

सेवा में,

Consultant(Judicial)

माननीय राष्ट्रीय हरित न्यायाधिकरण ,

प्रधान पीठ , फरीदकोट हाउस ,

नई दिल्ली ।

महोदय जी ,

माननीय राष्ट्रीय हरित न्यायाधिकरण के समक्ष योजित original application no. 756/2023

सचिन त्यागी बनाम रितेश शर्मा में माननीय न्यायाधिकरण द्वारा पारित आदेश दिनांक 14/05/2024 के क्रम में प्रेषित किया गया है । जिसके अंतर्गत प्रकरण के संबंध में माननीय NGT द्वारा पारित आदेश 14/05/2024 में सुनवाई के 4 सप्ताह तक आख्या प्रेषित करने हेतु आदेशित किया गया है ।

माननीय राष्ट्रीय हरित अधिकरण पीठ नई दिल्ली के समक्ष प्रस्तुत O/A no. 756/2023 Sachin Tyagi vs Ritesh Sharma में निम्न आदेश दिनांक 14/05/2024 को पारित किया गया है _____

1. In this original application, registered on the basis of the letter petition, issue of illegal mining of sand from the bed of river Yamuna by using JCB machines and dumpers and stocking the illegally mined sand in front of Gaon Garhi Kewal at Hathwala road is involved.
2. The stand of the applicant present in person is that he has grievance against contractor Ritesh Sharma and his Associate Kuldeep S/o of Om Prakash, resident of Village Bilaspur, District Panipat as they are illegally extracting the sand by using the JCB machines from the riverbed.
3. Tribunal on 04.01.2024 had constituted a joint committee which has submitted the report on 29.02.2024 stating as under:-

“4. During inspection it was found that mining was being done in the river Yamuna bed by the unit M/s Royal Construction Company, Village Chhapraula, Khadar, Tehsil Baraut, Distt. Bagpat by using JCB machines. The area where the mining is being done falls in the jurisdiction of State of Uttar Pradesh and not falls in the jurisdiction of State of Haryana. A report from Naib-Tehsildar, Samalkha was also obtained to ascertain the area of jurisdiction where mining is being done in the River bed. As per report no. 1229 dated 22.02.2024 given by Naib Tehsildar, Panipat it has been informed the points A, B, C, D shown in the map attached with the report where the mining is in operation during inspection by the joint committee does not falls in the jurisdiction of village Hathwala, Tehsil Samlakha, District Panipat. Therefore, the mining area not relates to Village Hathwala. The copy of report is attached as Annexure- B. As such, the area marked as ABCD falls outside the administrative jurisdiction of Distt. Panipat Haryana”.

4. Tribunal thereafter by order dated 04.03.2024 had impleaded the four respondents in addition to two respondents impleaded by applicant. The Tribunal had directed issuance of notice to newly impleadede four respondents. Hence, notice to the original respondent no.1- Ritesh Sharma, and respondent no.2- Kuldeep impleaded by the applicant is necessary. Applicant is directed to serve the said respondent no. 1 and 2.

5. Report on behalf of DM Baghpat dated 21.03.2024 has been filed disputing the allegation made in the original application. Same is the position reflected in the report filed by UPPCB on 30.04.2024.

6. Applicant seeks time to examine the said reports and file objections to the same within four weeks.

7. In view of the above the case is adjourned to 29/08/2024 |

माननीय NGT द्वारा पारित आदेश दिनांक 14/05/2024 के अनुपालन में आवेदक द्वारा प्रस्तुत आख्या निम्नलिखित है :-

1. M/S ROYAL CONSTRUCTION COMPANY को जो पट्टे (जमीन) बालू खनन करने के लिए उत्तर प्रदेश सरकार से स्वीकृत है उस स्वीकृत जमीन में खनन न होकर यमुना नदी के अंदर से खनन किया जा रहा है जिसकी फोटो प्रति साथ संलग्न है ।

2. उत्तर प्रदेश सरकार से स्वीकृत पट्टे क्षेत्र को छोड़कर बालू रेत यमुना नदी के जल में से जेसीबी मशीनों से निकाला जा रहा है ।
3. ना तो खनन स्वीकृत पट्टे क्षेत्र में हो रहा है और ना ही यमुना नदी से 20 मीटर की दूरी पर हो रहा है बालू खनन यमुना जल धारा के अंदर से किया जा रहा है जिसकी फोटो प्रति साथ संगतन है।
4. यमुना जल धारा को रोककर और जलधारा को परिवर्तित करके 4-5 JCB मशीनों से 10 फीट गहराई तक बालू निकाला जा रहा है जो कि अवैध है ।
5. Royal and Construction company द्वारा 1 किलोमीटर की लंबाई में जलधारा से बालू निकाला जा रहा है , 1 किलोमीटर की लंबाई तक यमुना नदी से अलग-अलग समय में अलग-अलग स्थान से बालू रेत निकाला जा रहा है ।
6. 2-3 JCB मशीनों द्वारा यमुना नदी के अंदर से बालू रेत निकालकर बाहर नदी के किनारे पर इकट्ठा किया जा रहा है व 2-3 JCB द्वारा ट्राली , ट्रक (हाईवे) डंपरो में लोडिंग की जा रही है । हर रोज सैकड़ों की संख्या में ट्रक , ट्राली व डम्पर लोड किए जाते है।
7. JCB मशीनों द्वारा जल धारा को दूसरी तरफ परिवर्तित किया जा रहा है व बहती जब यमुना जल धारा में से रेत निकालने से यमुना जल दूषित हो रहा है ।
8. मई जून 2023 में एम0 एल0 संस (रितेश शर्मा) और रॉयल कंस्ट्रक्शन कंपनी द्वारा यमुना जल धारा में से खनन किया गया था जिसकी वजह से हरियाणा के किसानों की लगभग 350 की खड़ी फसल नष्ट हो गई थी और लगभग 350 एकड़ जमीन यमुना जल में बह गई, अब 350 एकड़ जमीन में यमुना जलधारा बह रही है ।
9. यमुना नदी की जल धारा से JCB मशीनों द्वारा रेत निकालने की फोटो प्रति साथ संलग्न है ।
10. M/s Royal construction company और M. L. AND SUNS दोनो कंपनी साथ मिलकर यमुना नदी के अंदर से रेत खनन कर रहे हैं ।
11. माननीय राष्ट्रीय हरित न्यायाधिकरण से प्रार्थना है की M. L. AND SUNS (रितेश शर्मा) के साथ M/s Royal construction company के साथ माननीय राष्ट्रीय हरित न्यायाधिकरण में पार्टी बनाया जाय।

भवदीय,

सचिन त्यागी ।



भूतत्व एवं खनिकर्म निदेशालय उत्तर प्रदेश AAIGG 044550

DIRECTORATE OF GEOLOGY AND MINING UTTAR PRADESH

द्वितीय प्रति (परिवहनकर्ता/उपभोक्ता/भण्डारण/कार्यदायी संस्था हेतु)

1. eNMII:	31652309016205799	2. Lessee Id:	316523090162
3. Name Of Lessee / Permit Holder:	DAYACHAND BARGOTI	4. Mobile Number Of Lessee:	7300537940
5. Lease Details [Address, Village, (Gota/Khand), Area]:		6. Lessee Id:	316523090162
7. District Of Lessee:	BAGHPAT	7. Lease Details [Address, Village, (Gota/Khand), Area]:	HNO 5 NEW BREAK POINT RESTAURANT NEAR BHOOR CHAURAH BULANDSHAHAR, CHAPRAULI KHADAR, (1/2), 23.647 acre
8. Tehsil Of Lease:	BARAUT **	8. QTY Transported in (Cubic Meter/ Ton for Silica sand/ Diaspore/ Pyrophyllite):	6.00
9. Name Of Mineral:	ORDINARY SAND (CATEGORY-I)	9. Loading From:	BAGHPAT
10. Distance (Approx in K.M.):	150 K.M.	10. Loading From:	BAGHPAT
11. Traveling Duration:	9 Hr (Approx)	11. Destination (Delivery Address):	REWARI
12. eNMII Generated On:	20-03-2024 06:03:12 AM	12. eNMII Generated On:	20-03-2024 06:03:12 AM
13. Destination District:	REWARI	13. eNMII Generated On:	20-03-2024 06:03:12 AM
14. Destination State:	HARYANA	14. eNMII Valid Upto:	20-03-2024 03:08:12 PM
15. Serial Number:	AAIGG044550	15. Serial Number:	AAIGG044550

16. Registration Number: HR42G6599

17. Mobile Number Of Driver: 0000000000

18. Type Of Vehicle: TRACTOR-TROLLEY

19. DL Number Of Driver: 3. Name Of Driver: GULJHAR

20. Depth Value (Rs/m³ & Rs/Ton for Silica sand): 125

भूतत्व एवं खनिकर्म निदेशालय उत्तर प्रदेश AAIGG 044550

DIRECTORATE OF GEOLOGY AND MINING UTTAR PRADESH

तृतीय प्रति (प्रोचकर्ता हेतु)

1. eNMII:	31652309016205799	2. Lessee Id:	316523090162
3. Name Of Lessee / Permit Holder:	DAYACHAND BARGOTI	4. Mobile Number Of Lessee:	7300537940
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9. Name Of Mineral:	ORDINARY SAND (CATEGORY-I)	9. Loading From:	BAGHPAT
10. Distance (Approx in K.M.):	150 K.M.	10. Loading From:	BAGHPAT
11. Traveling Duration:	9 Hr (Approx)	11. Destination (Delivery Address):	REWARI
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17. Mobile Number Of Driver: 0000000000

18. Type Of Vehicle: TRACTOR-TROLLEY

19. DL Number Of Driver: 3. Name Of Driver: GULJHAR

20. Depth Value (Rs/m³ & Rs/Ton for Silica sand): 125

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chaprauli, khadar khand 1/2

Ticket No. : CR6191

Print Date 3/20/24 6:00 AM

Party Name GULJHAR

Location: REWARI

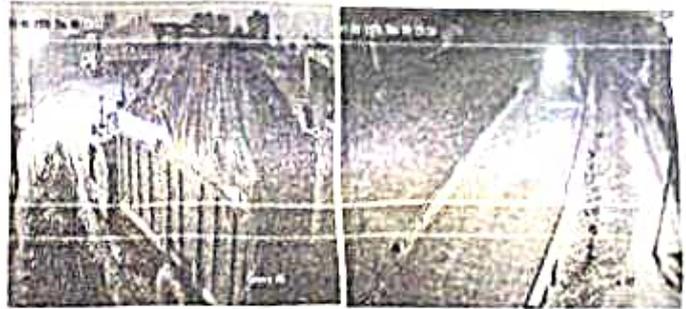
Mineral: SAND

Vehicle No.:HR42G6599

Vehicle Type: TRACTOR

EM11 no.: 0

No. of Tyres: 8



Transport

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Gross Wt Time: 2024-03-20T06:00:58

Tare Weight (Kg) 5600

Tare Wt Time: 2024-03-20T05:45:32

Net Weight (Kg) 5220

Charges (Rs.)

WeighSlip: 20240320060056CR6191

भूतत्व एवं खनिकर्म निदेशालय उत्तर प्रदेश AAIGG 044644
DIRECTORATE OF GEOLOGY AND MINING UTTAR PRADESH
द्वितीय प्रति (परिवहनकर्ता/उपभोक्ता/भण्डारण/कार्यदायी संस्था हेतु)



	3. Name Of Lessee / Permit Holder:	DAYACHAND BARGOTI	1. eMM11.:	31652309016205893	2. Lessee Id:	316523090162
	6. Tehsil Of Lease:	BARAUT **	4. Mobile Number Of Lessee:	7300537940	5. Lease Details [Address, Village, (Gata/Khand), Area]:	HNO 5 NEW BREAK POINT RESTAURANT NEAR BHOOR CHAURAHA BULANDSHAHR , CHAPRAULI KHADAR , (1/2.) , 23.647 acre
9. Name Of Mineral:	ORDINARY SAND (CATEGORY-I)	7. District Of Lease:	BAGHPAT	8. QTY Transported In (Cubic Meter/ Ton for Silica sand/ Diaspore/ Pyrophyllite):	6.00	REWARI
12. Distance(Approx in K.M.):	150 K.M.	10. Loading From:	BAGHPAT	11. Destination (Delivery Address):	REWARI	22-03-2024 02:52:22 PM
15. Traveling Duration:	9 Hr (Approx)	13. eMM11 Generated On:	AM	14. eMM11 Valid Upto:	22-03-2024 02:52:22 PM	HARYANA
16. Mouth Value(Rs/m3 &Rs/Ton for Silica sand):	125	16. Destination District:	REWARI	17. Destination State:	HARYANA	
		19. Serial Number:	AAIGG044644	Details Of Registered Vehicle		
1. Registration Number:	HR42F8138	2. Type Of Vehicle:	बिना	TRACTOR-TROLLEY	3. Name Of Driver:	RIJWAN
4. Mobile Number Of Driver:	0000000000	5. DL Number Of Driver:				



भूतत्व एवं खनिकर्म निदेशालय उत्तर प्रदेश AAIGG 044644
DIRECTORATE OF GEOLOGY AND MINING UTTAR PRADESH
तृतीय प्रति (जाचकर्ता हेतु)



	3. Name Of Lessee / Permit Holder:	DAYACHAND BARGOTI	1. eMM11.:	31652309016205893	2. Lessee Id:	316523090162
	6. Tehsil Of Lease:	BARAUT **	4. Mobile Number Of Lessee:	7300537940	5. Lease Details [Address, Village, (Gata/Khand), Area]:	HNO 5 NEW BREAK POINT RESTAURANT NEAR BHOOR CHAURAHA BULANDSHAHR , CHAPRAULI KHADAR , (1/2.) , 23.647 acre
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12. Distance(Approx in K.M.):	150 K.M.	10. Loading From:	BAGHPAT	11. Destination (Delivery Address):	REWARI	22-03-2024 02:52:22 PM
15. Traveling Duration:	9 Hr (Approx)	13. eMM11 Generated On:	AM	14. eMM11 Valid Upto:	22-03-2024 02:52:22 PM	HARYANA
16. Mouth Value(Rs/m3 &Rs/Ton for Silica sand):	125	16. Destination District:	REWARI	17. Destination State:	HARYANA	
		19. Serial Number:	AAIGG044644	Details Of Registered Vehicle		
1. Registration Number:	HR42F8138	2. Type Of Vehicle:	बिना	TRACTOR-TROLLEY	3. Name Of Driver:	RIJWAN
4. Mobile Number Of Driver:	0000000000	5. DL Number Of Driver:				



dayachand bargoti

chaprauli, khadar khand 1/2

Ticket No. : CR6288

Party Name RIJWAN

Location: REWARI

Mineral: SAND

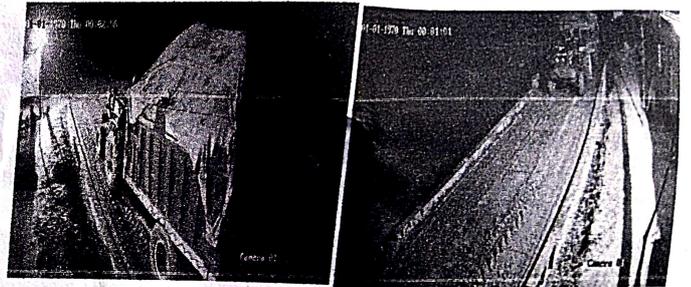
Vehicle No.:HR42F8138

Vehicle Type: TRACTOR

EM11 no.: 0

No. of Tyres: 8

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Transport

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Net Weight (Kg) 5190

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Tare Wt Time: 2024-03-22T05:43:39

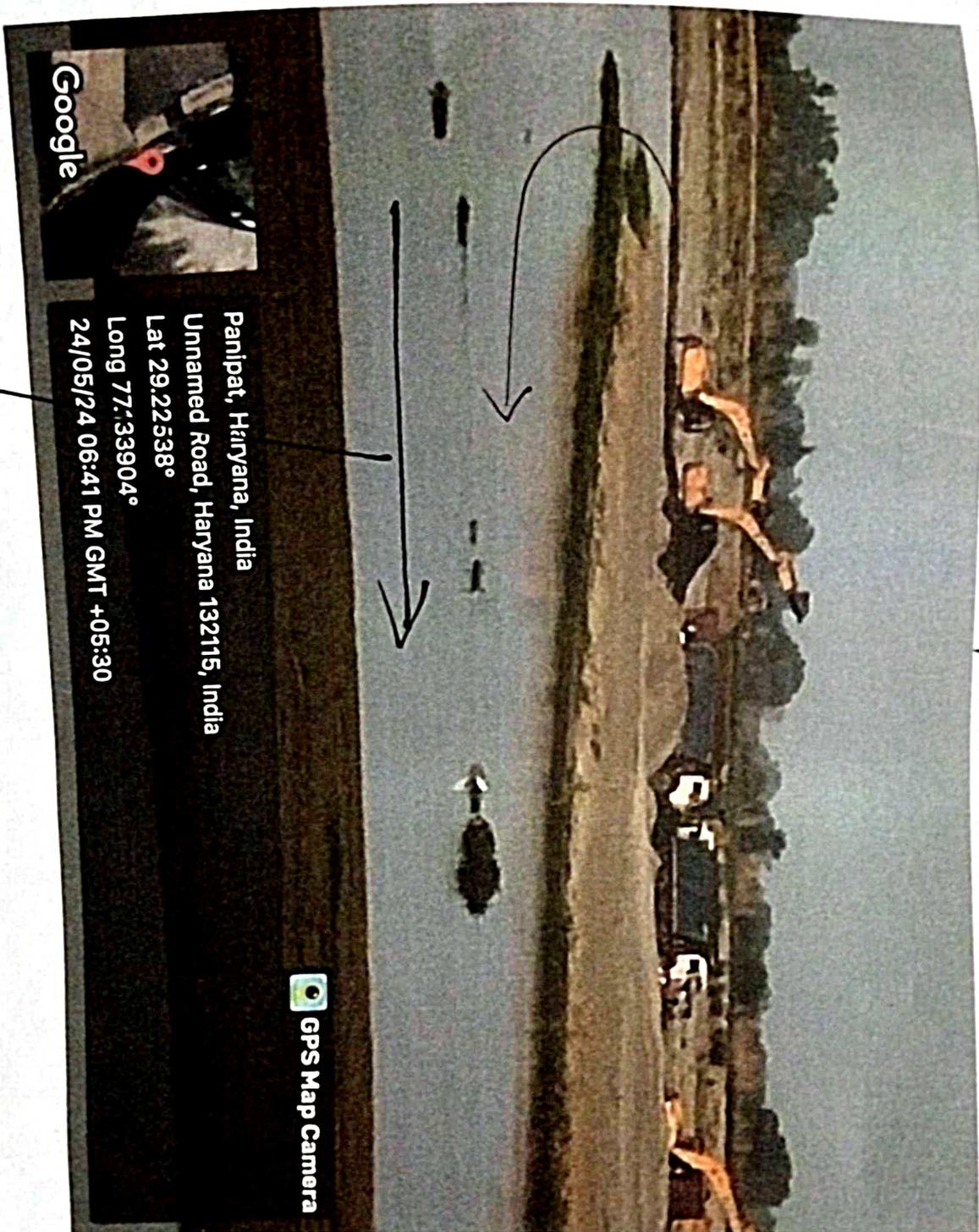
Charges (Rs.)

WeighSlip: 20240322054414CR6288



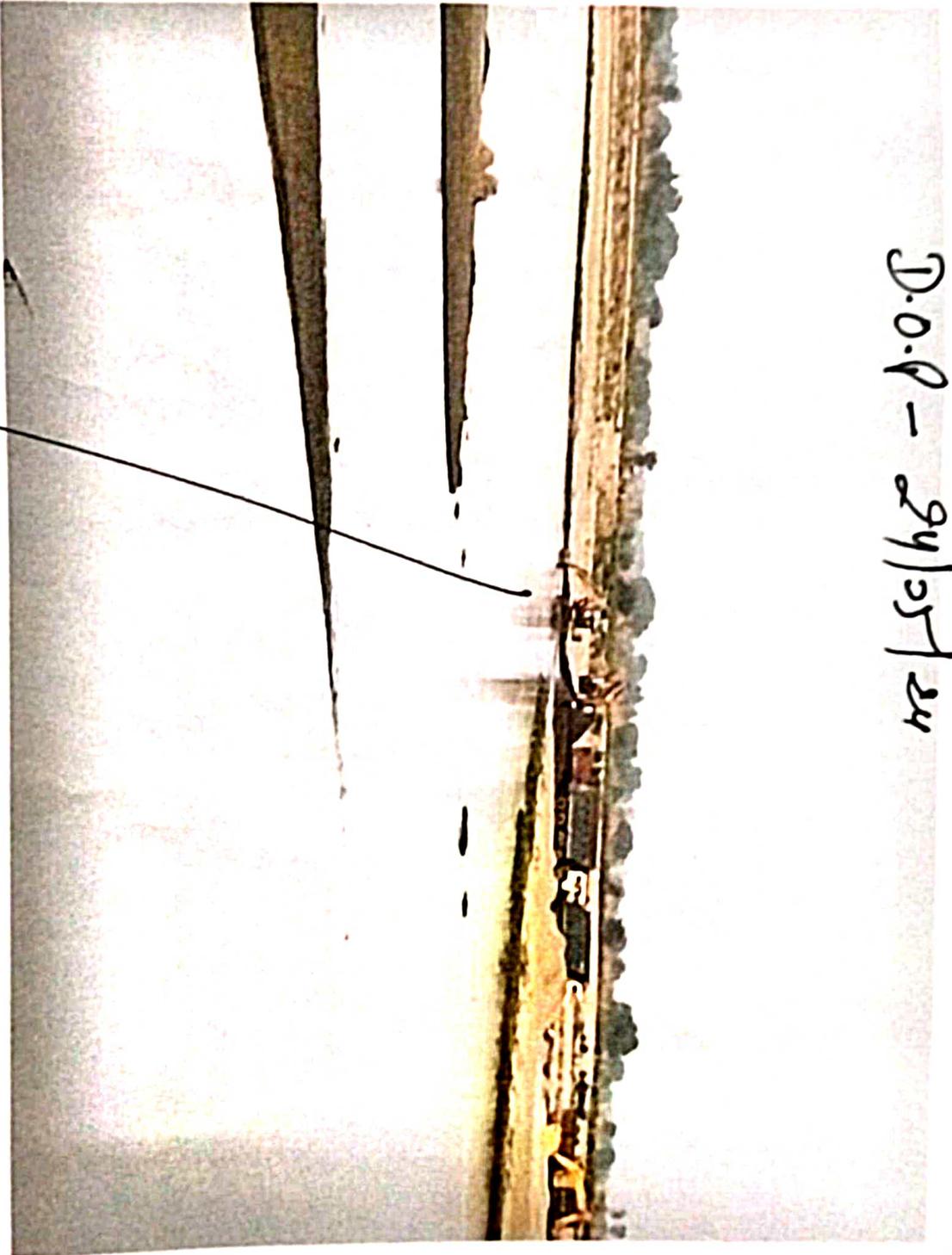


D.O.P - 24/05/24



मयूगा / अल सारा को द्वारा दिशा में परिवर्तित किया गया

D.O.P - 24/5/24



ਮਲੇ ਪਾਕਾ ਦੇ ਜੇਬ ਸ਼ਾਹੀ ਦੇ ਦੇ ਪੈਰ ਪਾਮਲੇਡੇ



10 मई 2024



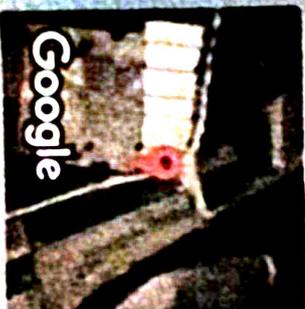


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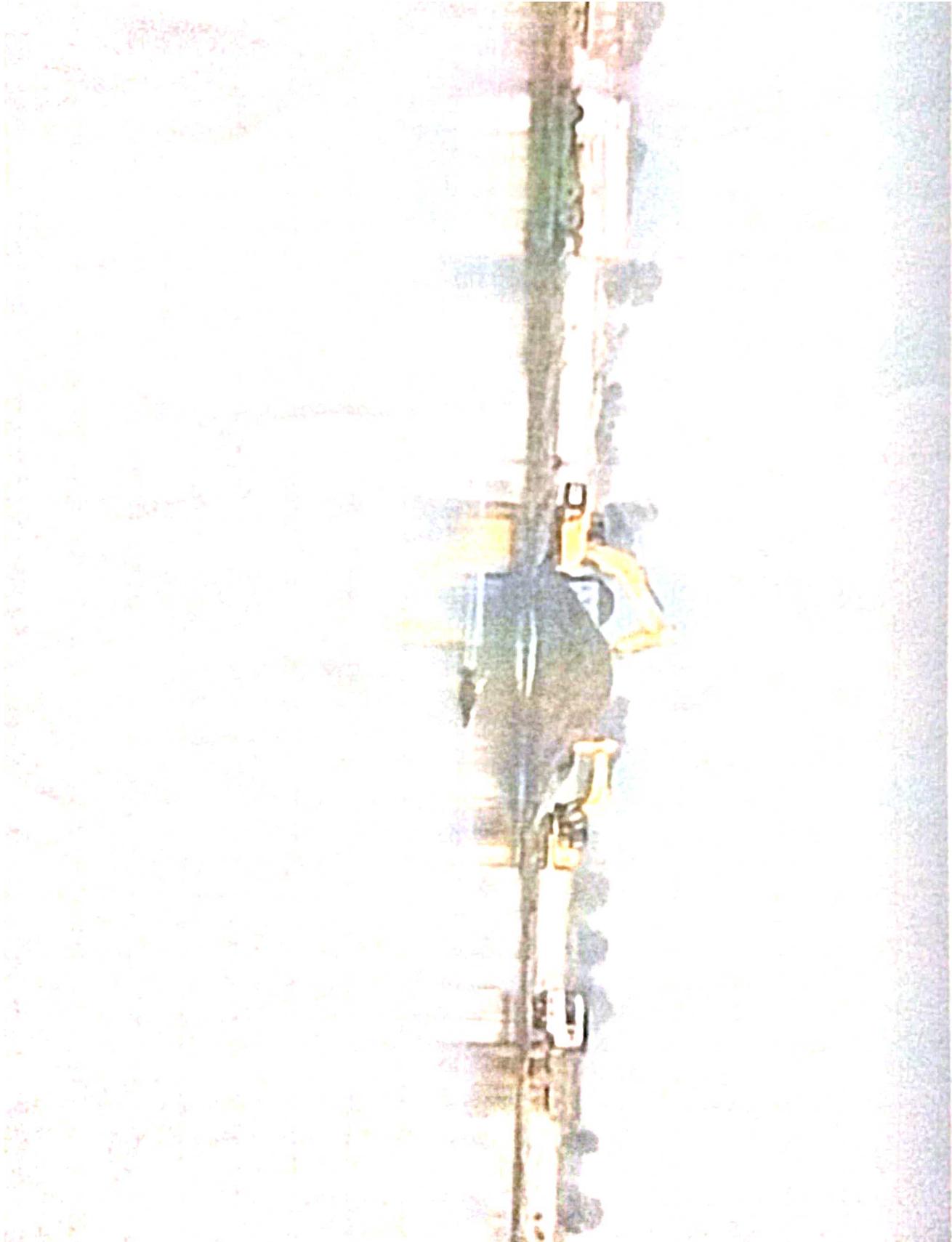
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D.O.P - 13/05/24

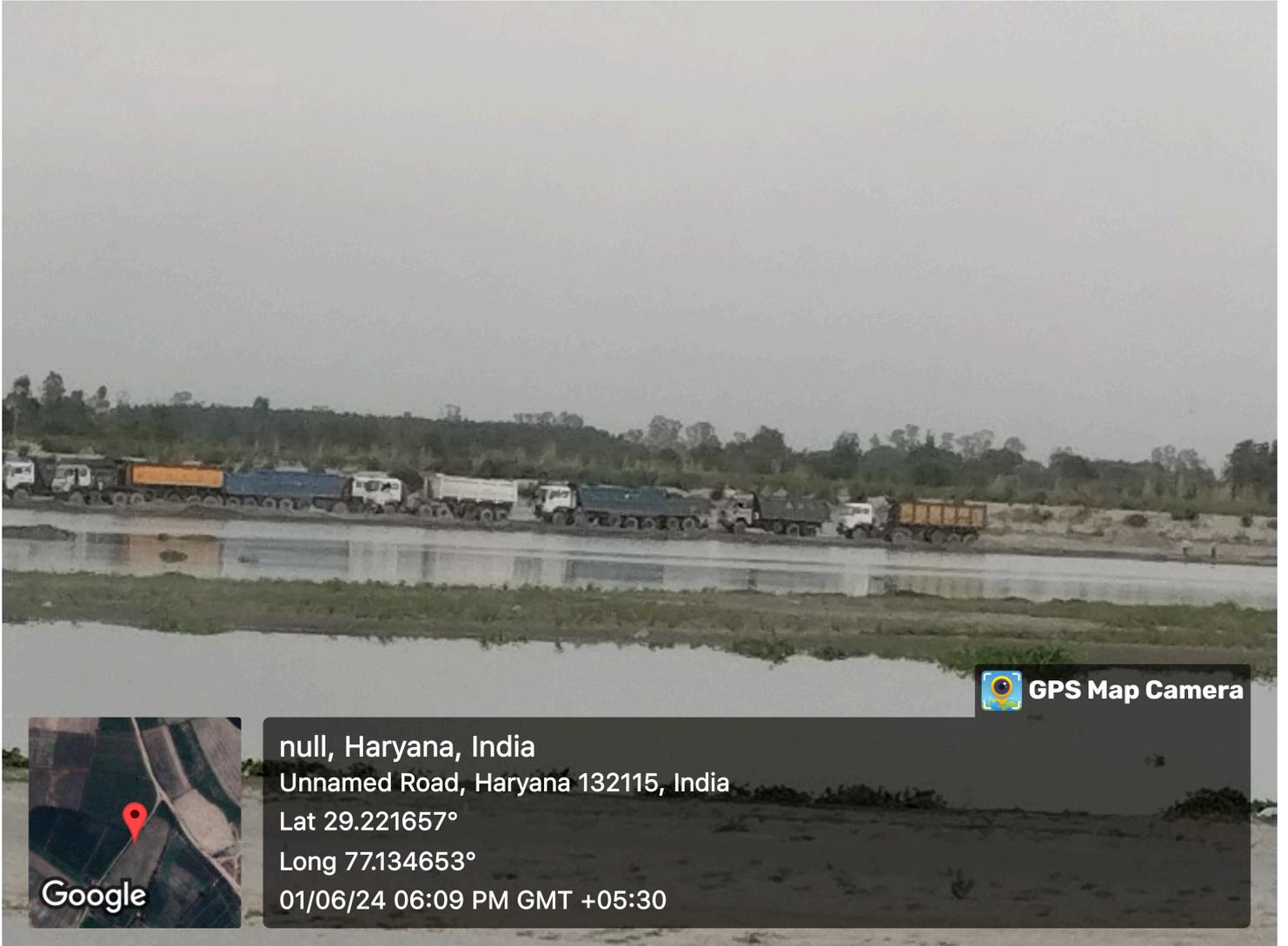


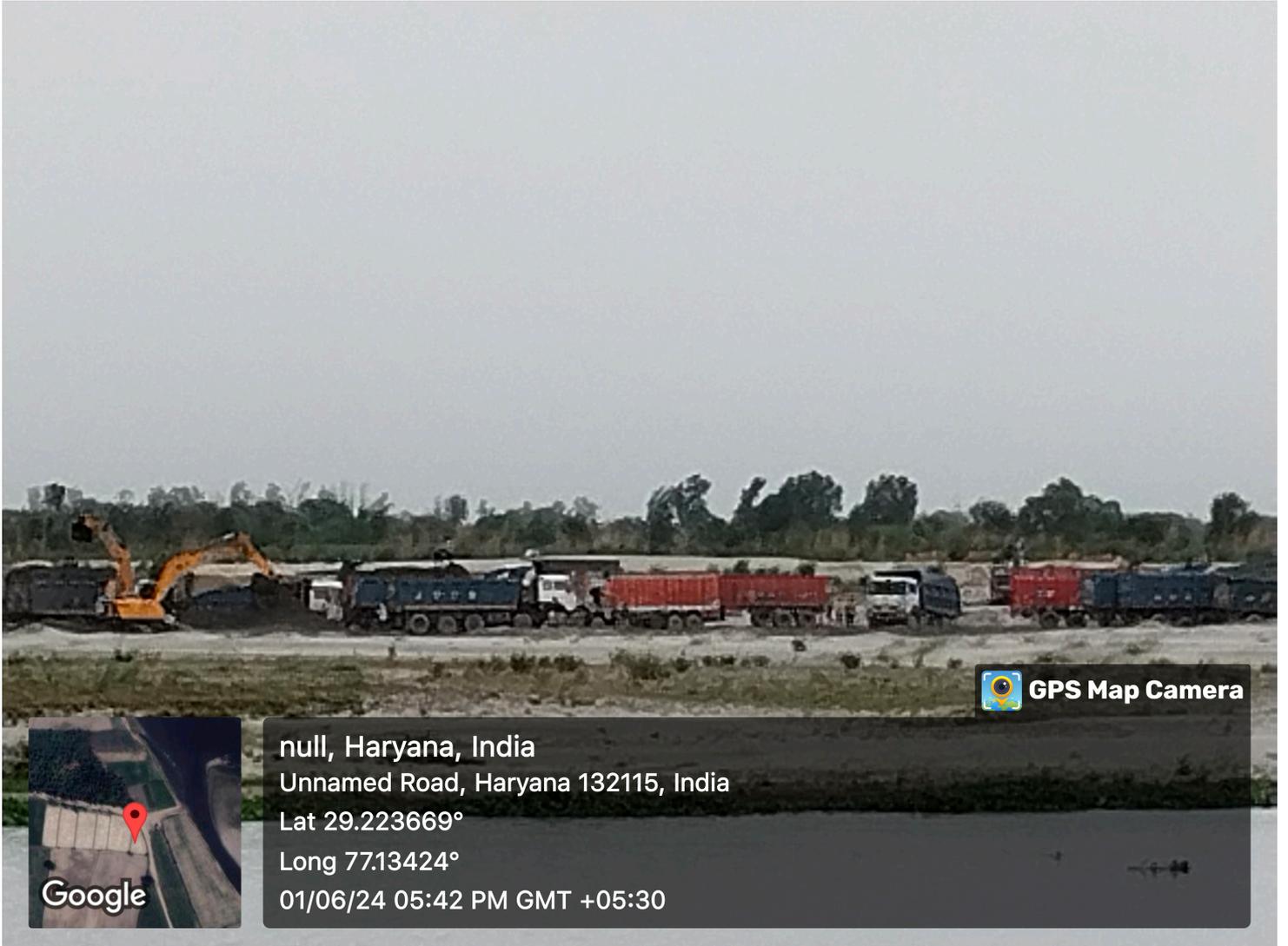
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19 Jan 2024

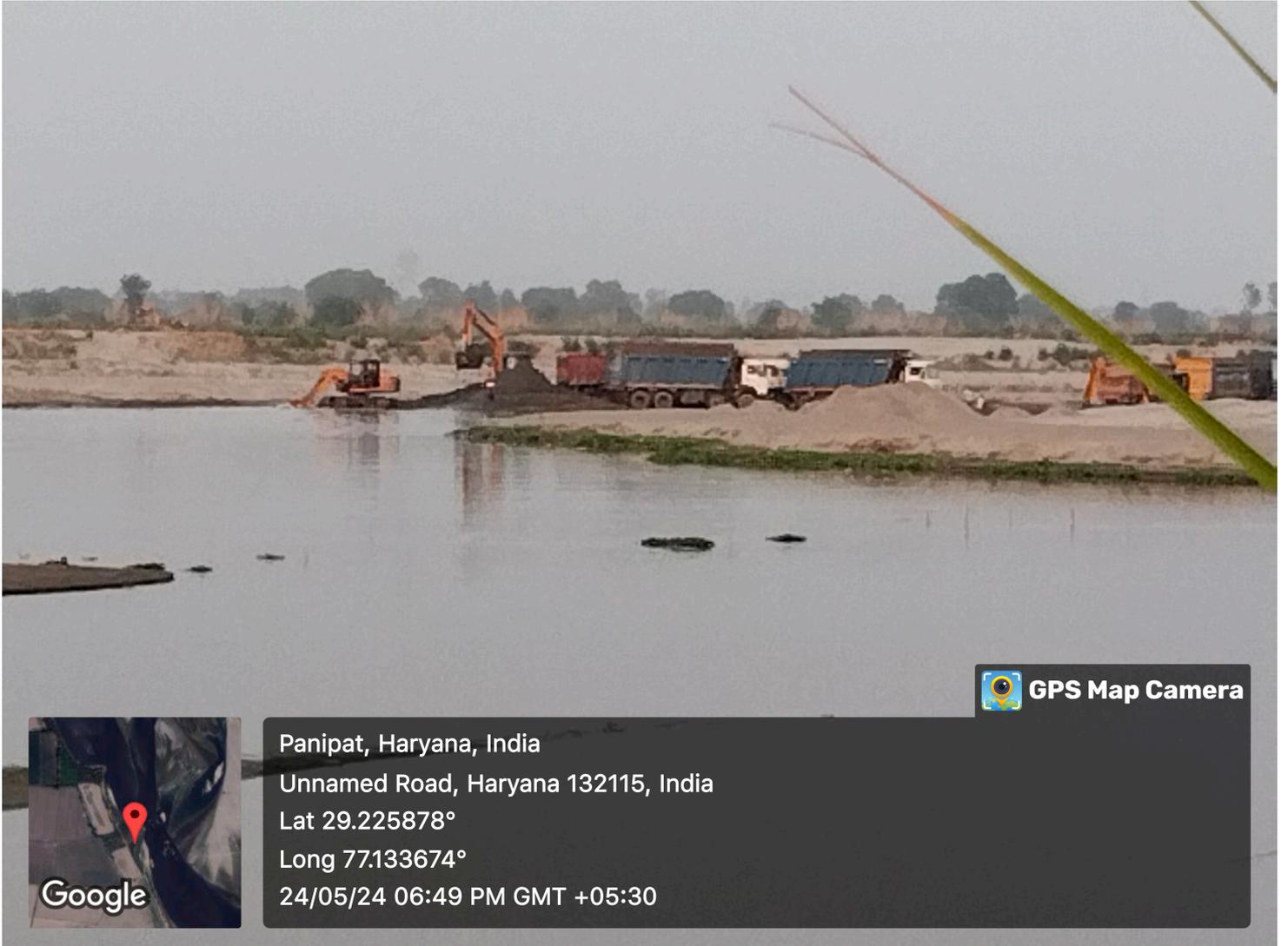




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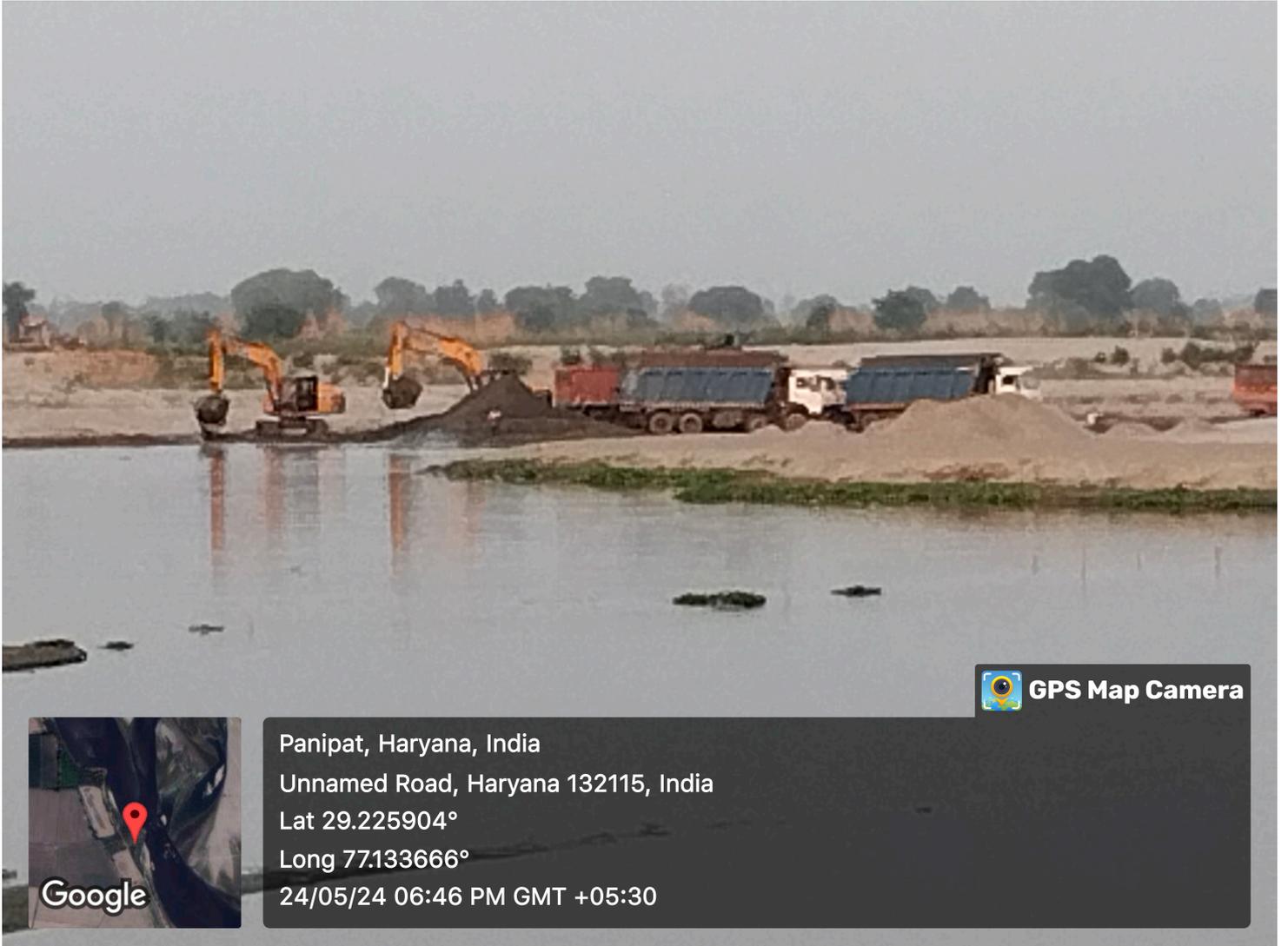


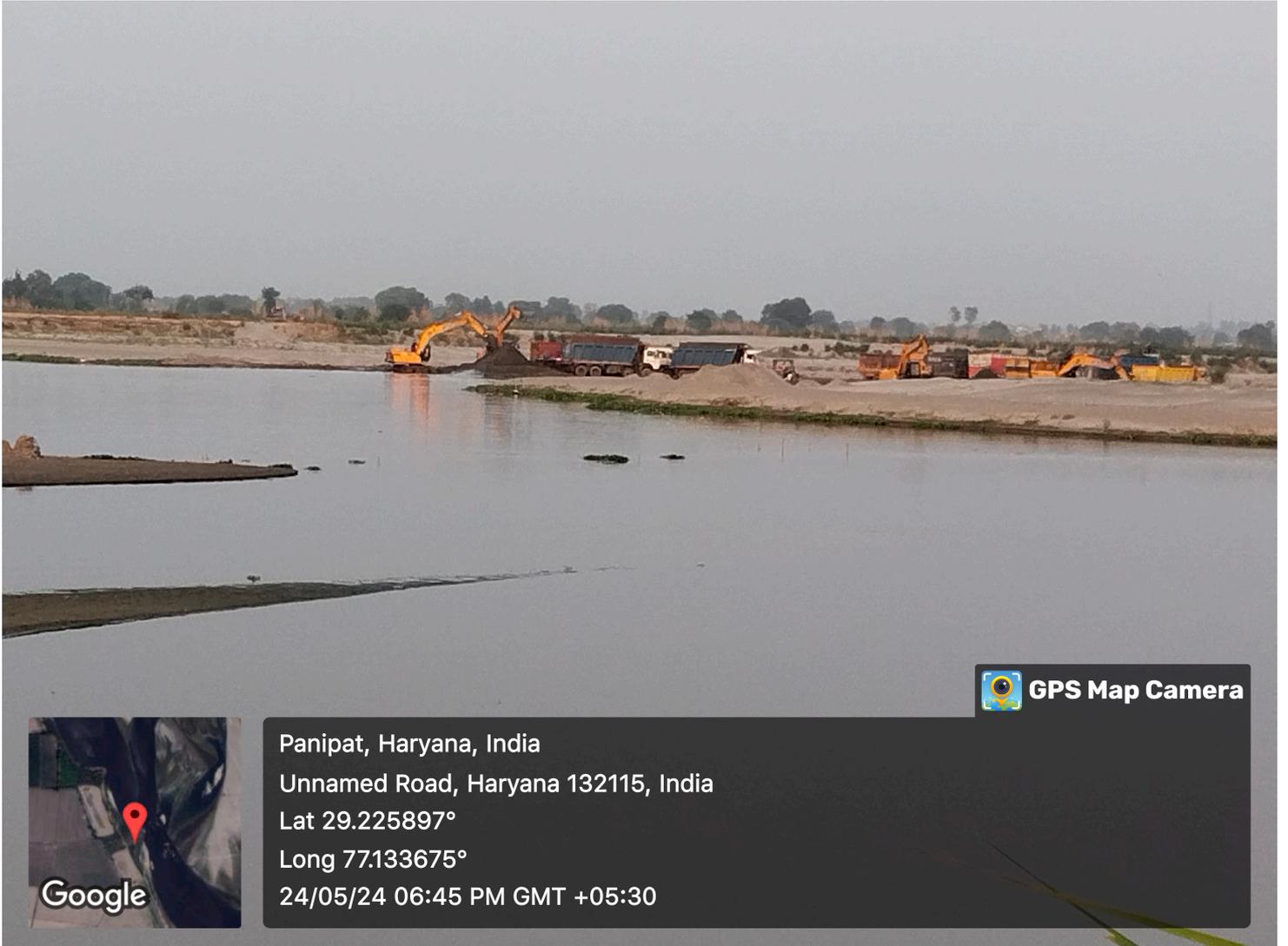
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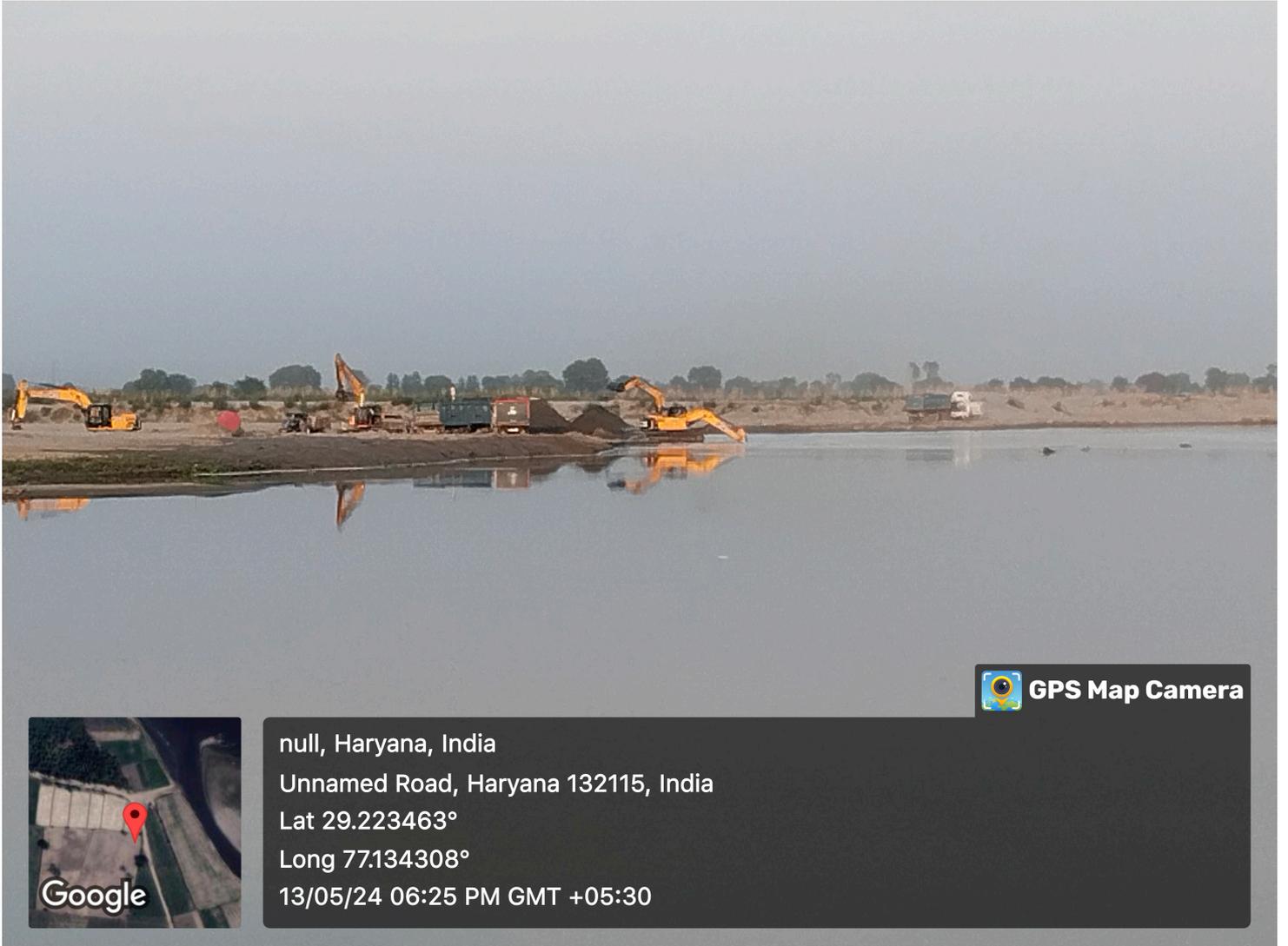
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null, Haryana, India
Unnamed Road, Haryana 132115, India
Lat 29.223463°
Long 77.134308°
13/05/24 06:25 PM GMT +05:30

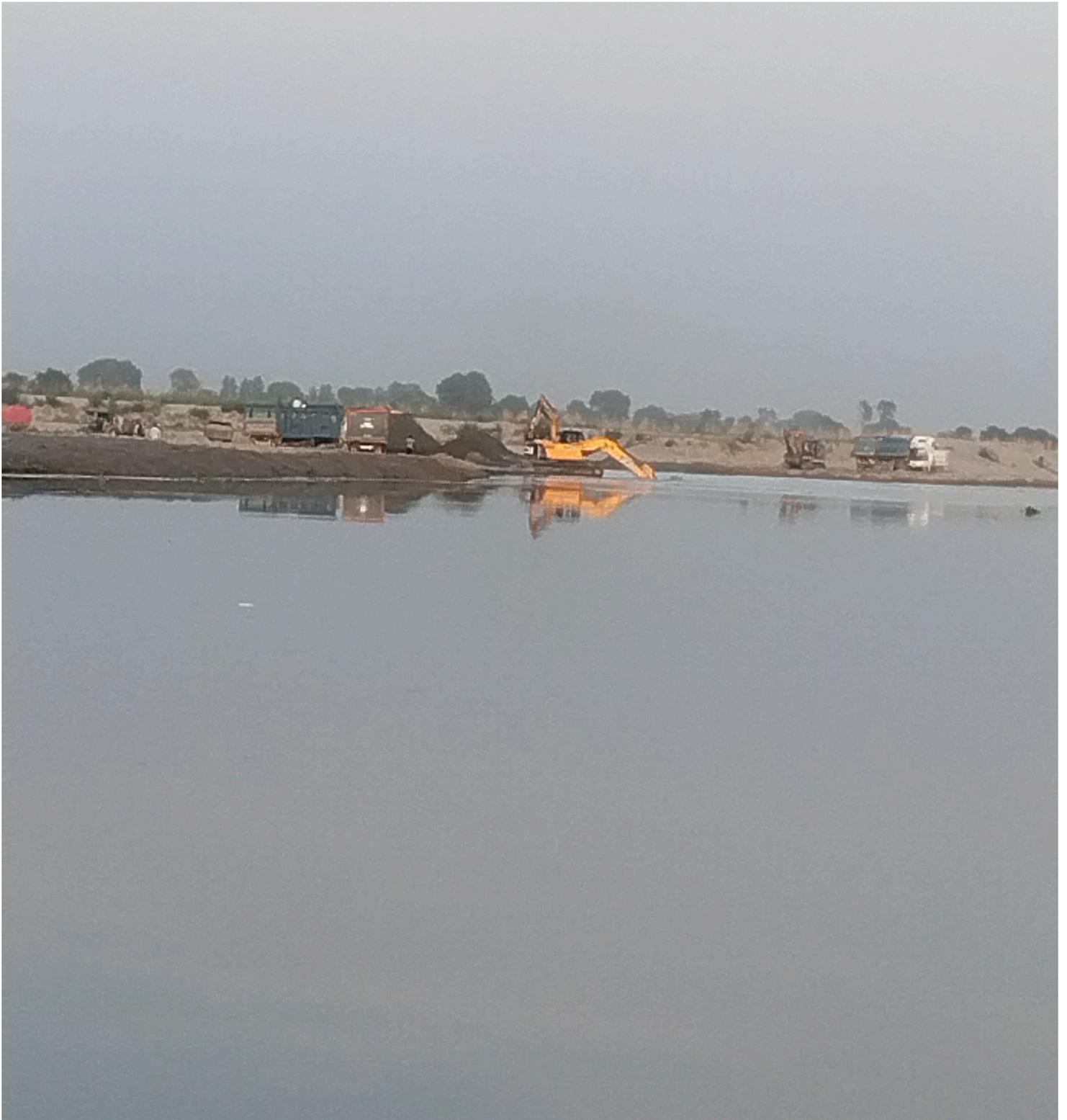




 **GPS Map Camera**



null, Haryana, India
Unnamed Road, Haryana 132115, India
Lat 29.223463°
Long 77.134308°
13/05/24 06:22 PM GMT +05:30



 **GPS Map Camera**



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