1, 252/2, 253, 255/1, 258, 264/1, 267, 270, 272, 282, 283/2, 284/1, 284/3, 285min, 291min, 293, 294min, 300, 301, 302min, 322, 310/1, 312, 314, 321min, 323-324, 331-334, 335min, 336min, 337/1, 338-339, 343, 348/1, 351/1min, 352/2min, 351/9, 352/2, 353-354, 360-361, 364, 365min, 368-369, 375-376, 379-380, 383, 389, 383-395, 398-399, 400-401, 406, 407, 409-418, 420, 421, 423, 424, 427-429, 430-433, 435, 436/1, 436/2, 437-433, 438/1, 439, 443-448, 453-469, 470/1, 471-443, 443/1, 443-481, 483-487, 487-497, 501-508, 511, 513-519, 521-522, 524, 526-523, 534, 537, 539/1, 544/1, 547, 551-552, 556/3, 559/1, 562, 564, 566, 573, 576-577, 581-583, 585-587, 588/1, 590, 593, 595-596, 598, 604, 605/1, 607-612, 614-630, 632, 634-635, 637, 639-640, 642-649	663.90	Manual & linear plantation done. Natural plants also seen.
27	Morund	36.27	Part of 235			Manual & linear plantation done. Natural plants also seen.


Mining Officer,
Narnaul


Dy. Conservator of Forests,
(T) Division, Mahendergarh.

Certified copy of



Order dated 21-1-19

in the Court of Ld Sh. Anil Kumar J.J. nnc

Date of Bnst - 20-11-18

CS NO - CS-1031-18

Pend - / for 6-2-19

Ms/s Maa Santoshi Khanij Udyog having principal place of business at VPO Musnota, Tehsil Nangal Chaudhary district Mohindergarh (Haryana) through its Partner Gulab Singh son of Hazari Lal age 56 years resident of village Bhurjat Tehsil and District Mohindergarh.

---Plaintiff.

Versus

1. State of Haryana through Collector District Mohindergarh at Narnaul.
2. Financial Commissioner and Principal Secretary to Govt. of Haryana, Mines and Geology Department Haryana Chandigarh.
3. Director, Mines & Geology Department, Govt. of Haryana, Chandigarh.
4. District Mining Officer, Narnaul.
5. Financial Commissioner and Principal Secretary to Govt. of Haryana, Forest Department, Chandigarh.
6. Divisional Forest Officer, Mohindergarh.

--Defendants.

Prepared by Sh. R.K. Mehra Adv
 referred to Shri. Mr. Anil
 assigned for 20-11-18

Civil Judge (C) Narnaul

Attested
 Examiner
 CJM-Addl Civil Judge (Sr. Div.)
 Narnaul
 24-1-19

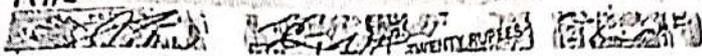
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SUIT FOR PROHIBITORY INJUNCTION to the effect that the defendants be restrained from causing any obstruction in the user of plaintiff, its employees, its partners, its customers etc. over Rasta in question (A strip of land approx. less than 200 ft in length in Western Southern part of khasra No. 487 situated in revenue estate of village Musnota Tehsil Nangal Chaudhary District Mohindergarh) which is shown in red colour in the enclosed site plan so as to allow the plaintiff to have access from its lease hold property of khasra No. 550 area 8.107 hectare situated in village Musnota on Western side Narnaul-Bayal road after crossing another privately owned but leased hold property of plaintiff firm which is situated in revenue estate of village Pachnota Tehsil Nangal Chaudhary District Mohindergarh in any manner and also from creating any kind of obstruction therein, in favour of the plaintiff and against the defendants; AND FURTHER SUIT FOR MANDATORY INJUNCTION in favour of the plaintiff and against the defendants to the effect that they be directed to provide



स्वस्थ भारत

10/-



11

3

the motorable Rasta of good condition to the plaintiff for having access from his aforesaid lease hold property of khasra No. 550 area 8.107 hectare situated in village Musnota to the Western side Narnaul-Bayal road falling in area of village Pachnota Tehsil Nangal Chaudhary District Mohindergarh and also to provide all type of assistance in this regard to the plaintiff firm and to remove the encroachment if any from the use of the rasta in question shown in red colour in the enclosed site plan.

Attested

Examiner

JM-Addl Civil Judge (Sr. Divin)
Narnaul

R 24778

M/S Man Santoshi Vs. Haryana State
1

IN THE COURT OF SH. ANIL KUMAR, HCS, CIVIL JUDGE
(JUNIOR DIVISION) Narnaul, HARYANA

CS-1031-2018
CNR No. HRNR02001671-2018
Date of order: 02.01.2019

M/S Maa Santoshi Vs. Haryana State

*Application under Order 39 Rule 1 and 2 read with Section 151 CPC
1908 praying for temporary injunction.*

Present : Sh. Rakesh Mehta, Advocate for plaintiff.
Sh. Vivek Kumar, GP assisted by Sh. Surender Kumar for
defendant no. 6 and Divisional Forest Officer & Mines and
Geology Department on behalf of defendants no. 1, 3, 4

ORDER

This order of mine shall dispose of the application filed by the applicant under Order 39 Rule 1 and 2 read with Section 151 CPC 1908 praying for ad-interim injunction restraining the defendant, his agents, employees, servants from causing any obstruction over the Rasta in question (a strip of land approximately less than two hundred feet in length in southern -western part of Khasra no. 487 in revenue estate of village Musnota Tehsil Nangal Chaudhary District Mahendergarh) as shown in red colour in site plan so as to allow the plaintiff to have access from its lease hold property of Khasra no.550 (area 8.107 hectare) situated in village Musnota on western side of Narnaul Bayal Road after crossing another privately owned but leased hold property of plaintiff firm which is situated in revenue estate of village Pachnota Tehsil Nangal Chaudhary District Mahendergarh in any manner and also be restrained from creating any kind of obstruction therein.


Anil Kumar
Civil Judge (Junior Division)
02.01.2019, Narnaul, Haryana



To decide the
a-facie case, balance
is necessary to
temporary inju
the view
init

M/S Maa Santoshi Vs. Haryana State

2

To decide this application Court has to consider the three facts i.e. prima-facie case, balance of convenience and irreparable injury, which are necessary to take into account while deciding application for temporary injunction. After having heard the arguments, this court is of the view that factor of prima facie case goes in favour of plaintiff because initially Sh. Ashok Kumar Gupta was allotted mining lease rights for mining of Calcite mineral over an area of 40.56 hectares in Khasra no. 427, 428, 429, 430/1, 433, 484 to 488, 550 and 551 situated in revenue estate of village Musnota District Mahendergarh for a period of 20 years w.e.f. 26.11.1994 to 16.11.2014. On the request of above said allottee, the aforesaid mining lease was allowed to be transferred in favour of plaintiff firm and the transferred deed was accordingly executed on 03.02.2009 with the State Government for the remaining period of lease upto 15.11.2014. However, the lease was renewed in favour of the plaintiff firm for a period of 10 years w.e.f. 16.11.2014 and Mining Department of Haryana had delivered the actual physical possession to the lessee on 24.12.1994 by way of letter no. 1867 dated 16.12.1994 issued by District Mining Officer Narnaul. Under the policy of State Government of Haryana the plaintiff firm surrendered the area of 32.543 hectare land and retained 8.107 hectare area of Khasra no. 550 situated in village Musnota and another mining lease was executed and registered on 24.02.2015 and 21.5.2015 respectively. The State Government of Haryana is charging Rs. 12,00,000/- per annum as lease money from plaintiff firm. Plaintiff firm has no other alternative path to reach in Khasra no. 550 except through the strip of land (approximately 200 feet) in Khasra no. 487 of village

Musnota
 Civil Judge (Senior Division)
 02/01/2019, 11:40 AM

Attended
 Examiner
 CJM-Addl Civil Judge (Sr. Divin)
 Narnaul 4/7/19

M/S Maa Santoshi Vs. Haryana State

3

Balance of convenience also lies in favour of plaintiff because plaintiff firm has also got the lease of private land of land owners of village Pachnota existing in between Khasra no. 487 and Narnaul Bayal Road. Vide a file no. 9-HRB109/2017-CHA dated 31.8.2018, it was mentioned that Khasra no. 550 is not covered under Aravali Plantation nor it is under Section 4 and 5 PLPA, 1900 category/IA 1927. The report of DFO Mahendergarh and Nodal Officer Haryana are not complimentary to each other. The proceedings of public hearing conducted on 09.1.2013 at 11:00 am regarding application of plaintiff firm for obtaining environmental clearance under EIA notification dated 14.09.2006 for the calcite mining at village Musnota Tehsil Nangal Chaudhary, District Mahendergarh Haryana, the objections raised by DFO Mahendergarh were declared as unnecessary, absurd, irrelevant and not based on record because mining officer Narnaul clarified vide a letter dated 21.01.2014 that Khasra no. 550 is free from Araveli Plantation as per Ground Truthing exercise report 2007 signed by DFO Mahendergarh. Sh. Dinesh Kumar, Regional Officer HSPCB, Dharuhera region as asked specially "what will be the way of transporting material" and in reply the project proponent with its consultant replied that "the road will be completed which is given in revenue record." This report signed by DC Mahendergarh at Narnaul, EDC Mahendergarh at Narnaul and Regional Officer Dharuhera region. Defendant no. 6, failed to submit that the alleged path has any plantation at present. Defendant also failed to submit that they have raised any plant with the help of foreign funds as per Aravali Plantation Scheme in Khasra no. 487.

Anil Santoshi Vs. Haryana State

Factor of irreparable loss also goes in favour of plaintiff because plaintiff firm has already submitted and deposited Rs. 12,00,000/- as lease money with Government of Haryana and possession of Khasta no. 550 has been obtained by plaintiff firm from the Mining Department of Haryana. The plaintiff has made investments by obtaining the lease of land adjacent to Khasta no. 487 & upto Narnaul Bayal Road along with huge investment in Khasta no. 550 for the mining work but at present he is unable to earn anything. In the light of above, this Court is of considered opinion that all three factors goes in favour of plaintiff and hence the present injunction application is allowed. In this order nothing shall be construed as decided in the merits of present case.

Let notice to defendants no. 2 & 5 be issued for 06.02.2019.

Date of Order: 02.01.2019

(Page 50/51)

Next date: 06.02.2019

Purpose: Notice to WS of 1, 3 & 4 to 2, 5

Anil
 (Anil Kumar)
 CJ(JD), Narnaul
 UID No. HR-0524

No. of Copies Registered 713
 Dated 21-1-19
 No. of Pages 23-18
 Charge 24-18
 Stamp Fee 72/-
 21.1.2019

Exa *[Signature]*
 JSD Genl Secy Dist Judge (CJ)
 Narnaul
 224-179



Anil Kumar
 Civil Judge (J.D.) Narnaul
 UID No. HR-0524

From Mining Officer,
Mines and Geology Department Haryana,
Narnaul.

To M/s Maa Santoshi Khanij udyog,
Musnota, District Mahendergarh.

Owner: Sh. Raman Sokhal & Aman Sokhal,
S/o Sh. Vinod Kumar,
R/o B-74 Shakti apartment,
Sector-09, Rohini, New Delhi.

Memo. No/MO/Narnaul/ 3369

Dated:- 17/10/2023

Subject: - Demand notice of Royalty, Price of Mineral and Penalty for carrying illegal mining out of lease area in Khasta No.487,551 of village Musnota beyond Lease hold Area of Khasra No. 550 i.e 8.107 Hect. in respect to M/s Maa Santoshi Khanij udyog, Musnota Mine.

On the subject noted above.

1. As you are aware that you were granted a mining lease for extraction of Calcite along with associated Minor Minerals' over an area of 8.107 hectares of land in Khasra No. 550 in village 'Musnota', Tehsil Narnaul, District Mahendergarh for extraction of Calcite along with associated minor mineral for a period of 50 years w.e.f 16.11.1994 to 15.11.2044 as per provisions of the Mines and Minerals (Development & Regulation) Act, 1957. In this regard, a lease deed was executed by you with the State Government on Form 'K' appended to the Mineral Concession Rules. 1960. And the Central Government through an Ordinance dated 12.01.2015 has made certain amendments in the mines and minerals (Development & Regulation) Act, 2015 as notified on 27.03.2015.
2. As you are also aware that a joint inspection team consisting of Sh. U. Narasimulu Senior surveyor Sh. Mohit Surveyor(H.Q), Director, Mines and Geology Haryana, Panchkula were also jointly surveyed/demarcated alongwith field Kanungo, Halka Patwari of village Musnota and Smt.Tanu Joshi Mining Inspector, Narnaul in the presence of Sh. Dushyant Sokhal representative of Project Proponent and Private Surveyor were also present on 05.10.2023. After the jointly demarcation it is found that you have



excavated 24,812.50 M.T. minor mineral beyond the leased hold area under tantamount to illegal mining. Whereas, by carrying out mining beyond permissible limit and encroachment in Khasta No.487, 551 of village Musnota, you have violated /breached terms and conditions lease agreement. Whereas per provision of Section 21.5 of Mines and Mineral(D&R) Act 1957 and rule 104(1) of the Haryana Minor Mineral Concession, Stocking, Transportation of Mineral & prevention of illegal Mining Rules 2012 (herein after referred as state Rules) any act of illegal/unauthorized mining shall be liable to the following.

- (i) For first time violation the said mineral shall be liable to be seized the impounding of all such tools, equipment, vehicles or any other things used for such unauthorized operation, which may be released only upon realization of the payment of price of the mineral and the applicable royalty for the mineral extracted and, in addition, a fine which shall not be less than Ten thousand Rupees; along with seized along.
 - (ii) For second time violation the said mineral shall be liable to be with the impounding of all such tools, equipment, vehicles or any other things used for such unauthorized operation for a minimum period of seven days, which may be released only upon realization of the payment of price of the mineral and the applicable royalty for the mineral extracted and, in addition, a fine which shall not be less than fifteen thousand Rupees;
 - (iii) Wherever a person is found to be indulging in such offence from the third time or more, the officer concerned shall register an FIR and handover all such tools, equipment, vehicles or any other things used for such unauthorized operation to the Police. Any such offence shall entail (a) confiscation of all such tools equipments, vehicles or any other thing used for such unauthorized operation for a period of minimum thirty days or more and (b) pecuniary penalty and punishment for the offence as provided under Section 21 of the mine and minerals (Development & Regulation) act 1957.
3. (i) Assessment of quantity of mineral illegally excavated and disposed off;
As per the inspection report dated 05.10.2023 the quantity of the stone excavated and disposed of by excavating outside of the lease Musnota is 24812.50 MT.

(ii)- Assessment of price of Mineral illegally excavated;

[Handwritten Signature]

As the rate of stone vary at different sites (varying from 150 Rs. Per ton to 190 Rs per ton) thus, taking the average as Rs. 170/- per ton is the average price of selling the mineral at pit head with royalty, after deducting of royalty accordingly, price of the stone Rs. 125/- per. M.T. Accordingly, total price of stone illegally removed is $24812.5 \times 125 =$ Rs. 3101562.5/-

(iii) Assessment of Royalty illegally excavated:

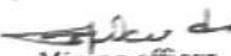
The rate of royalty of the stone as prescribed in the first Schedule in the Haryana Minor Mineral Concession, Stocking Transportation of Mineral & prevention of illegal Mining Rules 2012 is Rs. 45/- per MT, Total royalty of the quantity of stone illegally removed Rs. 1116562.5/-.

As per provision of Rule 104(1) Haryana Minor Mineral Concession, Stocking Transportation of Mineral & prevention of illegal Mining Rules 2012, for first violation fine of Rs. 10000/- in addition to price and royalty is also recoverable.

In view of the above you are liable to pay an amount as per details given below.

- | | |
|---|------------------|
| a) Total amount of the royalty of 24812 MT of stone | = 11,16,562.50/- |
| b) Total amount of price of mineral | = 31,01,562.50/- |
| c) Amount of penalty under rule 104(1) Total | = 10,000.00/- |

In the view of above you are liable to pay an amount Rs. 4228125/- and you are directed to deposit Rs. 4228125/- (Forty Two Lakh Twenty Eight Thousand One hundred Twenty Five Only.) within 20 days from the issuance of this letter, if you failed to deposit the above said outstanding amount, further proceeding will initiated against you.


Mining officer,
Mines & Geology Department Haryana,
Narnaul.

Dated 17/10/2023

Endst No. - 3370

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


Mining officer,
Mines & Geology Department Haryana,
Narnaul.



Order

Whereas, M/s Maa Santoshi Khanij Udyog, Village Musnota, Nangal Chaudhary, Distt. Mahendragarh is a mining project & ore beneficiation and covered under the Red category, as per categorization list of the Haryana State Pollution Control Board.

Whereas, on the directions of Hon'ble NGT in the matter of OA No. 593/2017 (WP (CIVIL) No. 375/2012, Paryavaran Suraksha Samiti & Ors. Vs Union of India & Ors., CPCB has prepared methodology for assessing Environmental Compensation, and the methodology prepared by the CPCB has been accepted by Hon'ble NGT vide orders dated 28.08.2019 in the same case;

Whereas, Hon'ble Supreme Court of India in the matter of Indian Council for Enviro Legal Action & Ors. Vs. Union of India & Ors. (1996) 3 SSC 212 Para 16 and in matter of Vellore Citizens Welfare Forum Vs. Union of India & Ors. (1996) 5 SSC 647 Para 12-18 holding that the "Polluter Pays" principle is an accepted principle and part of the environment law of the country, even without specific statute;

Whereas, it has been ordered vide Head Office Endst. No. HSPCB/PLG/2019/6043-50 dated 29.04.2019 to adopt the modalities/methodology suggested by CPCB for assessment, imposing, collection and utilization of environmental compensation from the polluting units in the State of Haryana and the same been approved by the Board in its 184th meeting. The modalities/methodology of environmental compensation of HSPCB is placed on website of Board for transparency and for accessibility of concerned stakeholders;

Whereas, the Haryana State Pollution Control Board has revised the procedure for examining, assessing and imposing Environmental Compensation on the industrial unit issued order vide Endst. No. HSPCB/PLG/2021/2343-81 dated 22.12.2021 in supersession of the orders issued earlier vide no. HSPCB/PLG/2019/6043-50 dated 29.04.2019 and HSPCB/PLG/2019/734-765 dated 20.12.2019;

Whereas, a committee was constituted at the Head Office level vide order No. HSPCB/Estt./2023/4429-37 dated 26.10.2023 to examine and finalize case of the Environment Compensation submitted by the Regional Officer so as to maintain the uniformity among all the cases;

Whereas, in compliance of above quoted orders of Hon'ble NGT order, this case falls under the cases to be considered for levying environment compensation. In compliance of Hon'ble NGT order dated 12.09.2023 in the Original Application No. 546/2023 titled as Puran Singh Vs Vinod Kausal and order dated 23.08.2023 in Original Application No. 514/2023 titled as

Shishram Vs Vinod Kausal in Hon'ble National Green Tribunal, Principal Bench, New Delhi and in compliance of direction issued by CAQM, New Delhi under stage III of GRAP has been visited by the concerned field officer on dated 20.11.2023 and during inspection, the unit was found non-operational and non-compliant;

Whereas, the Regional Officer, Mahendragarh vide letter no. 1295 dated 18.03.2024 had sent the calculation of Environmental Compensation against the above said unit for above said violations, the Environmental Compensation Assessment Committee examined the recommendation submitted by Regional Officer, Mahendragarh in its meeting held on 12.09.2024 as per provisions of above said modalities/methodology. After deliberations, the committee finalized Environmental Compensation as under;

EC = PI x N x R x S x LF = 80 x 226 x 250 x 0.5 x 1.0 = Rs 22,60,000/-

Where, PI = Pollution index, N = No of days of the violation considered for 226 days i.e. from 26.05.2023 to 06.01.2024 i.e. from the date of operation to the date of Compliance verification of SCN submitted by unit, R = Factor of Rupees, S = Factor of operation, LF = Location Factor.

Therefore, in view of above, it is hereby ordered with the directions to the unit M/s Maa Santoshi Khanij Udyog, Village Musnota, Nangal Chaudhary, Distt. Mahendragarh to deposit Environmental Compensation of Rs 22,60,000/- (Rs. Twenty Two Lakh Sixty Thousand Only) with the Haryana State Pollution Control Board within 15 days on account of the damage caused by the unit.

In case of failure, the Board will be constrained to initiate action as deemed necessary, following the due course of law. The amount of Environmental Compensation is to be deposited in Saving Account of INDUSIND BANK, Sector 9, Panchkula in Account No. 100053543757, having IFSC code no. INDB0000164.

**Dated, Panchkula the
29-10-2024**

Chairman, HSPCB

Endst. No.

Dated:

A copy of the above is forwarded to the following for information and necessary action please:-

1. Sr. Account Officer, HSPCB, Panchkula.
2. The Regional Officer, Mahendragarh. He is directed to pursue the matter for payment of environmental compensation as stated above and to submit the compliance report in this regard within the prescribed period.
3. M/s Maa Santoshi Khanij Udyog, Village Musnota, Nangal Chaudhary, Distt. Mahendragarh.

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Signed by

Sanjeev Kumar

Date: 05-11-2024 10:11:58

**Sr. Env. Engineer (HQ)
For Chairman, HSPCB**