

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH NEW DELHI

Original Application No. 514/2023

Shishram

Applicant

Versus

Vinod Kuasal

Respondent

**CORAM:- HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA,
CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH,
JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI,
JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER.**

Joint Report in compliance with Hon'ble NGT directions in the order dated 23.08.2023 in OA No. 514/2023 titled as Shishram versus Vinod Kuasal: -

".....This Original Application has been registered on the basis of the letters dated 15.07.2023 sent to the Tribunal by Shishram and others, who are stated to be the residents of Village Mosnota, Tehsil Nangal Chaudhary, District Mahendragarh, Haryana. The allegation in the letter is that illegal mining is being done in Maa Santoshi Khanij Udyog Lease by cutting the trees and causing environmental hazard. It is also alleged that due to heavy blasting, residential houses are damaged and the agricultural fields are effected. Further allegation is that about 200-250 mtrs. away from the mining area, there is a primary school and the education of the children is affected.

*At the first instance, to ascertain the correctness of the allegation, we direct District Magistrate, Mahendragarh, Haryana and the Haryana State Pollution Control Board (HSPCB) to submit the joint report. DM, Mahendragarh will act as nodal officer to file the report. Let the report be submitted within four weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. List for further consideration on **01.11.2023**".*

In compliance of the above direction, the status report in this matter is as follows:-

1. The unit M/s Maa Santoshi Khanij Udyog Vill-Musnota, Nangal Chaudhary District Mahendragarh is a mining project of area 8.107 Ha. and has obtained consent to establish from the Board on dated 26.08.2015 after obtaining Environmental Clearance from MoEF&CC vide No. J-11015/401/2012-IA. II (M) dated 14.05.2015. The unit has obtained consent to operate for the period 01/10/2015 to 30/09/2021. Thereafter, the unit obtained consent to establish for expansion of the mining project from the Board on 04.12.2020 after obtaining Environmental Clearance from SEIAA, Haryana vide No. SEIAA(125)/HR/2020/461 dated 20.10.2020 and accordingly obtained consent to operate for the period 04/01/2021 - 30/09/2025. The unit has intimated that the operation of the mining project has been closed from 2019 to 2023 and resumed operation in May 2023.
2. In compliance with the Hon'ble NGT order dated 23.08.2023, Deputy Commissioner, Mahendragarh vide order No. 1268/DA dated 06.09.2023 constituted a committee of the following officers under the chairmanship of the Sub Divisional Magistrate, Narnaul to carry out the inspection of the site and submit report. A copy of the letter dated 06.09.2023 is attached as **Annexure-1**.
 - a) The Divisional Forest Officer, Mahendragarh.
 - b) The Regional Officer, HSPCB, Mahendragarh Region
 - c) The Mining Officer, Narnaul
3. Accordingly, the site was inspected on 14.09-2023 by the members of the Committee i.e. Sub Divisional Magistrate Narnaul, Divisional Forest Officer Mahendragarh and Regional Officer Mahendragarh Region and other officers. Thereafter, a meeting of the above-said Committee was held on 17.10.2023 at 10:00 AM in the office of the Sub Divisional Magistrate, Narnaul to review the status in compliance with Hon'ble NGT directions. Copy of letters dated 12.09.2023 & 12.10.2023 are attached as **Annexure-2 & 3**.

4. Divisional Forest Officer, Mahendragarh vide letter dated 25.10.2023 has intimated w.r.t. inspection dated 14.09.2023 that the lease area at Khasra No. 550 is covered surrounding from 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 the Khasra No. 550 and transpired that 161 numbers shrubs like muskat have illegally been damaged and accordingly Forest Offence Report (FOR) dated 02.10.2023 was prepared under section 32-33 of Indian Forest Act, 1927 and also granted sanction for filing prosecution case against offenders in the Special Environment Court at Faridabad. Copy of report along with relevant documents submitted by DFO, Mahendragarh are attached as **Annexure-4**.
5. Mining Officer, Mines & Geology Department, Narnaul vide letter No. Mining/NNL/3432-34 dated 20.10.2023 (**Annexure-5**) has intimated the following status report in this matter: -
- a) The constituted committee visited the mining lease area of Musnota Mines Khasra No. 550 along with Tehsildar Nangal Choudhary and field Kanungo on 14.09.2023. As per the demarcation report by field Kanungo on 16.09.2023, the leaseholder encroached the area of 15,648 sq. ft. in the Khasra No. 487 & 551 and Senior Surveyor, Surveyor (H.Q) Director, Mines and Geology Haryana, Panchkula again jointly surveyed/demarcated along with field Kanungo, Halka Patwari of village Musnota and Mining Inspector, Narnaul in the presence of representative of Project Proponent and Private Surveyor were also present on 05.10.2023. After the demarcation, it is 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 is 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) (Annexure-6)**
- b) Mining officer, Narnaul has intimated that during the survey conducted from the Google Earth map, the complaints house at Dhani Jokhla Wali of Musnota Village was located at 693 meters from the place of working (Site of Blasting) in the Musnota Calcite Mine. Further, it was observed that another hutment/ camp of Dhani Maliya had 4 houses existing within 300 meters of the mine boundary that was closer to the mine than the complainant's houses. During the enquiry, the villagers of Dhani Maliyala stated that they had no problem due to the blasting conducted in the Mine. During the inspection, it was found that primary school Dhani Maliyala existed within about 200 meters from the boundary mine and about 200-300 meters from the working place of machinery used for mining and also found that cracks are seen in the RCC beam on the door level of the school building, no any cracks found on other walls of the primary school and also seems that ceiling plaster is found defective due to construction material used in the school building.

6. Recently, a joint inspection was carried out in the presence of complainants of the said mining project by Deputy Director, DGMS Ghaziabad along with Mining Officer Narnaul on dated 01.09.2023 and conducted to examine the ground vibration by two rounds of blast and observed the values of induced ground vibrations recorded in seismography. The GPS Co-ordinates of the location of the Mini Super graph (Seismograph) and the location of the place of blasting of Mine were taken by the hand-held GPS instrument and the co-ordinates were Northing: 2752.96259'N & Easting: 7600.17948' E respectively. Director, Mines Safety, Ghaziabad sent an action taken report along with comments vide letter dated 13.10.2023 with direction to the management of Musnota Calcite mines regarding violation vide letter dated 03.10.2023 for rectification of contraventions observed during inspection and enquiry of the mine. Mine management was directed that no blasting other than the blasting specified in Regulation 164(1B)(a) of the Metalliferous Mines Regulations (MMR), 1961 shall be conducted within 300 m of such hutments/structures of permanent nature not belonging to the owner of the mine till controlled blasting permission under regulation 164(1B)(a) of the Metalliferous Mines Regulations, 1961 is obtained from this Directorate in writing based on scientific study report from a reputed scientific agency. (A copy of a letter dated 13.10.2023 is attached as **Annexure 7**).

Conclusion: -

In view of the above facts, allegations w.r.t. to the effect of heavy blasting were not established as per the report submitted by the Deputy Director, DGMS, Ghaziabad and Mining Officer, Narnaul to a nearby residence and school as mentioned above. However, the other allegations mentioned in the complaint w.r.t. illegal mining and cutting of trees as per the report submitted by DFO, Mahendragarh and Mining Officer, Narnaul were found correct and accordingly necessary action as mentioned above have already been taken by the concerned department under applicable laws/rules.

It is, therefore, prayed that the above Joint Report in compliance with the directions issued by this Hon'ble Tribunal vide order dated 23.08.2023, may kindly be considered please.


Regional Officer
HSPCB, Mahendragarh Region


Sub Divisional Magistrate
Narnaul


Deputy Commissioner
Mahendragarh at Narnaul

Annexure-1

GOVERNMENT OF HARYANA
OFFICE OF THE DEPUTY COMMISSIONER, MAHENDRAGARH

ORDERS

Narnaul, the 06th Sept., 2023

No. 1268/DA : Whereas an order has been passed on 23.08.2023 by Hon'ble National Green Tribunal, New Delhi in O.A. No. 514/2023, Shishram Vs. Vinod Kuasai, as per copy attached herewith.

2. And whereas the said report is to be submitted to the Tribunal within four weeks and needs to be complied with immediately.

3. Therefore, a committee of the following officers is hereby constituted under the Chairmanship of the Sub Divisional Magistrate, Narnaul to carry out the inspection of the site with relevant record and submit the report latest by 11.09.2023 for further necessary action.

- i) Divisional Forest Officer, Mahendragarh;
- ii) Regional Officer, HSPCB, Mahendragarh Region;
- iii) Mining Officer, Narnaul.


Deputy Commissioner,
Mahendragarh.

Copy alongwith enclosure to:

1. Sub Divisional Magistrate, Narnaul.
2. Divisional Forest Officer, Mahendragarh.
3. Regional Officer, HSPCB, Mahendragarh Region.
4. Mining Officer, Narnaul.

प्रेषक

उपमण्डल अधिकारी(ना0)
नारनौल।

प्रेषित

1. Divisional Forest Officer, Mahendragarh.
2. Regional Officer, HSPCB, Mahendragarh Region,
3. Mining Officer, Narnaul.

यादी क्रमांक 1017-19 / स्टैनों

दिनांक 12/9/23

विषय :-

Before the National Green Tribunal Principal Bench .

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उपरोक्त विषय पर उपायुक्त महेन्द्रगढ़ स्थित नारनौल के आदेश क्रमांक 1268/डी0ए0 दिनांक 06.09.2023 के द्वारा आप सभी की संयुक्त कमेटी गठित की है, जो कि आपको भी प्रेषित है। जिसमें अधोहस्ताक्षरी को अध्यक्ष नियुक्त किया हुआ है। जिसकी अनुपालन में आपको लिखा जाता है कि आप सभी दिनांक 14.09.2023 को प्रातः 10.00 बजे गांव मौसनुता तहसील नांगल चौधरी के सम्बन्धित स्थान पर उपस्थित होना सुनिश्चित करें।


उपमण्डल अधिकारी(ना0)
नारनौल।

पृ0 क्रमांक 1020 / स्टैनों

दिनांक 12/9/23

इसकी एक प्रति तहसीलदार, नारनौल को भेजकर लिखा जाता है कि आप व सम्बन्धित कानूनगों व पटवारी सहित निश्चित समय व स्थान पर उपस्थित होना सुनिश्चित करें।


उपमण्डल अधिकारी(ना0)
नारनौल।

प्रेषक

उपमण्डल अधिकारी(ना।0)
नारनौल।

प्रेषित

1. Divisional Forest Officer, Mahendragarh.
2. Regional Officer, HSPCB, Mahendragarh Region,
3. Mining Officer, Narnaul.
4. Tehsildar Nangal Chaudhary.

यादी क्रमांक:- 1223-26 /स्टैनों

दिनांक:- 12-10-2023

विषय :-

Regarding meeting in the matter of Original Application No. 514/2023 titled as Shishram Versus Vinod Kuasal in Hon'ble National Green Tribunal, Principal Bench, New Delhi in compliance of order dated 23-08-2023.

उपरोक्त विषय पर उपायुक्त महेन्द्रगढ़ स्थित नारनौल के आदेश क्रमांक 1268/डी0ए0 दिनांक 06.09.2023 के द्वारा आप सभी की संयुक्त कमेटी गठित की है, जो कि आपको भी प्रेषित है। जिसमें अधोहस्ताक्षरी ने अपने कार्यालय में एक बैठक का आयोजन सुनिश्चित किया है अतः आपको लिखा जाता है कि उक्त माईन्स के सम्बन्ध में अपने-अपने विभाग की स्पष्ट रिपोर्ट सहित दिनांक 17.10.2023 को प्रातः 10.00 बजे अधोहस्ताक्षरी कार्यालय में उपस्थित होना सुनिश्चित करें। इसक अति-आवश्यक समझें।


उपमण्डल अधिकारी(ना।0)
नारनौल।

Annexure-4

A committee is constituted vide Deputy Commissioner Mahendergarh vide order no. 1268/DA dated 06-09-2023 in compliance of Hon'ble NGT order in OA no. 514/2023.

In compliance of above order Sub Divisional Magistrate, Narnaul, Regional Officer, Haryana State Pollution Control Board, Mahendergarh at Rewari, Mining Officer, Narnaul and Divisional Forest Officer, Mahendergarh inspected the site on dated 14-09-2023. During the site visit following observation found and action taken in the regarding.

- 1- The lease area khasra no. 550 is covered surrounding from Aravalli Plantation. The lease holder has violated the order of Hon'ble Supreme Court of India in WP (C) No. 4677 of 1985 dated 18-03-2004 "No mining activity can be carried out on area over which plantation has been undertaken under Aravalli project by utilization of foreign funds". As per demarcation report of Revenue Department on dated 16-09-2023 the lease holder has mined the 15648 square feet of illegal mining surrounding the khasra no. 550. Copy of demarcation are attached here with Annexure, R-1

The Forest Offence Report no. 023/0586 dated 02-10-2023 was prepared at the spot in accordance under section 32-33 of Indian Forest Act 1927, but the offenders refused to sign the same, copy of the said FOR (Forest Offence Report) are attached here with as Annexure-R-2

- 2- That thereafter, vide memo no. 3793 dated 25-10-2023, the Divisional Forest Officer, Mahendergarh, while granting sanction for filing prosecution case against the Sh. Aman Kumar S/o Sh. Vinod Kumar Sokal in the Special Environment Court, at Faridabad, directed the Range, Forest Officer, Nangal Chaudhary to file challan in the said court at the earliest with a further direction that Sh. Jai Bhagwan, Dy. Ranger Incharge Nangal Choudhary cum-Prosecutor of the Mahendergarh Forest Division will attend the court hearing on behalf of the State. Attached copy as Annexure-R-3.

- 3- During the inspection, it transpired that 161 number shrubs like muskat have illegally been damaged. Thereafter the Forest Offence Report No. 23/0586 dated 02-10-2023 was prepared of the spot in accordance under section 32-33 of Indian Forest Act, 1927 but the offenders refused to sign, the same copy of the said FOR and the details of the offence are attached here with as Annexure-R-4
- 4- The lease holder must be maintained the green belt as per approved mining plan, during the inspection. It transpired that the lease holder not maintained the Green Belt, action is being taken regarding.



Divisional Forest Officer,
Mahendergarh.

ई-मेल के माध्यम से।

प्रेषक

उपमण्डल अधिकारी (ना०),
नारनौल।

प्रेषित

1. जिला खनन अधिकारी, नारनौल,
2. जिला वन अधिकारी, नारनौल,
3. R.O. Pollution Control Board, Mahendergarh.

यादी क्रमांक: 1110-12/स्टैनों

दिनांक :- 29-09-2023
~~28-09-2023~~

विषय:- पैमाईश रिपोर्ट भेजने बारे।

उपरोक्त विषय के अन्तर्गत आपको पैमाईश रिपोर्ट व नक्शा भेजकर लिखा जाता है कि आप अपनी स्पष्ट रिपोर्ट आज ही लौटती डाक के साथ इस कार्यालय को भिजवाना सुनिश्चित करें, ताकि समय पर जवाब प्रस्तुत किया जा सके।

संलग्न:- पैमाईश रिपोर्ट व नक्शा।


उपमण्डल अधिकारी (ना०),
नारनौल।

रिपोर्ट पैमाइरा

मीरान जी, आज दिनांक 16-09-2023 को बाबत जलने निशान देरी बाहु
 मौखिक आदेश मीरान उमरखडल अधिकारी (ना०) नारकोल खतरा नम्बर 5
 वाजा नगला मौजा मौसूता में मौजा पर पहुंचा। मौजा पर श्री शशिषा
 हल्का पटवारी मम राजकव दिगाडि पूर्ण गांव मौसूता तथा श्री लालच
 पुत रतीराम वासी पांचनोरा, श्री कैलाशचन्द पुत धूडाराम वासी मौ
 श्री दुधयन्त शुक्ल पुत जगदीशगुप्त वासी सिरता, श्री बाहुल्य
 पुत विमलेश शर्मा वासी पड़ादिम तहसील रिधीगंज बिहार, श्री बन्शी
 पुत भद्रानाम वासी नांगल दगे, श्री शशिवराम पुत कामकिवास पर
 हाजी जोयला मौसूता, श्री दु गोनाम पुत दोडू लाल वासी मौसू
 श्री प्रवीणकुमार पुत विवेन्द्रसिंह वासी केवूपुर तहसील बावल,
 दिजवन DGP इन्वेयर आदि मौजा पर हाजिर मिले। हाजी सूची
 व सूचना परवाना साथ संलग्न है।

माथे पैमाइरा आरम्भ करने के पूर्व

मौजा पर हाजिर जमीनियों को सक्षम न्यायालय के कक्षी / स्थान आदि
 कोर पूछा गया। मौजा पर हाजिर जमीनियों ने देखा आदेश लिखी
 पैदा नहीं किया। राजकव दिगाडि जमाबंदी, शहरा पारना व फील्ड बु
 का मिलान किया गया। राजकव दिगाडि का अवलोकन करने पर
 मौजा पर हाजिर जमीनियों की मौलदूमी में सर्वे लाल पटवारी-यज
 तलाश लिये गये। तलाश करने पर पाया कि पहला सर्वे लाल
 पटवारी-यजबकी मुश्तकील व जिला नम्बर $\frac{89}{5}$ उत्तरी-पूर्वी कोन
 दूसरा सर्वे लाल पटवारी $\frac{89}{5}$ उत्तरी-पश्चिमी कोना पर व तिसरा
 लाल-यजबकी $\frac{89}{21}$ दक्षिणी-पश्चिमी कोना पर मौजा पर मौ
 मिले। उपरोक्त सर्वे लाल पटवारी को वही जामम माना। अथः

* अब मौला पैसाइका के लिए भी रिजवान Dhp S मशीन सर्वेयर ने राजस्व डाटा के अनुसार Dhp S मशीन में राजस्व डाटा फीड किया। राजस्व डाटा फीड करने के बाद Dhp S मशीन के उपरोक्त सर्वे लाल पत्थरों की जांच की गई। जांच करने पर पाया कि उपरोक्त सर्वे लाल पत्थर अपनी-अपनी जगह मौला पर ठीक जामम मिले। अब Dhp S मशीन की सहायता से मौला पर

खसरा नम्बर 550 कायम करने निशानात लगवाए गए। कायम शुदा निशानात की पैसाइका बढ़ाये कीता 100 फीट प्रीमियम मार्ग के मौला पर करने हाजवीन की तबली करवाई गई। खसरा नम्बर

550 की पैसाइका करने पर पाया कि जैसा नक्शा तलावत में मार्क A में पूर्व - पश्चिम - दक्षिण - उत्तर = 1087 वर्ग फीट पर

$$\frac{112}{112'-0"} = 1087 \text{ वर्ग फीट पर}$$

खसरा नम्बर 487 में मां सन्तोषी खनीज उद्योग में खनन करने के लिए जा रहा है। मार्क A₁ में पूर्व - पश्चिम - दक्षिण - उत्तर = 2450 वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज उद्योग में खनन करने के लिए जा रहा है। मार्क A₂ में

$$\frac{100}{100'-0"} = 3093 \text{ वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज उद्योग में खनन करने के लिए जा रहा है। मार्क A₃ में पूर्व - पश्चिम - दक्षिण - उत्तर = 3645 वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज उद्योग में खनन करने के लिए जा रहा है। *$$

पूर्व - पश्चिम - दक्षिण - उत्तर = 3093 वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज उद्योग में खनन करने के लिए जा रहा है। मार्क A₃ में पूर्व - पश्चिम - दक्षिण - उत्तर = 3645 वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज उद्योग में खनन करने के लिए जा रहा है। *

$$\frac{40}{40'-0"} = 3645 \text{ वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज उद्योग में खनन करने के लिए जा रहा है। *}$$

खनीज उद्योग में खनन करने के लिए जा रहा है। * P 17-0"

*- मार्क A 4 में पूर्व $\frac{40'0''}{40'0''}$ - पश्चिम $\frac{40'0''}{40'0''}$ - दक्षिण $\frac{47'0''}{47'0''}$ - उत्तर $\frac{50'0''}{50'0''}$ = 1940 वर्ग

फीट पर खासता नम्बर 551 में मां सन्तोषी खानेज उद्योग ने खनन करके अर्ध-ध लब्धा किया हुआ है। मार्क A 5 में पूर्व $\frac{69'0''}{69'0''}$

पश्चिम $\frac{55'8''}{55'8''}$ - दक्षिण $\frac{65'0''}{65'0''}$ - उत्तर $\frac{47'0''}{47'0''}$ = 3433 वर्ग फीट पर खासता नम्बर

551 में मां सन्तोषी खानेज उद्योग ने खनन करके अर्ध-ध लब्धा किया हुआ है। जिसकी पीले रंग से बनाया गया है। खासता नम्बर

487 व 551 की मलकीयत राजस्व विभाग में ग्रास पंचायत है। खासता नम्बर

नम्बर 550 ने प्राइमरी स्कूल की दूरी 206.40 मीटर है। खासता नम्बर

550 के-बन्दानाम पुत्र प्रेमा के मलान की दूरी 153 मीटर है।

बन्दानाम पुत्र प्रेमा का मलान खासता नम्बर 258 में बना हुआ है।

जिसकी मलकीयत ग्रास पंचायत में पांचमोता है। मां सन्तोषी

खानेज उद्योग ने खासता नम्बर 258 में बना बना रखा है। जिसकी

मलकीयत ग्रास पंचायत में पांचमोता है। मां सन्तोषी

खासता नम्बर $\frac{112}{5} - \frac{113}{9-10-11-12-13-17}$ में मां सन्तोषी खानेज

उद्योग ने बना बना रखा है। जिसकी मलकीयत निस्तुरी पुत्री

जोशी व प्रेमदास-हंसराज आदि की है। जिसमें बना हुआ है।

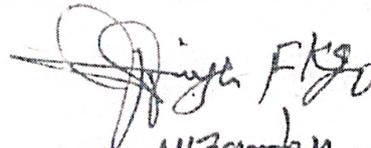
राजस्व विभाग में कोई वास्ता नहीं है।

नगरपालिका श्री रिजवार्ड DGPD मशीन सर्वेयर द्वारा मांला पर पैमाने करके के बाद दिया गया प्रिन्ट

अनुसार तलाक़त खसम मांला पर लोकोर उपोक्तियों द्वारा बताया

गये, अर्ध-ध लब्धा च्यारी के नाम खसम बलादियत के *-

*- आचार प्रव रिपोर्ट प्रमादेश तयार करणे की तारीख/बाद
प्रमादेश मोजा रिपोर्ट प्रमादेश तयार करणे आगामी काळासाठी
हनु आपली सेवा में पेश है।


M/30amp

16/09/2023

luy
16/9/23

सूचना परवाना

प्रेषक :- गिरदावर हल्का,

निवासी

प्रेषित :- पटवारी हल्का,

गाँव- मोसबूता

विषय :- इतलायाबी परवाना बाबत करने निशान देही।

उपरोक्त विषय के संदर्भ में आपको भेजकर लिखा जाता है कि बाहुकमा आदेश श्रीमान मन्वरदार मोसबूता (गाँव) मोसबूता (हल्का) वरदरखास्त वासी गाँव मोसबूता खसरा नंबर 550 वाका रकवा मौजा मोसबूता

की पैमाईश दिनांक 16-09-2023 को मोका पे की जानी है। अतः आप स्वयं मय राजस्व रिकार्ड पूर्ण गाँव मोसबूता तथा प्रार्थी, परोसियान, सरपंच, नम्बरदार, चौकीदार व अन्य मौजिजान की बवक्त पैमाईश मोका पर हाजिर रहने बारे इतला करें। बाद इतला परवाना निश्चित तिथि से पूर्व भेजें।

[Signature]
गिरदावर हल्का 14/09/2023

[Signature]
मोसबूता
मोसबूता
मोसबूता

[Signature]
19/09/2023

श्रीमान जी,
मुत्तापिल गाँव में मुसबूता में मुसबूता मोसबूता
मोसबूता
15/9/2023

सूची हाजिरान बरक्त पैमाईश ब...
 गाँव तहसील जिला महेंद्रगढ़,
 हरियाणा।

दिनांक 16/09/2023

हस्ताक्षर

- | क्रम संख्या | नाम हाजिर व्यक्ति | हस्ताक्षर |
|-------------|--|--------------|
| 1 | श्री. लालचन्द S10 श्री कृष्णराम वासी पांचनोरा | लालचन्द |
| 2 | 11 कल्याणचन्द S10 " सुंदरराम दासी राडा सुसनोरा | कल्याणचन्द |
| 3 | 11 दुष्यंत सुन्दर S10 " जगदीशकुमार वासी सिदसा | दुष्यंत |
| 4 | 11 राहुल कुमार S10 " विमलेश शर्मा
वासी पड़रिया तहसील सिदसा जिला | राहुल |
| 5 | 11 बंशीराम S10 " अश्वराम
वासी नागांज इन्डिया | बंशीराम |
| 6 | 11 श्रीशराम S10 श्री रामानेवा
वासी जांडला सुसनोरा | श्रीशराम |
| 7 | 11 दुर्गाराम S10 श्री चौदूलाल वासी सुसनोरा | दुर्गाराम |
| 8 | 11 प्रवीण कुमार S10 " विरन्दास
वासी केशपुर तहसील | प्रवीण कुमार |
| 9 | 11 शिशुपाल पटवारी इन्डिया | शिशुपाल |
| 10 | 11 रीजवान DGPS ऑडिटर | रीजवान |

16/9/2023



वन अपराध रिपोर्ट

वन विभाग, हरियाणा सरकार

0586

FOR No. 023

FOR Book No.

वन मण्डल	भैंसगाँव				
नेज/ब्लॉक/बीट	नजारा चौधरी / मिजामपुर / पंजोता				
रीच/जगह का नाम	कुम्भोता सुरक्षा वन क्षेत्र, जसरा नं. 487, 551				
FOR No. (Date, Day & Time)	02-10-2023, दिन				
रिपोर्ट जारी करने वाले का नाम	श्री अनिल कुमार वन रक्षक				
अपराध की जानकारी का स्रोत	स्वयं द्वारा गस्त/ मुखबीर द्वारा/ शिकायत				
अपराध होने के तारीख/दिन/समय	उत्पन्न कार्य के दौरान				
जांच अधिकारी का नाम व पद	श्री जयधिराज वन रक्षक				
अपराध/घटना का विवरण संलग्न	नहीं/यदि हां तो पृष्ठ संख्या (पिछे अंकित है)				
उद्घटना किया गया अधिनियम	संलग्न				
भारतीय वन अधिनियम 1927	की धारा 32, 33				
वन्य प्राणी (संरक्षण) अधिनियम 1972					
पंजाब भूमि संरक्षण अधिनियम 1900					
भारतीय दण्ड संहिता					
अपराधी का विवरण	नाम	पिता का नाम	उम्र	जाति	पता
	अमन बोजल	श्री विनोद कुमार बोजल	30 वर्ष	पंजाबी	पंजाब 1/0-B-74 श्री अमन बोजल संलग्न-9 रोहिली- नं. 12 दिल्ली
जब्त वन उपज का विवरण	प्रजाति	किस्म/माइज	संख्या	मूल्य	मुआवजा राशि
जब्त कीकाल का विवरण	प्रकार	रजिस्ट्रेशन नं०	रंग	मॉडल	उत्पादन वर्ष
औजार/ हथियार					
अन्य, यदि कोई हो					
सही को चिन्हित करें	नजरी- नक्शा जी०पी०एम० मीडिंग सहित	संलग्न किया है/तैयार नहीं किया गया		यदि हां तो पृष्ठ संख्या	
	फोटोग्राफ	संलग्न/तैयार नहीं किया गया			
	विडियोग्राफी	संलग्न/तैयार नहीं किया गया			

R.O.A.C.

Anil Kumar
बीट इन्चार्ज

मुखबीर/ शिकायतकर्ता/ गवाह के हस्ताक्षर/ अंगुठे का निशान

Anil Kumar
वन रक्षक

व० नं० अ० *Rishi*
नाम *जयधिराज*
रैंक *व० प०*
दिनांक

आरोपी का हस्ताक्षर/ अंगुठे का निशान

माननीय राष्ट्रीय हरित अधिकरण में लगी O.A.No.514/2023, Sh. Shishram (Applicant) V/S Sh. Vinod Kuasal (Respondent) की अनुपालना में, श्रीमान् उप मण्डल अधिकारी (ना0) नारनौल द्वारा फिल्ड कानुनगों निजामपुर श्री महावीर को दिए गए मौखिक आदेशों के अनुसार मां सन्तोषी खनिज उद्योग, मुसनौता, खसरा नं0 550 की दिनांक 16.09.2023 को सम्बन्धित हल्का पटवारी श्री शीशपाल के साथ Nahar Survey Design & Construction द्वारा उपरोक्त खनिज उद्योग, मुसनौता की पैमाईश की गई । उप मण्डल अधिकारी (ना0) नारनौल ने ई-मेल के माध्यम से जिला वन अधिकारी, महेन्द्रगढ को पत्र क्रमांक 1111/ स्टेनों दिनांक 29.09.2023 को पैमाईश रिपोर्ट भेजी गई । उक्त पैमाईश रिपोर्ट का अध्ययन करने पर पाया गया कि उक्त खनिज उद्योग के नुमाईदो द्वारा ग्राम पंचायत मुसनौता के अरावली के खसरा न0. 487 में 1087 Sqr. feet या 100.9856 Sqr.meter और खसरा न0. 551 में 14561 Sqr. feet या 1352.7612 Sqr.meter में अवैध खनन किया हुआ है। इन परिस्थितियों के मध्य नजर व हमारी जांच पडताल में यह सिद्ध होता है कि मां सन्तोषी खनिज उद्योग, मुसनौता द्वारा उपरोक्त खसरा नं0 के मुसनौता सुरक्षित वन क्षेत्र में 15648 Sqr. feet या 1453.7468^{Sqr. meter} में अवैध खनन किया हुआ है। उपरोक्त लीज उद्योग द्वारा भारतीय वन अधिनियम 1927 की धारा 32-33 की उल्लंघना की गई है। वन अपराधी द्वारा जंगल जुर्म ईकबाल किया तथा FOR पर हस्ताक्षर करने से इंकार किया ।

Ravi R. K.

Am/Sum
1.e - PanchNote

Am/Sum
वन राज्य अधिनियम
भाग 1

OFFICE OF THE DIVISIONAL FOREST OFFICER
FOREST COMPLEX, MAHENDERGARH

Tel./Fax:+ 91 01285-220229, E-Mail:- dfomgarh@yahoo.co.in

No. 3793

Dated 25/10/23

To,

Range Forest Officer,
Nangal Choudhary.

Sub. **Approval for filling of Prosecution case in the Special Environment Court, Faridabad.**

Sanction is hereby accorded for filling of prosecution case against the offenders in the Special Environment Court, Faridabad, as per detail given below.

Sr. No.	P.C. No.	Damage Report No. and Date	Name & Address of Offender
2.	03NCH/2023-24	023/0586 Dated 02/10/2023	Aman Sokal S/O Vinod Kumar Sokal R/O -B-74 Shakti Apartment, Sector-9, Rohini, New Delhi.

You are hereby directed to file challan in the Special Environment Court at the earliest Range forest officer-Cum Prosecutor of Mahendergarh Forest Division with attend the Court hearing on behalf of the state.

Divisional Forest Officer,
Mahendergarh. o/c

[Signature]
25/10/23.

[Signature]
25/10/2023

MCH P.R.R NO. - 03 MCH (2023-24)



वन अपराध रिपोर्ट

0586

वन विभाग, हरियाणा सरकार

022

FOR No.

FOR Book No.

वन मण्डल	मण्डल 1				
रेज/ब्लॉक/वीट	नाचो बरी, नौगापुर, पाँच नीला				
रीच/जगह का नाम	मुसनीता सुरावत वन क्षेत्र स्वमं-पहा/551				
FOR No. (Date, Day & Time)	02/10/2023 Time 3.30 दिन				
रिपोर्ट जारी करने वाले का नाम	अनील कुमार				
अपराध की जानकारी का स्रोत	स्वयं द्वारा गस्त/मुख्यीर द्वारा/शिकायत				
अपराध होने के तारीख/दिन/समय	खनक काय के करार				
जांच अधिकारी का नाम व पद	श्री रिमीश ००५०				
अपराध/घटना का विवरण संलग्न	नहीं/यदि हां तो पृष्ठ संख्या पिछे अंकित है				
उल्लंघना किया गया अधिनियम	संवधान				
भारतीय वन अधिनियम 1927	की धारा 32, 33				
वन्य प्राणी (संरक्षण) अधिनियम 1972					
पंजाब भूमि संरक्षण अधिनियम 1900					
भारतीय दण्ड संहिता					
अपराधी का विवरण	नाम	पिता का नाम	उम्र	जाति	पता
	अमन शोखला 370	विनीत शोखला	30 वर्ष	प्रजापति	र/0 8-14
		कुमार		शक्ति	अपार्टमेंट
				सेक्टर - 4	
				शेडणी - नई दिल्ली	
जप्त किये गये सामान का विवरण					
जप्त वन उपज का विवरण	व्युजाति	किसम/साइज	संख्या	मूल्य	मुआवजा राशि
	अमन शोखला 370	विनीत कुमार शोखला			
जप्त वस्तु का विवरण	प्रकार	रजिस्ट्रेशन नं०	रंग	मॉडल	उत्पादन वर्ष
ऑजार/हथियार					
अन्य, यदि कोई हो					
सही को चिह्नित करें	नजरी-नक्शा/जी०पी०एम० रीडिंग सहित 27.52.38.6 N	संलग्न किया है/तैयार नहीं किया गया	यदि हां तो पृष्ठ संख्या		
	फोटोग्राफ 00'06'2 E	संलग्न/तैयार नहीं किया गया			
	विडियोग्राफी	संलग्न/तैयार नहीं किया गया			

R.O.A.C.

बोट इन्चार्ज

मुखवीर/शिकायतकर्ता/गवाह के हस्ताक्षर/अंगुठे का निशान

व० स० अ०

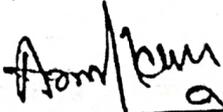
नाम

रैंक

दिनांक

आरोपी का हस्ताक्षर/अंगुठे का निशान

माननीय राष्ट्रीय हरित अधिकरण में लगी O.A.No.514/2023, Sh. Shishram (Applicant) V/S Sh. Vinod Kuasal (Respondent) की अनुपालना में, श्रीमान् उप मण्डल अधिकारी (ना0) नारनौल द्वारा फिल्ड कानुनगों निजामपुर श्री महाबीर को दिए गए मौखिक आदेशों के अनुसार मां सन्तोषी खनिज उद्योग, मुसनौता, खसरा नं0 550 की दिनांक 16.09.2023 को सम्बन्धित हल्का पटवारी श्री शीशपाल के साथ Nahar Survey Design & Construction द्वारा उपरोक्त खनिज उद्योग, मुसनौता की पैमाईश की गई । उप मण्डल अधिकारी (ना0) नारनौल ने ई-मेल के माध्यम से जिला वन अधिकारी, महेन्द्रगढ को पत्र क्रमांक 1111/स्टेनों दिनांक 29.09.2023 को पैमाईश रिपोर्ट भेजी गई । उक्त पैमाईश रिपोर्ट का अध्ययन करने पर पाया गया कि उक्त खनिज उद्योग के नुमाईदो द्वारा ग्राम पंचायत मुसनौता के अरावली के खसरा न0. 487 में 1087 Sqr. feet और खसरा न0. 551 में 14561 Sqr. feet में अवैध खनन किया हुआ है तथा इस अवैध खनन के कारण बहुत सारे झाडीनुमा मस्कट उखाडकर भी मौके से खुर्द - बुर्द कर दिए गए है । तत्पश्चात उपरोक्त अवैध खनन की हुई भूमि के बराबर साथ लगते सुरक्षित वन क्षेत्र की पैमाईश की गई तथा उस में खडे झाडीनुमा मस्कट की भी गिनती की गई ताकि यह पता चल सके कि उपरोक्त खनिज उद्योग के नुमाईनदो द्वारा कितने झाडीनुमा मस्कट को नुकसान करके खुर्द - बुर्द कर दिए गए है। इस दौरान पाया गया कि उपरोक्त खनिज उद्योग द्वारा खसरा नं0 487 में 1087 Sqr. feet अवैध खनन करने के कारण 11 झाडीनुमा मस्कट तथा खसरा न0. 551 में 14561 Sqr. feet अवैध खनन के कारण 151 झाडीनुमा मस्कट के वृक्षों को क्षति पहुंचाकर खुर्द - बुर्द करने का आकलन है। इन परिस्थितियों के मध्य नजर व हमारी जांच पडताल में यह सिद्ध होता है कि मां सन्तोषी खनिज उद्योग, मुसनौता द्वारा उपरोक्त खसरा नं0 के मुसनौता सुरक्षित वन क्षेत्र में 15648 Sqr. feet में अवैध खनन करके 162 झाडीनुमा मस्कट को क्षति पहुंचाई गई है। उपरोक्त लीज उद्योग द्वारा भारतीय वन अधिनियम 1927 की धारा 32-33 की उल्लंघना की गई है। वन अपराधी द्वारा जंगल जुर्गा ईकवाल किया तथा FOR पर हस्ताक्षर करने से इंकार किया ।


11/11/2023

From

Mining Officer,
Mines and Geology Department,
Narnaul.

To

Sub Divisional Officer(c) ,
Narnaul.

Memo No. Mining/NNL/.....3431

Dated 20/10/2023

Sub. Original Applicaton No. 514/2023-regarding.

Kindly refer to your office memo no. 1223-26/Steno dated 12.10.2023 on the above noted subject.

1. The Original Application No. 514/2023 has been registered. The above case hearing on dated 23.08.2023 passed order on the basis of the letters dated 15.07.2023 sent to the Tribunal by Shishram and others, who are stated to be the residents of Village Musnota, Tehsil Nangal Choudhary, District Mahendergarh, Haryana. The allegation in the letter is that illegal mining is being done in Maa Santoshi Khanij Udyog Lease by cutting the trees and causing environmental hazard. It is also agreed that due to heavy blasting, residential houses are damaged and the agricultural fields are affected. Further allegation is that about 200-250 mtrs. Away from the mining area, there is a primary school and the education of the children is affected.
2. On the basis of complaint of Shri Shish Ram, Ram Sawrup S/o Sultan, Parkash s/o Jatha Ram, Kailash S/o Jatharam and others. A joint inspection is done by Sh. Aderla Ram Babu Deputy Director, DGMS Ghaziabad alongwith Sh. Bhupinder Singh Mining Officer Narnaul and Smt Tanu Joshi Mining Inspector Narnaul on dated 01.09.2023 in which inspection, inquiry and observation is that the values of two rounds of blast induced ground vibrations were record seismography in front of complaint house in presence of complaints, Shri Shish Ram, Ram Sawrup S/o Sultan, Parkash s/o Jatha Ram, Kailash S/o Jatharam and Shri Bhupinder Singh Mining Officer and Smt Tanu Joshi Mining Inspector Department of Mines and Geology Narnaul Haryana Government and persons belonging to mine. The GPS Co-ordinates of the location of Mini Super graph(Seismograph) and location of place of blasting of Musnota Calcite Mine were taken by the hand-held GPS instrument and the co-ordinates were Northing: 2752.96259'N & Easting: 76o 0.17948' E respectively.

3. During enquiry it was observed that another hutment at Dhanimaliya having 4 houses existing within 300 m of the mine boundary that was more closer to the mine than the complaints houses. During enquiry the villagers of Dhani Maliyala stated that they had no problem to them due to the blasting conducted in Musnota Calcite Mine. They also stated that they are getting water for agriculture purpose and getting employment in the mine was repeatedly lodging complaint against the mine management though there were no problems from the mine.

Comments given by the Deputy Director, DGMS Ghaziabad given as under :-

- I. The cracks observed in the Shiv Mandir (Stage Type) were very minor cracks and appeared to be normal cracks. No cracks were observed at its compound wall which is more near to mine than the Shiv Mandir.
- II. A crack was observed in one of the roof slabs of rear side house & filling material between two adjoining slabs was found disturbed. No cracks were observed in any slabs of the front side house which was nearer to the mine. No cracks were observed in the walls of both the houses of the complaint.
- III. It cannot be ascertained that the cracks in wall of Shiv Mandir and roof slab were occurred due to blasting done in the mine as the blast induced ground vibration was observed within the prescribed limits for blasts conducted in the mine. That may be due to other factors like ageing effect, quality of construction /material etc.
- IV. However some houses of Dhani Maliyala were found existing within 300m of the mine boundary and 4 houses of Panchnota village were found existing at a distance of 106 m from the west side mine boundary and 248 m from the mine workings. Therefore a contravention to restrict blasting as stated in the Regulation 164(1-B) (a) of the MMR, 1961 (where surface structures not belonging to the owner of the mine exist within 300 m danger zone) till a permission under Regulation 164(1-B)(a) of the MMR, 1961 for controlled blasting is obtained from this Directorate in writing was entered in Form VI as required under Regulation 108A of the MMR, 1961.
- V. From the Google Earth map, the complaints house at Dhani Jokhla Wali of

ment
ry that was
villagers of
the blasting

Musnota Village was located at a 693 m from the place of working (Site of Blasting) in the Musnota Calcite Mine. (Screenshot of Google Earth Map Enclosed) Copy of report of DGMG Gaziabad dated 03.10.2023.

4. In addition of the above the Director, Mines Safety, Gaziabad region, Gaziabad sent a action taken report vide memo no. 2764 dated 13.10.2023 (copy attached) with direction to the management of Musnota Calsite mines regarding violation vide memo no. 2067 dated 03.10.2023 for rectification of contraventions observed during inspection & enquiry of the mine. Mine management was directed that no blasting other than the blasting specified in the Regulation 164(1B)(a) of the Metalliferous Mines Regulations (MMR), 1961 shall be conducted within 300 m of such hutments/structures of permanent nature not belonging to the owner of the mine till controlled blasting permission under regulation 164(1B)(a) of the Metalliferous Mines Regulations, 1961 is obtained from this Directorate in writing on the basis of scientific study report from a reputed scientific agency.(Copy of the action taken report attached) In Compliance of the action taken report sent by the Director, Mines Safety Gaziabad this office is directed to the lease holder M/s Maa Santoshi Khanij Udyog, Musnota to not violated the directions issued on DGMS Gaziabad vide 2069 dated 03.10.2023.(Copy Attached). This office is also issued a notice to the Maa Santoshi Khanij Udhyog, Musnota mining lease holder to compliance the direction issued by the DGMS Gaziabad vide memo no. 3261 dated 13.10.2023.(Copy of action taken report of DGMS, Gaziabad dated 13.10.2023 and memo no. 3261 dated 13.10.2023 Attached)

5. In compliance of the direction issued by the worthy Deputy Commissioner Mahendergarh a joint committee is consisting of DFO Mahendergarh, RO HSPCB Mahendergarh, Mining Officer Narnaul was constituted by Sub Divisional Narnaul and the joint committee visited the mining lease area of Musnota Mines Khasra No. 550 alongwith tehsildar Nangal Choudhary and field Kanungo on 14.09.2023. As per the demarcation report is submitted by field Kanungo on 16.09.2023 that the lease holder encroached the area 15648 sq. feet in the Khasra No. 487 & 551 and Sh. U. Narasimulu Senior surveyor Sh. Mohit Surveyor(H.Q), Director, Mines and Geology Haryana, Panchkula again 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 demarcation it is found that the

total excavation outside lease /contract area i.e Khasra No. 487 & 551 is 1556 meters and quantity of excavated mineral is 24,812.50 M.T. A demand notice is to issued to lease holder of M/s Maa Santoshi Khanij Udyog of Musnota stone Mine vide this office 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 (Copy Attached)

6. During the inspection it is found that primary school Dhanimaliyala existed within about 200 meter from the boundary mine and about 200-300 meter from working place of machinery used for mining and also found that cracks are seen in RCC beam on door level of the school building, no any cracks found on other walls of the primary school and also seems that ceiling plaster is found defective due to construction material used in the school building.

The report is submitted for your kind perusal.

The next date of hearing is fixed for 01.11.2023.

D/A:- As above.



Mining Officer
Mines & Geology Department
Narnaul.

Endst No. Mining/NNL/.....3432-34

Dated. 20/10/2023

A copy is forwarded to following for your kind information please.

1. Director, Mines and Geology Department Haryana, Panchkula.
2. Deputy Commissioner, Narnaul.
3. Regional Officer, HSPCB, Mahendergarh.



Mining Officer
Mines & Geology Department
Narnaul.

Annexure-6

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;



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:

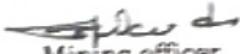
The rate of royalty of the stone as prescribed in the first Schedule in the Haryana Minor Mineral Concession, Stocking Transportation of Mineral & prevention of illegal Mining Rules 2012 is Rs. 45/- per MT, Total royalty of the quantity of stone illegally removed Rs. 1116562.5/-.

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.



कार्यालय खान एवं भूविज्ञान विभाग, नारनौल
Office of Mines & Geology Department, Narnaul



प्रेषित

मैसर्ज माँ संतोषी खनिज उद्योग,
मुसनोता।

क्रमांक :- खनन/नारनौल/3262-64

दिनांक 13/10/2023

विषय : High Intensity Blasts at Mining sites a threat to Mahendergarh villages.

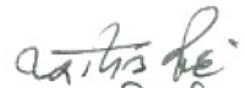
जैसा कि आपको विदित है कि दिनांक 01.09.2023 को श्री ए.रामबाबू उपनिदेशक, खान सुरक्षा निदेशक गाजियाबाद द्वारा श्री शीशराम, पूर्ण सिंह व अन्य की शिकायत के सम्बन्ध में निम्नहास्ताखसर कर्ता व श्रीमती तनु जोशी खनन निरीक्षक के साथ सिस्मोग्राफी स्थापित करके ब्लास्टिंग की कम्पनता को मापा गया था। निरीक्षण उपरांत खान एवं सुरक्षा क्रमांक 2066 दिनांक 03.10.2023 के द्वारा रिपोर्ट भेजते हुए निम्नलिखित निर्देश जारी किये गये हैं:-

Management of Musnota Calsite Mine was issued violation letter vide letter no.डीडी//गा.क्षे/मुसनोता/वी.एल / 2023/ 2067 dated 03.10.2023 for the rectification of contraventions observed during inspection & enquiry of the mine. Mine management was directed that no blasting other than the blasting specified in the Regulation 164(1B)(a) of the Metalliferous Mines Regulations (MMR), 1961 shall be conducted within 300 m of such hutments/structures of permanent nature not belonging to the owner of the mine till controlled blasting permission under regulation 164(1B)(a) of the Metalliferous Mines Regulations, 1961 is obtained from this Directorate in writing on the basis of scientific study report from a reputed scientific agency.

उपरोक्त के मध्य नजर रखते हुए आपको निर्देश दिए जाते हैं कि आप खान सुरक्षा निदेशक द्वारा जारी किये गये आदेशों की पालना दृढ़ता से करें, यदि इसमें कोई कोताही करते हुए आदेशों की उलंघना की गई तो आप स्वयं जिम्मेवार होंगे।

यह आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

सन्तोषी - मौपी


खनन अधिकारी,

खान एवं भू-विज्ञान विभाग,

नारनौल।
13/10/23

पृष्ठ क्रमांक : खनन/नारनौल/3262-64

दिनांक 13/10/23

उपरोक्त की एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

1. निदेशक, खान एवं भू विज्ञान विभाग हरियाणा, पंचकुला।
2. उपायुक्त महोदया, नारनौल।
3. खान सुरक्षा निदेशक, गाजियाबाद।


खनन अधिकारी,

खान एवं भू-विज्ञान विभाग,

नारनौल।