

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

O.A. NO. 101/2025

IN THE MATTER OF:
PRADEEP DAHIYA

... APPLICANT

VERSUS

MINES AND GEOLOGY & ORS.

... RESPONDENTS

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Place: NEW DELHI
Date: 10.12.2025

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

O.A. NO. 101/2025

IN THE MATTER OF:

PRADEEP DAHIYA

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**OBJECTION TO THE SUPPLEMENATRY AND FINAL PROGRESS
REPORT SUBMITTED BY JOINT COMMITTEE DATED 20.09.2025**

MOST RESPECTFULLY SHOWETH:

1. That the applicant has filed the present original application against the illegal mining activities conducted by the Project Proponent- Respondent No.5 in violation of environmental norms and EC conditions.
2. That the Joint Committee constituted by this Hon'ble Court had in pursuance of Order dated 10.05.2025 filed a progress report dated 29.07.2025 wherein violations of the conditions of EC as well as other violations by the Project Proponent had been duly recorded. However, certain reports from concerned Authorities were awaited at the time of filing the Report.
3. That the joint committee vide the progress report dated 29.7.2025 had stated that details of illegal mining activities reported to and by the Mining Department in the UP area and adjoining the mining lease area and action taken by the Mining Department, UP during the last five years was still awaited as on 29.7.2025. Similarly, details of illegal mining

activities reported to and by the Mining Department in Haryana area and in adjoining the mining lease area and action taken by the Mining Department, Haryana in the last five years was also awaited as on 29.7.2025. It was stated that the HSPCB had written letters and communications on behalf of the Joint Committee seeking relevant information from the concerned agencies and departments on the following points:

- (a) number of roots along with the entry/exit points approved for both the mining site/projects mentioned above,
- (b) Number of roots along with the entry exit points without Weighbridges for both the mining site/projects mentioned above, if any,
- (c) Cases of illegal mining in the adjacent/periphery areas of the mining site/project mentioned above.

The above mentioned information was to be furnished by the concerned Mining Department/Authorities to the Joint Committee to be presented before this Hon'ble Tribunal.

4. That the joint committee filed a supplementary/final report dated 20.09.2025. The following are the objections to the Progress Report dated 20.09.2025;

ILLEGAL MINING ACTIVITIES IN THE JURISDICTION OF STATE OF U.P.

- (i) That the Joint Committee has submitted a Report from the Mining Officer, UP, received on 25.07.2025 and 21.08.2025, wherein it has been duly intimated and corroborated that the Project Proponent, namely M/s Chaudhary Transport Company, has carried out illegal mining of approximately 9003.8 m³ of ordinary sand over an area of 6009.26 m², outside of its approved mining lease area in the Yamuna upstream.
- (ii) The other mining site of the Project Proponent situated in village Nangal North, Nangal South, Tatarpur, and Kamalpur of district Karnal was found to have illegally mined approximately 14,828 m³ of ordinary sand outside its approved mining lease area in Yamuna upstream.

It is relevant to mention herein that as per the Report of the Mining Officer, UP the Project Proponent was using 100 dumpers and 10 JCB to commit its illegal activities of mining. It is submitted that from the bare perusal of the report of the Mining Officer, UP, it is evident that the Project Proponent has indulged in illegal mining activity which could affect the river bed as well as the river flow in the area. Thus, causing irreparable damage to the environment.

- (iii) It is submitted, that against the said illegal activities, a FIR has been registered against the Project Proponent which has been referred to by the Applicant in his supplementary affidavit and has

been corroborated by the Joint Committee in the Progress Report dated 29.07.2025.

ILLEGAL MINING ACTIVITY IN STATE OF HARYANA

- (i) That the Mines and Geology Department, Haryana submitted an Action Taken Report (A.T.R) vide letter dated 5.9.2025, where it was reported that 49 vehicles had been seized for illegal mining/transportation of ordinary Clay/sand and 25 FIRs have been lodged against the owners of the vehicle. Against the said illegal mining activity, the Project Proponent has also been named and found to be illegally mining due to which a fine of Rs.16, 67, 960 has been recovered from it.
- (ii) Surprisingly, while the Mines and Geology Department, Haryana has recovered fine against illegally excavated mineral, the Mining Officer, Karnal, has submitted that no illegal mining activities have been reported against the Project Proponent. It is submitted that the said submission of the Mining Officer, Karnal is contrary to the Action Taken Report of the Mines and Geology Department, Haryana. This contradiction by the Department and its Officer ought to have been flagged by the Joint Committee which most respectfully has not been done.

- (iii) The dereliction of duty by the Mining Officer, Karnal, Haryana to the notices issued by HSPCB is further highlighted by the fact that in the Interim Progress Report submitted by the Joint Committee, the Mining Officer had alleged that although illegal mining activities have been seen in the area, the project proponent has not indulged in the same. It would be relevant to mention here, that the Mining Officer, Karnal, Haryana had relied upon certain seizure orders where tractor trolley carrying illegally mined material had been seized to show that the project proponent had nothing to do with the illegal mined mineral. It is submitted that if that was the case, then the penalty of ₹16,67,960, which has been recovered by the Mines & Geology Department, Karnal could not have been done. Despite the recovery of this fine the Mining Officer, Karnal has stated that no illegal mining activities have been reported against M/s Chaudhary Transport Company. This statement itself is contrary.

**USE OF FOREST LAND FOR APPROACH ROAD IN
VIOLATION OF EC STATUTORY CONDITION**

- (i) The Joint Committee in its supplementary and final report has stated and relied upon the reply submitted by the project proponent to say;

(1) That the validity of the environment clearance for a mining project is to be reckoned from the date of execution of the mining lease agreement and not from the date of issuance of the EC.

(2) As per the Project Proponent Forest Clearance is not required.

(ii) Addressing the submissions of the PP, it is an admitted fact that the Project Proponent has been using the Forest land as approach road. In pursuance of this, the DFO Karnal has reported the violation against the PP. the EC statutory condition clearly provides that the environmental clearance was to become operational only after receiving formal forest clearance under the provisions of the Forest Conservation Act, 1980, if applicable to the project. The Project Proponent does not have the requisite forest clearance. As per the Interim Progress Report date 29.7.2025, as well as the present report dated 20.09.2025, the forest clearance of the project proponent is still awaited. The Project Proponent however, in his Reply annexed with the Report as Annexure VI has submitted that the said unit does not require the Forest Clearance and that it had filed a representation seeking diversion of Forest which admittedly was rejected.

The Project Proponent has further alleged “discriminatory treatment”. It is submitted that it is settled law that there is no concept of negative equality.

- (iii) Furthermore, the Project Proponent has claimed that the Forest Clearance was not required qua 1 mining unit which is situated in Village Nangal North, Nangal South, Tatarour & Kamalpur Gadian. No such averment has been raised qua the mining unit situated in Chandraon, Garhpur Tapu and Kalsora.
- (iv) Once it is cogently proved that the Project Proponent does not have the Forest Clearance, the Environment Clearance did not become operational. Thus, it is most respectfully submitted that the entire mining activity carried out by the project proponent is in violation of the EC.

VIOLATION OF ORDER DATED 31.07.2025 OF HON'BLE TRIBUNAL

That this Hon'ble Tribunal had vide Order dated 31.07.2025 had noted that the Joint Committee had observed that the EC given to the Project Proponent had expired on 09.05.2025. Submission by the Applicant was also recorded by this Hon'ble Tribunal that despite the expiry of EC, the Project Proponent had continued to mine till 30.06.2025. In pursuance of the said submission made by the Applicant counsel, the Ld. State Counsel

had stated that unless requisite clearance was given to the Project Proponent no mining will be permitted in violation of the law.

The Applicant has thereafter captured videos and photographs of the Project Proponent carrying out mining activities and removing illegally mined material from the Mining Site as on 19.09.2025.

A copy of the Order dated 31.07.2025 passed by this Hon'ble Tribunal is annexed herewith as **Annexure A-1**.

The said photographs are being annexed with the present objections as **Annexure A-2**.

5. IT is most humbly prayed, that in the facts and circumstances of the present case, this Hon'ble Tribunal may be pleased to exercise its powers under Section 15 and 17 of the National Green Tribunal Act, 2010.
6. That the supporting Affidavit is annexed with the present objections along with an Affidavit under Section 65B of the Bharatiya Sakshya Adhiniyam (BSA) 2023.

FILED BY

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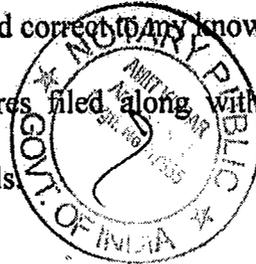
MINES AND GEOLOGY & ORS.

... RESPONDENTS

AFFIDAVIT

I, Pradeep Dahiya s/o Dhara Singh, aged about 46 years, R/o H No. 75-Kheri Mana Jat (61), Sonipat, Haryana-131103 do hereby solemnly affirm and declare as under:

1. That I am the applicant in the instant application and I am well conversant with the facts and circumstances of the case and thus competent to swear this affidavit.
2. That the accompanying reply have been drafted under my instructions, which I have read and understood. I further state that the averments made therein are true and correct to my knowledge and belief.
3. That the Annexures filed along with the reply are true copy of their respective originals.



P. Dahiya
DEPONENT

Verification

Verified at Chandigarh on this day of December, 2025 that the contents of my aforesaid affidavit are true and correct to my knowledge and belief. No part of it is false nor anything material has been concealed therefrom.

ATTESTED

P. Dahiya
DEPONENT

D. J. Jha
NOTARY
Distt. Sonipat

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Annexure-A-1

Item No. 15

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application 101/2025
(IA Nos. 360/2025 & 334/2025)

Pradeep Dahiya

Applicant

Versus

Department of Mines & Geology, Haryana & Ors.

Respondent(s)

Date of hearing: 31.07.2025

**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. Anil Kaushik, Senior Advocate with Ms. Pallavi Singh, Mr. Sidharth Venkatesh Singh Thakur & Mr. Mustafa Sajad, Advs. for Applicant

Respondents: Mr. Rahul Khurana, Adv. for R - 1 to 4 with Mr. Sandeep, Assistant, SEIAA
Mr. Gaurav Kumar Bansal, Ms. Nandita Bansal, Ms. Chandrika Upadhyaya & Ms. Atharva Upadhyay, Advs. for Project Proponent

ORDER

1. In this Original Application (OA), applicant has alleged violation of Environmental Clearance (EC) condition by respondent/project proponent.
2. Tribunal by order dated 04.04.2025 had constituted a joint committee with a direction to the committee to visit the site, ascertain the extent of illegal extraction of sand by respondent no.5 and extent of violation of EC condition and suggest punitive and remedial measures.
3. Joint committee has filed the interim report dated 29.07.2025.
4. Learned Counsel for the parties are granted four weeks' time to file objection to the report of the joint committee.
5. Joint committee in the interim report has sought two months' time to file the detailed final report by mentioning as under:

"However, the Joint Committee is yet to ascertain the extent of illegal mining beyond the lease area and the persons responsible for the same, as the details asked from concerned Mining Officers of UP and Haryana area including the cases of illegal mining reported to and by the mining department, are awaited.

The Joint Committee may also be required to get the satellite images from the Uttar Pradesh Remote Sensing Centre to ascertain the illegal mining activities beyond the lease area in the U'P area and the persons responsible for the same

Therefore it is humbly requested to take the above project report of the Joint Committee with grant 02 months time to prepare and file the detailed final report The Joint Committee shall abide by the further orders of Hon'ble NGT in the matter."

6. Learned Counsel for the applicant has referred to paragraph 3.0.iii where joint committee has observed that EC given to the project proponent has expired on 09.05.2025 and has recommended expansion of the EC only after compliance of the conditions of previously granted EC.

7. Learned Counsel for the applicant has also submitted that though the EC expired on 09.05.2025 but project proponent had continued the sand mining till 30.06.2025, therefore, he should not be allowed to indulge in illegal mining without proper clearances.

8. Learned Counsel representing the State of Haryana has stated that unless the requisite clearances are given to the project proponent no mining will be permitted in violation of the law.

9. List on 23.09.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

July 31, 2025
Original Application 101/2025
(IA Nos. 360/2025 & 334/2025)
JG.


"True copy"

Annexure-A-2



GPS Map Camera



Tatarpur, Uttar Pradesh, India 

Tatarpur, Uttar Pradesh, India, Tatarpur, Uttar Pradesh, India

Lat 29.822256° Long 77.17087°

19/09/2025 09:24 AM GMT +05:30

Google





GPS Map Camera



Tatarpur, Uttar Pradesh, India 

Tatarpur, Uttar Pradesh, India, Tatarpur, Uttar Pradesh, India

Lat 29.820562° Long 77.174409°

19/09/2025 09:29 AM GMT +05:30

965

15



GPS Map Camera

Karnal, Haryana, India 

Labkari Gadpur Link Road, Haryana 132054,

India, Karnal, Haryana 132054, India

Lat 29.892364° Long 77.16962°

19/09/2025 12:15 PM GMT +05:30

Google 


"True Copy"

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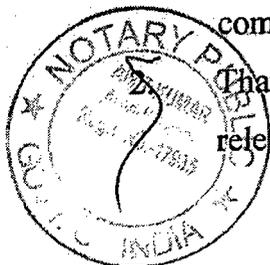
... RESPONDENTS

**AFFIDAVIT IN SUPPORT OF ELECTRONIC RECORDS IN
COMPLIANCE OF SECTION 65-B OF THE INDIAN EVIDENCE
ACT**

I, Pradeep Dahiya s/o Dhara Singh, aged about 46 years, R/o H No. 75-Kheri Mana Jat (61), Sonipat, Haryana-131103 do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the afore-mentioned case. I am well aware of the facts and circumstances of the present case and as such I am competent to swear the instant affidavit.

That along with the objection petition, I have filed the following relevant documents along with the list of documents:



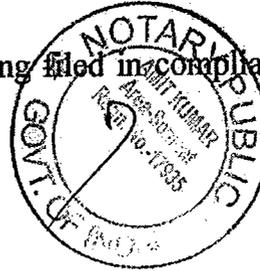
S. No.	Document (electronic record)	Source	Date of Print
1	Photographs	Galaxy A175G	19.09.2025
2.	Videos	Galaxy A175G	19.09.2025

3. That the phone used for obtaining information as mentioned above is my phone and the same was/is used to regularly store information for the purpose of work and personal activities carried on over the relevant

period and that I have lawful control over the use of my Phone. I submit that I regularly use my aforementioned phone regularly including for surfing internet also.

4. That the particulars of the device involved in the production of the documents (photographs and videos) is my phone of brand Galaxy A175G, Model Name SM-A176B/DS bearing Serial No. RZCY80JSZXL.

5. That the present affidavit is being filed in compliance of provision of Section 65B of the BSA, 2023.



G. Dahiya
DEPONENT

VERIFICATION:

Signed and Verified at ___ on this ___ day of December, 2025 that contents of the above affidavit are true and correct to my knowledge and nothing material has been concealed therefrom.

G. Dahiya
DEPONENT

ATTESTED

10/11/2025
NOTARY
Distt. Comptat