

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

**ORIGINAL APPLICATION NO. 1262/2024**

**IN THE MATTER OF:**

SHANKAR LAL LAKHADE & OTHERS ..... APPLICANTS

VERSUS


STATE OF MADHYA PRADESH & OTHERS ..... RESPONDENTS

**INDEX**

| S.No | PARTICULARS                                                                                                                                 | PAGE NO. |
|------|---------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 1.   | Objections/Response on behalf of Respondent No.8-M/S R.G. Associates to the Reply filed by Respondents No. 2, 3 and 4 along with affidavit. | 1-10     |

FILED BY:



  
 SHUBHENDU ANAND/  
 PIYUSH M. DWIVEDI/ ABHISHEK DWIVEDI  
 34, LGF, BABAR LANE, BENGALI MARKET,  
 NEW DELHI-110001

E-MAIL- [a.shubhendu@gmail.com](mailto:a.shubhendu@gmail.com)  
[piyushm.dwivedi@gmail.com](mailto:piyushm.dwivedi@gmail.com)

Phone No. 7827709253  
 9781278720

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL

BENCH, AT NEW DELHI

ORIGINAL APPLICATION NO. 1262/2024



IN THE MATTER OF:

SHANKAR LAL LAKHADE & OTHERS

..... APPLICANTS

VERSUS

STATE OF MADHYA PRADESH & OTHERS

..... RESPONDENTS

OBJECTIONS/RESPONSE ON BEHALF OF RESPONDENT NO.8-M/S

R.G. ASSOCIATES TO THE REPLY FILED BY RESPONDENTS NO. 2,

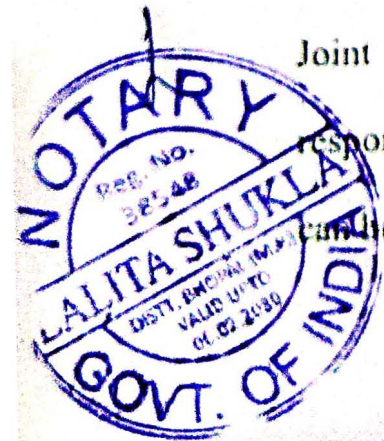
3 AND 4.

*It is most respectfully showeth that :*

1. The present O.A. 1262/2024 is filed by way of the letter petition dated 15.6.2024 by Sh. Shankar Lal Lakhade and several others for the villagers of village Chicholi, Tehsil Kharlanji, District Balaghat, State of Madhya Pradesh, regarding illegal mining in the river bed and mid-stream of river Bawanthadi. This Hon'ble Tribunal exercised its suo-moto jurisdiction and vide order dated 20.11.2024 constituted a Joint Committee comprising District Magistrate Balaghat (**Respondent No. 4**), Madhya Pradesh State Pollution Control Board (**Respondent No.6**); Central Pollution Control Board (**Respondent No.5**); and, Integrated Regional Office, Ministry of

Environment Forest and Climate Change, Bhopal (Respondent No.7) to visit the site, collect relevant information, and submit a factual report within one month.

2. The above-constituted committee submitted its report dated 23.12.2024, and the respondents filed their response to the Joint Committee respectively. This Hon'ble Tribunal vide order dated 15.12.2025 granted leave to Respondent No.8 (M/s R.G. Associates hereinafter "R/8) to file objections/reply to the response filed by Respondent No. 2 (Director, Mining and Geology, Government of Madhya Pradesh/ Director), Respondent No.3 (M.P. State Mining Corporation) and Respondent No.4 (District Magistrate, Balaghat, M.P.).
3. It is most humbly submitted that the observation made in the Joint Committee report and the response filed by the Respondents mentioned hereinabove suffer from various contradictions and infirmities, which are addressed through this response.
4. It is most humbly submitted that Respondent No.8- M/s R.G. Associates is impleaded as a party vide order dated 14.02.2025 after the Joint Committee submitted its report on 23.12.2024. However, there are no specific allegations, observations or recommendations against R/8. Whereas, the Joint Committee Report and the responses submitted thereto by Respondents respectively have no allegations against R/8 hence, no liability can be imputed on R/8.



5. It is most humbly submitted that the observations made by the Joint Committee are based on demarcations measured by Google Earth Software. However, Rule 5(1) the Madhya Pradesh Sand (Mining, Transportation, Storage and Trading) Rule, 2019 prescribes that the demarcation of sand quarries shall be done based on a Differential Global Positioning System survey (*hereinafter referred to as D.G.P.S. Survey*). Rule 5 (1) of the Madhya Pradesh Sand (Mining, Transportation, Storage and Trading) Rule, 2019 is mentioned hereinbelow:

*"5 (1) Demarcation of sand quarries- The Collector, shall identify new sand bearing areas in rivers or on other places of the State. D.G.P.S. survey shall be carried out and its location on revenue map alongwith Latitude and Longitudes shall be marked:*

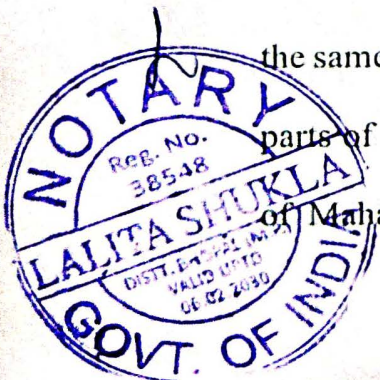
*Provided that the sand quarries demarcated and declared prior to the commencement of these rules, may be amended by following the same procedure as required."*

6. It is most humbly submitted that the Joint Committee, in its Report, has used Google Earth Software and made specific observations that the area where the Mine Developer - cum- Operator (MDO) has erected mine pillars was not as per the mine lease area recorded in the Mining plan & Environmental clearance since 2021. Pursuant to the same, the Joint



Committee recommended that due to gross negligence by the project proponent (M/s MP State Mining Corporation Ltd. & MDO), sand excavation occurred outside the mine lease boundary and the Department of Mining & Geology must urgently recheck the geographical coordinates of the mine lease retrospectively since 2021.

7. In response to the above, the R-2/Director, Mining and Geology, Government of Madhya Pradesh, in its affidavit dated 10.10.2025, stated that a clerical error was committed in the Joint Committee Report, wherein the longitude of Pillar No. C, as mentioned in the Report, was contrary to the actual geo-coordinates of the mining plan. Further, R-2/Director admitted that from the period 2021 onwards, the geographical coordinates of the mining site have remained consistent in the mining plans, environmental clearance and the DSR for the Chicholi sand mine. The R-2/Director, further admitted by way of affidavit that the reliability of coordinates shown on Google Earth cannot be established, and the allotment of the mines was based on geo-coordinate maps of the village that were obtained from the official website of the Land Records Department (<https://mpbhulekh.gov.in>) and the coordinates depicted in the DGPS survey and the mining plan were plotted and found to be almost at the same location as allotted. It is further admitted in the affidavit that some parts of the Chicholi mine appear on Google Earth to fall within the state of Maharashtra, whereas according to the digitized maps of the Land



Records Department, the coordinates shown in the mining plan and DGPS survey are entirely within Madhya Pradesh.

8. Similarly, the R-4/District Magistrate, in its affidavit dated 10.10.2025, has submitted that coordinates reflected on Google Earth are not a reliable source for determining the precise geographical position and as per the mining plan and the D.G.P.S survey, the allotted mines lie within the territory of the State of Madhya Pradesh.
9. R-3/ M.P. State Mining Corporation has also admitted in its affidavit dated 14.10.2025 that no sand mining activity was carried out at or beyond the inter-state boundary adjoining the State of Maharashtra.
10. Hence, it would be wrong to suggest that the erected mine pillars at the specified geo-location do not match the coordinates outlined in the mine plan and environmental clearance and the lease boundary extends into the Maharashtra state boundary. Further, it would be wrong to infer that R-8/ R.G. Associates erected mine pillars not as per the mine lease area recorded in the Mining plan & Environmental clearance, or there is excavation of sand at an illegal site by R/8.
11. It is pertinent to mention herein that the Joint Committee in its Report has observed that the operational period for the R-8/R.G. Associates was from May 2024 to October 2024, and the quantity mined is 864 cubic meters, whereas the production capacity of allotted mines as per EC is 59,880 cubic meters. It is most humbly submitted that R/8 only did mining for almost 3

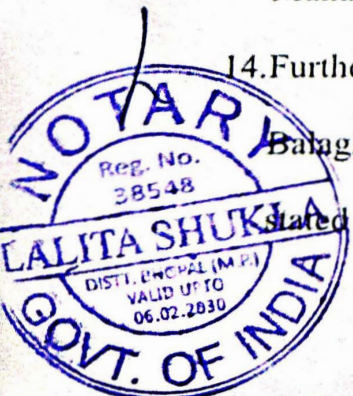


months, as mining was restricted during the monsoon period of July to September 2024. Thereafter, R/8 surrendered the contract that was valid up to 01.05.2027 due to illegal mining activities being committed in the area.

12. Due to gross illegal mining activities being committed in the lease area, R/8 raised complaints before the concerned authorities. It is pertinent to mention herein that R/8 submitted a prior notice for surrender of contract under Rule 16 of the M.P. Sand mining Rules, 2019 vide communication dated 31.08.2024 and subsequently surrendered the contract vide letter dated 11.11.2024. It is most humbly submitted that it was observed by the Joint Committee that during the time of the visit, that is 13.12.2024, no mining activity was going on the day of the visit. Therefore, in the absence of any mining carried out by R/8 beyond the lease area, there is no occasion where R/8 has committed any illegal mining when the allotted lease area is about 291.755 Ha.

13. Moreover, the Sarpanch of the village provided the complaint to the Joint Committee that was submitted to the Sub-Divisional Magistrate on 09.01.2024, wherein the allegations were made against Raja Lillaare (Persons with criminal tendencies) and others who were miners from Maharashtra and no allegations were raised against the R/8.

14. Further, the letter dated 20.03.2025 issued by the Mining Officer, Distt. Balaghat, M.P. to the Regional Officer, Pollution Control Board, M.P. it is stated that during inspection, various persons for found committing illegal

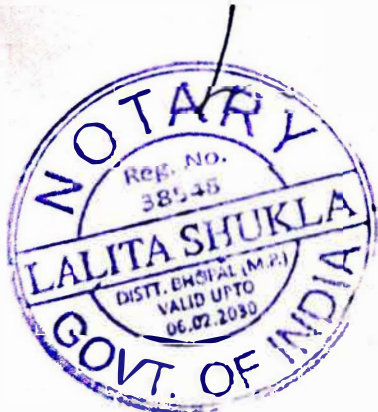


mining, wherein R/8 was not found to be related to illegal mining or named in the said letter.

15. Despite surrender and complaints raised by R/8 itself, a Show Cause notice dated 29.08.2025 was issued by the Collector (Mines), Balaghat, which was duly responded to by R/8 vide reply dated 12.09.2025. However, the letter dated 20.03.2025 by the Mining Officer, Distt. Balaghat, M.P., nowhere names R/8 as a violator.

16. It is further submitted that the R/8 was impleaded as respondent vide order dated 14.02.2025; however, there are no allegations by any party against R/8. It is pertinent to mention herein that a show cause notice dated 29.08.2025, which was duly responded on 12.09.2025 and without prejudice and not conceding to the contents of the F.I.R., it is submitted that an F.I.R bearing No. 256/2025 dated 30.08.2025 has been lodged against R/8. Therefore, legal actions have been initiated hence, the present proceedings are not required to continue against R/8.

In light of the above submissions and in the absence of any allegation or complaint against R-8, which itself surrendered the contract, no purpose would be served in continuing the present litigation against R/8.



FILED BY:

Respondent • No.8-M/S R.G. Associates

THROUGH

SHUBHENDU ANAND/ PIYUSH M.  
DWIVEDI/ ABHISHEK DWIVEDI  
34, LGF, BABAR LANE, BENGALI  
MARKET, NEW DELHI-110001

E- MAIL- a.shubhendu@gmail.com  
piyushm.dwivedi@gmail.com

Phone. No 7827709253  
9781278720



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

ORIGINAL APPLICATION NO. 1262/2024



IN THE MATTER OF:

SHANKAR LAL LAKHADE & OTHERS

..... APPLICANTS

VERSUS

STATE OF MADHYA PRADESH & OTHERS

..... RESPONDENTS

AFFIDAVIT

I, Ramesh Prasad Dube S/o Shri Ramdas Dube R/o 54 sector, Shanti Niketan, Govindputa, Bhopal (MP), do hereby solemnly affirm on oath and state as under that:

1. I am a partner in M/s RG Associates, is authorised to file the instant response and is well acquainted with the facts of the case.
2. I am well conversant with the contents of the above application as per the records available.
3. The response is drafted by my Counsel on my instruction, and is read to me in vernacular, and the same is true and correct.
4. This affidavit is filed in support of the response filed herewith.

रमेश डूबे

DEPONENT

VERIFICATION

Verified at Bhopal on this\_\_day of January 2026, that the content of my above-mentioned affidavit are true to my knowledge and nothing has been concealed therefrom and no part is therefore is false.

24/1-26

DEPONENT

SWORN BEFORE ME  
THE WITHIN NAMED

LALITA SHUKLA  
NOTARY & ADVOCATE  
BHOPAL (M.P.) INDIA



15 JAN 2026

Identified by me  
Name...  
Address...  
Signature...

No. 879/2026  
Date 15/01/26