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

OA No. 593 of 2023

Mursaleen v/s State of Haryana and others

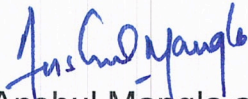
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NEW DELHI

DATED:

Through Counsels


Anshul Mangla and MF Khan
Advocates for Respondent
82830-97167; 98183-31922

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

OA No. 593 of 2023

Mursaleen v/s State of Haryana and others

Reply on behalf of Respondent No. __ i.e.
M/s JSM Foods Pvt. Ltd. to the Objections
dated 06.08.2024 filed by the Applicant to
the Status Report dated 24.06.2024
submitted by SEIAA, Haryana.

RESPECTFULLY SHOWETH:

1. That the present reply is being submitted through the Authorized Signatory on behalf of M/s JSM Foods Pvt. Ltd. i.e. Sh. Veerbhan Wadhwa.
2. That it shall be imperative to state that the answering respondent has been granted mining contracts for two mining blocks at District Yamunanagar i.e. Mandoli Ghaggar East YNR B-3 and Mandoli Ghaggar West YNR B-4.
3. That in the present case, the applicant has submitted objections dated 06.08.2024 to the Status Report dated 24.06.2024 submitted by SEIAA, Haryana.
4. That it shall be pertinent to mention that as per the Status Report dated 24.06.2024, it has been categorically stated that the issues raised in the present original application are pending adjudication before this Hon'ble Tribunal in OA No. 423 of 2022

and there is an interim stay on mining of boulder and gravel by this Hon'ble Tribunal vide Order dated 31.05.2022 passed in OA No. 423 of 2022. The relevant extract of the report dated 24.06.2024 is as follows:

Sr. No.	Name of Mining Unit	Status of the Mining Site & Replenishment Study	Excess Mining if done
10.	Mandoli Ghaggar West YNR B4 {25.56}	Contract period expired on dt. 18.06.2023	In this regard, OA No. 423/2022 titled as Mohinder Pal & Anr. Vs. State of Haryana & Ors. Is pending in the Hon'ble NGT, New Delhi, in which the Hon'ble NGT vide order dated 31.05.2022 stayed the mining of boulder and gravel.
11.	Mandoli Ghaggar East YNR B3 {20.18}	The mining block was auctioned on 10-11.06.2015 and LOI for extraction of minor mineral "Sand was issued by DGMG, Haryana vide orders dated 19.06.2015. The mining contractor started mining operations on 18.06.2017. Further, mining of boulder-gravel was permitted by DGMG, Haryana vide orders dated 26.11.2020 as per request of the contractor. On 31.05.2022, Hon'ble NGT New Delhi stayed the mining of boulder-gravel in OA No. 423/2022 (Mohinder Pal & Ors. Vs. State of Haryana & Ors.). In compliance of orders dated 31.05.2022 of Hon'ble NGT & 06.06.2023 of DGMG, Haryana, mining of boulder-gravel has been stayed. After that, the mining of mineral only sand is carried out by the contractor.	In this regard, OA No. 423/2022 titled as Mohinder Pal & Anr. Vs. State of Haryana & Ors. is pending in the Hon'ble NGT, New Delhi, in which the Hon'ble NGT vide Order dated 31.05.2022 stayed the mining of boulder and gravel.

5. That the applicant had submitted objections dated 06.08.2024 against the report dated 24.06.2024. The response of the answering respondent to the applicant objections is as follows:

Sr. No.	Mining Block	Objections	Response
10.	Mandoli Ghagar West Block YNR B4 [25.56 ha] Sand	<p><u>Non-Operational</u></p> <ul style="list-style-type: none"> Replenishment study by Private Organization (Not NABET Approved) [@1706] in violation of EC Clause 19 [@1538] BGS Mining, EC for Sand Only. LOI expired on 18.06.2023 	<ul style="list-style-type: none"> Replenishment study report duly approved by DGMG, Haryana vide Letter dated 22.03.2022 and extension of EC granted by SEIAA. Issue pending adjudication before this Hon'ble Tribunal in OA No. 423 of 2022. Matter of record.
11.	Mandoli Ghaggar East Block YNR B3 [20.18 ha] Sand	<p><u>Operational [@744]</u></p> <ul style="list-style-type: none"> 5-25 ha* [EC without EIA study] [@673] No Replenishment study- Replenishment Study by Private Organization (Not NABET Approved) [@1679] in violation of EC Clause 19 [@1527] BGS Mining under EC for Sand Only Despite stay by this Hon'ble Tribunal in OA No. 423 of 2022, mining of Sand is continuing. <p>Note: If BGS is in coalition quantity, it is incompressible how Sand can be separated and mined.</p>	<ul style="list-style-type: none"> EC was granted by Competent Authority on 21.12.2016 after following due procedure. The objections is without any basis and time barred. Replenishment study report approved by DGMG, Haryana vide Letter dated 22.03.2022 and extension of EC granted by SEIAA. Issue pending adjudication before this Hon'ble Tribunal in OA No. 423 of 2022. The objection is completely false. The said issue was adjudicated by this Hon'ble Tribunal in EA No. 27 of 2022 which was dismissed vide Order dated 22.04.2024.

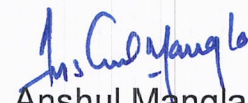
6. That it is submitted that the objections dated 06.08.2024 filed by the applicant to the status report dated 24.06.2024 are without any basis and the same are liable to be rejected.

It is therefore, most respectfully prayed that the Original Application is without any merits and the same is liable to be dismissed.

NEW DELHI

DATED:

Through Counsels



Anshul Mangla and MF Khan

Advocates for Respondent

82830-97167; 98183-31922

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I, Veerbhan Wadhwa aged ___ years S/o Sh. Dayal Dass R/o Village and Post Office Gumthala Rao, Tehsil Radaur, District Yamunanagar, Haryana do, hereby, solemnly affirm and state as under:

1. That I am the Respondent in the present reply and am well conversant with the facts and circumstances of the present case and hence, competent to swear and affirm this affidavit.
2. That the contents of the accompanying reply are true and correct to the best of my knowledge and have been drafted by the counsel on my instructions and nothing material has been concealed therefrom.
3. The accompanying reply has been drafted by my Advocate under my instructions.

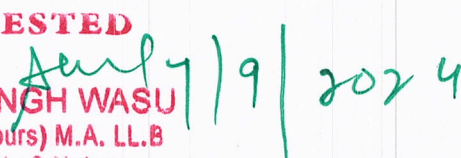

DEPONENT

VERIFICATION

Verified at Delhi on this the ___ day of September, 2024 that the contents of the above stated affidavit are true and correct to my knowledge and belief and nothing material has been concealed there from.


DEPONENT

ATTESTED


AMIK SINGH WASU
B.A. (Honours) M.A. LL.B
Advocate & Notary
Distt. Court Jagadhri-Yamuna Nagar

