

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, DELHI  
ORIGINAL APPLICATION NO. 373/2025**

**In the matter of:**

News Item titled "2096 illegal mining cases in Rajasthan's Aravalis in 5 years" appearing in The Hindu dated 22.07.2025

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Submitted by

Place: Delhi

Date: 03/01/2025



**Mohit Singhal Advocate**

**Counsel for Central Pollution Control board (CPCB)**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 373 OF 2025**

**In the matter of:**

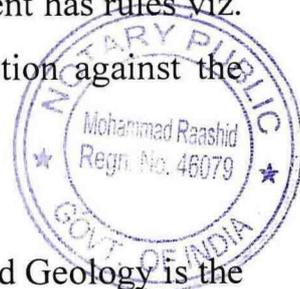
News Item titled "2096 illegal mining cases in Rajasthan's Aravalis in 5 years" appearing in The Hindu dated 22.07.2025

**REPLY ON BEHALF OF THE RESPONDENT NO. 1 CENTRAL  
POLLUTION CONTROL BOARD**

1. That the instant matter has been taken up suo-motu by Hon'ble NGT on the basis of news item titled "2096 illegal mining cases in Rajasthan's Aravalis in 5 years" appearing in The Hindu dated 22.07.2025 and has registered the same as Original Application (hereinafter referred as OA) No. 373/225. Further, Hon'ble NGT vide Order dated 28.07.2025 impleaded the Central Pollution Control Board (hereinafter referred as CPCB) as Respondent no. 1 in the aforesaid OA. Thereby, the reply is made in succeeding paragraphs.
2. That CPCB has been constituted under the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as "the Water Act, 1974"). It performs functions as prescribed under the Water Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as "the Air Act, 1981"), and the Environment (Protection) Act, 1986.
3. That, it is humbly submitted that the State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as SPCBs/PCCs) have been constituted in States/Union Territories under Water Act, 1974 and Air Act, 1981 to perform the functions and implement the provisions of these Acts in respect of territories falling in their respective territorial Jurisdiction.



4. That it is humbly submitted that as per the Environmental Impact Assessment Notification-2006 (hereinafter referred to as "EIA"), the process of granting Environmental Clearance (hereinafter referred to as "EC") is carried out by Ministry of Environment, Forest and Climate Change (hereinafter referred as "MoEF&CC") and State Level Environment Impact Assessment Authority (hereinafter referred as "SEIAA") respectively depending upon the category of mining activity. Category 'A' projects including expansion and modernization of existing project shall require EC from MoEF&CC on the recommendations of Expert appraisal committees ("EAC") and Category 'B' projects require EC from the SEIAA on the recommendations of State Level Expert Appraisal Committee ("SEAC"). It is further submitted that six monthly compliance reports are required to be submitted by project proponent to the respective EC issuing authorities.
5. That, as per the news article, approximately 3224 FIRs were registered by authorities and a cumulative penalty of Rs. 248 Crores was recovered during the said period for illegal mining in Aravali Region in the State of Rajasthan. The report also highlights that Bhilwara district accounted for the maximum number of illegal mining cases i.e., 514 and the highest recovery of penalty amounting to Rs. 57.60 Crores. That the instant matter pertains to the regulation and control of illegal mining operations in the Aravalli Region situated within the territorial jurisdiction of the State of Rajasthan. That the State Government has rules viz. Rajasthan Minor Mineral Concession Rules, 2017 to take action against the illegal mining.
6. That it is humbly submitted that, State Department of Mines and Geology is the Nodal Authority in the State for dealing with the allotment of mining leases under the Mines and Minerals (Development and Regulation) Act (hereinafter



referred as MMDR Act), 1957 and is entrusted with the enforcement and regulation of mining operations in a State including illegal mining. Under Section 23(c) of the MMDR Act, the State Governments are empowered to make rules for preventing and controlling illegal mining, transportation, and storage of minerals.

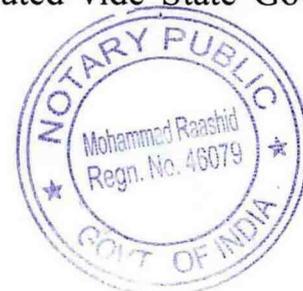
7. That the Hon'ble Supreme Court of India vide order dated 09.05.2024 in the matter titled as M.C. Mehta v. Union of India in W.P. (C) No. 4677 of 1985 (annexed as **Annexure-I**) directed:

*“... 13. In that view of the matter, to balance the competing interest, we find that the following direction would subserve the purpose: -*

*Until further orders, though all the States in which Aravalli Ranges and Hills are situated would be at liberty to consider and process the applications for grant of mining leases and also for renewal thereof including obtaining statutory clearances from the various authorities, no final permission shall be granted for mining in the Aravalli Hills/Ranges, as defined in the FSI Report dated 25.08.2010, without permission from this Court.*

*14. Needless to state that this order in no way shall be construed as prohibiting the legal mining activities which are being carried out in accordance with the valid permits/licences....”*

8. That, a district level “Mineral Development, Environmental Protection and Illegal Mining” monitoring committee is constituted vide State Government order dated 24.01.2025 to prevent illegal mining.



9. That, the answering respondent no. 1 craves leave of the Hon'ble Tribunal to file additional replies if required in future.

10. That, in light of the above submissions, it is respectfully submitted that this answering respondent, i.e., CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble Tribunal in this Original Application.



**(Prasoon Gargava)**  
Scientist 'F'  
Central Pollution Control Board  
03.11.2025



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 373 OF 2025

**In the matter of:**

News Item titled "2096 illegal mining cases in Rajasthan's Aravalis in 5 years" appearing in The Hindu dated 22.07.2025

**AFFIDAVIT**

I, **Prasoon Gargava**, S/o Late Shri Ramesh Gargava, aged 52 years, working as Scientist 'F' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 1 in the above matter, do hereby solemnly affirm, declare on oath and state as under :-

1. That I, the deponent herein, is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

  
**DEPONENT**



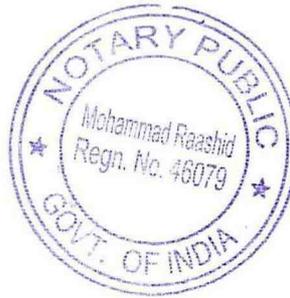
**प्रसून गार्गव / Prasoon Gargava**  
वैज्ञानिक 'एफ' एवं प्रभाग प्रमुख (आई.पी.सी.-II) / Scientist 'F' & Divisional Head (PC-II)  
**केंद्रीय प्रदूषण नियंत्रण बोर्ड**  
Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest & Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

Verified at Delhi on this day of 03 NOV 2025 that the contents of the above reply are correct and true on the basis of the records of the case as maintained in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

DEPONENT

प्रसून गार्गव / Praseon Gargava  
वैज्ञानिक 'एफ' एवं प्रभाग प्रमुख (आई.पी.सी.-II) / Scientist 'F' & Divisional Head (PC-II)  
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Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(M/o Environment, Forest & Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032



ATTESTED  
NOTARY PUBLIC  
DELHI (India)

03 NOV 2025

प्रसून गार्गव / Praseon Gargava  
वैज्ञानिक 'एफ' एवं प्रभाग प्रमुख (आई.पी.सी.-II) / Scientist 'F' & Divisional Head (PC-II)  
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Parivesh Bhawan, East Arjun Nagar, Delhi-110032

ITEM NO.301 &amp; 8

COURT NO. 106

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s). 4677/1985

M.C.MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(HARYANA MINING MATTERS

I.A.No. 1785, 1967, 2152 IN 1967, 1962, 2443, 2186, 2444, 2168, IA D. NO. 75191, 2484, 2527 AND 2582 IN IA D. NO. 75191, 1866, 1858 and 1859, , 1891, 1892 and 1893, 1895, 1896, 1906, 1907 AND 1908, 1968, 2451, 2336, IA D. NO. 58737, 2390, 2450 IN IA NO. 2385, 2454, 2455, 2486, 2487, 2488 AND 2492, 2385, 2143, 2623, 2624, 1937, 2415, 2579, 2780, 2781, 2782, 2783, 2784 AND 2785, 32531/2021, 32532/2021 IN IA NO. 2450, 28631 AND 28637/2021, 31357 AND 31360/2021, 35779 AND 35781/2021, 43525/2021 IN IA D. NO. 75191, 44798/2021 IN 31360/2021, I.A. NO. 93600/2021, 92854 AND 92850/2023, 81251, 81253/2023 AND 113069/2024

CONTRUCTIONS MATTERS I.A.No. 2198, 1888, 1911 AND 1912, 2306 AND 2307, 2308 AND 2309 IN IA NO. 1888 AND 2386 AND 2387, 2388, 2392, 2103, 2355, 2356 AND 2357, 2577 AND 2578, 2575 AND 2576, 1894, 2497 AND 2498, 2514, 2515, 2595, 2596, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 1938, 2684, 2685, 2686 AND 2687, 2720, 2721, 2758, 2759, 2760, 2761, 66059/2017, 66071/2017, 81981 AND 81982/2017, 134492 AND 134499/2017, 67457 AND 67458/2019, 128127 AND 134352/2020, 97884, 97894, 97887, 97899/2021 (APPLICATIONS FOR DIRECTIONS AND MODIFICATION/CLARIFICATION OF COURT'S ORDER DATED 06/05/2002, 8/10/2009, 18/03/2004, INTERVENTION AND IMPLEADMENT, PERMISSION TO FILE ADDITIONAL DOCUMENTS AND EXEMPTION FROM FILING O.T. AND INTERIM STAY AND PERMISSION TO FILE REPLY AFFIDAVIT AND APPLNS. RAISING OBJECTIONS AGAINST CEC REPORTS) IN W.P.(C) NO. 4677/1985

WITH

Writ Petition(s)(Civil) No(s). 202/1995'

[1] I.A. NO. 105701/2024 (CEC REPORT NO. 03/2024) [CEC Report No. 3 dt. 07.03.2004 regarding in compliance of the order dt.10.01.2024 of the Hon'ble Court. Accordingly, the CEC is of the opinion that these three I.As Nos. 87550, 107909 and 112526 of 2023 may be considered after this Hon'ble Court considers and decides on the broader issues about mining in Aravali Hill and Ragnges. [2] In Re: Mining in Aravalli in the State of Haryana I. A. NOS. 828, 839, 840, 850, 853-854, 855-856, 866-868, 869-870, 871-872, 873-874, 875-876, 877-878, 879-880, 881-882, 891-892, 900, 905, 1465, 1488, 1590, 1612-1613, 1700, 1701, 1702, 1703, 2007-2008, 2138-2139,

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2205, 2417, 2426-2427, 2445, 2530, 2567, 2574, 2636, 2658-2659, 2719, 2761, 2765, 2766, 2767, 2768-2769, 128672 and 128673/2019 IN 2858/2010, 2872-2873, 2932, 2933, 2934, 2874, 2876, 2877 and 2879/2010, 2877-2879/2010, 3086/2010, 3089-3090/2011, 3091, 3137, I.A. D. NO. 76048/2009, 3597, I. A. D. No. 76051/2009, 3605, 3606, 3780-3782/2014, 3811-3812/2014, 3815, 32330/2021 AND 40279/2021 I.A. RELATED TO CONSTRUCTION 1276-1277 [Second Monitoring Report dt. 28.10.2002 of CEC regarding large scale illegal mining of stones in the forest area in aravali hills around kot village located off the road mid-way between ballabgarh-sohna road near dhauj, and Applications for Impleadment, Intervention, Directions, Modification/directions of court's order dt. 30.10.2002, Clarification/Modification of Order's dated 29.10.2002 AND 09.12.2002, 16.12.2002, Permission, permission to file additional affidavit/documents, exemption from filing O.T., Clarification/Modification of Order's dated 08.10.2009 and applications for recalling of Court's Order dated 12.12.2018 in I.A. NO. 2858/2010] [3] In Re: Mining in Rajasthan 828/02 in W.P. (C) No. 202/1995 and 833/02, 834-835/02, 837/02, 846-847/02, 893-894/02, 901-902/03, 903-904/03 in 828/02, 1310/05 in 833/02, 1329/05 in 1310/05, 1331/05 in 1310/05, 1450-1452/05 in 1310/05, 2447/08 in 828/02, 2602/09 in 828/02, 2758-2759/09 in 828/02, 2803/10 & 3210/11 in 2758-2759/09, 2814/10 in 1310/05, 2834, 2836/10 in 1310/05, 2837, 2839/10 in 1310/05, 2840/10 in 2814/10, 2874, 2876/10 in 828/02, 2877, 2879/10 in 828/02, 2883-2885/10 in 1310, 2887-2889/10 in 1310, () 2891, 2893/10, 3125/11 in 2877-2879/10, 3129/11 in 2874-2876/10, alongwith Rajasthan Mining, 3281/11 in 2834-2836, 3296/11 in 1310(fresh), 3361-3362/12, 3394, 3396/12 in 1310, 3397/12 in 828, 3919-3920/2015 in 2891-2893, 3951 in 834-835, 3952 in 2814-2815 in 1310 I.A.No. 3957 In I.A.No. 828 In W.P.(C)No. 202/1995 I.A.No. 27190 AND 46116 of 2019, 49985/2019 (App. For O/T) in I.A. no. 3361-3363, 50600, 50604, 57647/2019, 57468, 57653/2019, 60991, 60995, 60999/2019, 141355/2019 in I.A. NO. 50600 AND 50610 OF 2019, 153523 AND 153524/2019, 90862 & 90864/2021 in I. A. No. 828 [Second Monitoring Report dated 28.10.2002 of Central Empowered Committee and Applications for Further Directions, Modification/Clarification of Order dated 30.10.2002 and Amendment of I.A.No. 833, Impleadment, Modification/Clarification of Order dated 29/30.10.2002, Modification/Clarification, Exemption from filing O.T., Modification/ Directions, Directions, Intervention, Clarification/Modification of Order dated 08.04.2005, Interim Directions, Stay, Modification of Order dated 19.02.2010 , Permission to file Additional Documents and Early Hearing of I.A.No. 828] AND [ 4 ] I. A. NOS. 87544, 87550 AND 91723 OF 2023 [APPLICATIONS FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.] IN RE : M/S. KRISHNA MINERS AND TRADERS, RAJASTHAN AND [ 5 ] I. A. NOS. 107906 AND 107909/2023 [APPLICATIONS FOR IMPLEADMENT AND DIRECTIONS] IN RE : M/S NALWAYA MINERALS INDUSTRIES P. LTD. RAJASTHAN AND [ 6 ] I. A. NOS. 112525, 112526 AND 112527/2023 [APPLICATIONS FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.] IN RE : M/S NALWAYA MINERALS INDUSTRIES P. LTD. RAJASTHAN AND [ 7 ] I. A. NOS. 254548, 254550 AND 254551/2023 [APPLICATIONS FOR

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IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T.] IN RE : GURPREET SINGH SONI AND ORS. AND [ 8 ] I. A. NOS. 69040, 69044 AND 69050/2024 [APPLICATIONS FOR DIRECTIONS, EXEMPTION FROM FILING O.T. AND IMPLEADMENT] IN RE : JAIN KUMAR JAIN AND [ 9 ] I. A. NOS. 8156, 8157 AND 8155 OF 2024 [APPLICATIONS FOR DIRECTIONS, EXEMPTION FROM FILING O.T. AND IMPLEADMENT, AND IN RE : M/S. SHIV GRIT UDYOG, RAJASTHAN IN WRIT PETITION (CIVIL) NO. 202/1995 "ONLY" ARE LISTED IN W.P.(C) No. 202/1995

Mr. Harish N. Salve, Sr. Adv. [A.C.], (Not Present)

Ms. Aparajita Singh, Sr. Advocate [A.C.] (Not Present)

Date : 09-05-2024 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE ABHAY S. OKA

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Mr. Pravir Chaudhary, AOR

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Mr. Krishnanand Pandey, AOR

Mr. Kamal Mohan Gupta, AOR

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UPON hearing the counsel the Court made the following  
 O R D E R

1. Since certain matters from State of Rajasthan with regard to mining in Aravalli Ranges and Hills were pending before the Bench presided over by one of us (B.R. Gavai, J.) and other matters from State of Haryana were pending before the Bench presided over by one of us (Abhay S. Oka, J.), the matter was referred to the Hon'ble the Chief Justice of India with an observation that it will be appropriate that all the matters are heard together so that the

issues are addressed commonly. **122**

2. Accordingly, a Special Bench consisting of the two of us has been constituted under the orders of the Hon'ble the Chief Justice of India.

3. There are certain issues with regard to illegal mining as well as mining under the permissions granted by the States in Aravalli Hills/Ranges. One of the major issues is with regard to the different definitions of "Aravalli Hills/Ranges", as adopted by different States. The learned Amicus Curiae states that insofar as the State of Haryana is concerned, there is not even a definition of Aravalli hills and ranges.

4. The Central Empowered Committee (CEC) has submitted its Report No.3/2024, wherein certain aspects have been pointed out. The Report also points out various illegal mining activities carried out throughout the State of Rajasthan, district wise details have been given with regard to the areas under illegal mining.

5. In the report of the CEC, a report prepared by the FSI is annexed. As per the Report of the FSI the definition of Aravalli hills has been given as the hill as well as the uniform 100 meter wide buffer surrounding the downside of the hills.

6. We find that the issue with regard to the mining activities in the Aravalli Hills and Ranges needs to be addressed jointly by the Ministry of Environment, Forest and Climate Change (MoEFCC) as well as all the four State Governments i.e. the Government of National Capital Territory of Delhi (GNCTD) and the States of Rajasthan, Haryana and Gujarat.

7. We, therefore, direct that a Committee be constituted comprising of the following officers/officials to have a uniform definition of the Aravalli hills and ranges:-

- i. Secretary, Ministry of Environment, Forest and Climate Change, Government of India.
- ii. Secretaries of the Department of Forests, Government of National Capital Territory of Delhi and the States of Haryana, Rajasthan and Gujarat.
- iii. A representative of the Forest Survey of India.

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- iv. A representative of the Central Empowered Committee.
  - v. A representative of the Geological Survey of India.
  - vi. Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, shall be the convenor of the Committee.

8. The said Committee shall submit its report within a period of two months from today.

9. In the meantime, we also issue the following directions, as suggested by Shri P. Parameshwar, learned Amicus Curiae, to which Shri Tushar Mehta, learned Solicitor General of India appearing for the State of Haryana and Shri K.M. Natraj, learned Additional Solicitor General of India appearing for the State of Rajasthan, do not have any objection:-

i. Direct the Union of India through the MoEFCC, State of Rajasthan, State of Haryana and GNCTD to file affidavits with details comments on the CEC Report No.3/2024 and also the issues identified hereinabove.

ii. The States of Haryana and Rajasthan should specifically indicate what steps for compliance of 15 (fifteen) Judgments/Orders of this Court's have been taken by the respective States.

iii. The States of Haryana and Rajasthan should specifically state what action has been taken on the CAG/CEC Reports on illegal mining and whether prosecution under the relevant State Laws and Recovery Process has been undertaken.

iv. The State of Rajasthan to specifically state the actions taken pursuant to the FSI Report dated 22.02.2018 where illegal mining polygons have been identified.

v. The State of Rajasthan be directed to reply to the FSI Report submitted to this Court pursuant to Order

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dated 19.02.2010. The ~~ESI~~ Report dated 25.08.2010 and the CEC Report thereon dated 25.10.2010 were shared with the State of Rajasthan way back in 2010.

vi. The States of Rajasthan and Haryana shall also state the extent and mapping of all boundaries of mining areas (mentioned in the mining leases) within the area of the State.

10. Shri K. Parameshwar, learned Amicus Curiae, has further submitted that until further orders are passed by this Court, no fresh mining leases or renewal of existing mining leases should be permitted in Aravalli Ranges and Hills in the States of Haryana and Rajasthan.

11. The said suggestion is opposed by Shri Tushar Mehta, learned Solicitor General of India and Shri K.M. Natraj, learned Additional Solicitor General of India and Shri A.N.S. Nadkarni, learned senior counsel appearing for the Federation of Associations of Mining in Rajasthan. It is submitted that millions of labourers are dependent upon the mining activities carried out in these States. It is submitted that if the order, as sought by the learned Amicus Curiae is passed, it would have a cascading effect on the livelihood of millions of labourers.

12. According to our experience and as has been pointed out by this Court, in the judgment of this Court dated 10.11.2021 passed in C.A. No.3661-3662/2020, a total ban on mining is not conducive even to the interest of the environment, inasmuch as it gives scope for illegal mining.

13. In that view of the matter, to balance the competing interest, we find that the following direction would subserve the purpose:-

Until further orders, though all the States in which Aravalli Ranges and Hills are situated would be at liberty to consider and process the applications for grant of mining leases and also for renewal thereof including obtaining

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statutory clearances from the various authorities, no final permission shall be granted for mining in the Aravalli Hills/Ranges, as defined in the FSI Report dated 25.08.2010, without permission from this Court.

14. Needless to state that this order in no way shall be construed as prohibiting the legal mining activities which are being carried out in accordance with the valid permits/licences.

15. Needless further to state that our orders are restricted only to the mining in the Aravalli hills/ranges.

(NARENDRA PRASAD)  
DEPUTY REGISTRAR

(ANJU KAPOOR)  
COURT MASTER