

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

E.A. No. 27 of 2022

In O.A. No. 423 of 2022

Mohinder Pal and another

Applicants

Versus

Kulwinder Singh and others

Respondents

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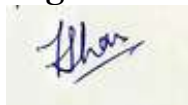
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PLACE: Karnal

DATED:- 13.02.2024

Respondent No. 2

Through Counsel:-



(M.F. KHAN, B. KRISHNA)

Advocates for the Respondent

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Reply on behalf of Respondent No. 2.

**RESPECTFULLY SHOWETH:
PRELIMINARY SUBMISSIONS:**

1. That the applicants have filed the instant execution application before this Hon'ble Tribunal seeking implementation of the Order dated 31.05.2022 (Annexure A-1) passed by this Hon'ble Tribunal in OA No. 423 of 2022.
2. That as per the averments in the execution application, it has been alleged that the answering respondent, being the Directors of M/s JSM Foods Pvt. Ltd. (hereinafter refer to as the Company) has sold boulder and gravel minor minerals in violation of the Order dated 31.05.2022 passed by this Hon'ble Tribunal in OA No. 423 of 2022.
3. That at the very outset, it is submitted that the allegations/averments in the execution application with regards to violation of the Order dated 31.05.2022 by the answering respondent are vehemently denied being false. It is submitted that the answering respondent has not violated the

aforesaid order in any manner; and has duly complied with the mandate of the said Order.

4. That as per the knowledge of the answering respondent, derived from the official record of the Company, the Company was granted the permission to dispose off/sell boulder and gravel minor minerals alongwith sand minor mineral by the Director General, Mines and Geology, Haryana by way of Orders dated 05.02.2021. The said Orders were passed by the Director General in exercise of powers available under Rule 56(19) of Haryana State Mining Rules, 2012. A copy of the Orders dated 05.02.2021 is attached herewith as **Annexure R-2/1.**
5. That thereafter, the Company has submitted an application dated 12.02.2021 with respondent No. 1 seeking the updation of the e-ravaana portal in order to enable the Company to generate e-ravaana bills for boulder and gravel minor mineral alongwith sand minor mineral. A copy of the Application dated 12.02.2021 is attached herewith as **Annexure R-2/2.**
6. That thereafter, the Company had submitted a similar application dated 05.04.2021; and on the said basis, the Director General had issued letters dated 08.10.2021 to the Company for the purpose of providing opportunity of hearing. A copy of the Letters dated 08.10.2021 is attached herewith as **Annexure R-2/3.**

7. That thereafter, the Company had submitted applications dated 13.10.2021 with the Director General seeking concession regarding the stipulations mentioned in the orders dated 05.02.2021. The Director General, after taking into consideration the aforesaid applications, passed orders dated 05.01.2022 and allowed the request of the Company regarding disposal of boulder and gravel by updating the e-ravaana portal account of the Company. A copy of the Orders dated 05.01.2022 is attached herewith as **Annexure R-2/4**.
8. That it shall be imperative to state that by virtue of the Orders dated 05.01.2022, the e-ravaana portal of the Company was updated to allow the generation of e-ravaana bills for boulder, gravel and sand. However, there was no option in the e-ravaana portal to generate the e-ravaana bills for sand minor mineral.
9. That thereafter, this Hon'ble Tribunal passed the Order dated 31.05.2022 (Annexure A-1) in OA No. 423 of 2022 whereby the Company was permitted to sell sand minor mineral only. It was further directed that the Company shall not carry out mining of boulder and gravel.
10. That in order to ensure compliance of the aforesaid order, the Company submitted an application dated 01.06.2022 with Mining Officer, District Yamunanagar seeking changes/correction in the e-ravaana portal account of the Company. The application was filed on account of the fact that there was no option in the e-ravaana portal of the

Company to generate e-ravaana bills for sand minor mineral. A copy of the Application dated 01.06.2022 is attached herewith as **Annexure R-2/5**.

11. That thereafter, the Company had submitted another application dated 04.06.2022 to the Director General Mines and Geology, Haryana. As per the said application, the Company had made a similar request for the purpose of carrying out the necessary changes/correction in the e-ravaana portal account of the Company. A copy of the Application dated 04.06.2022 is attached herewith as **Annexure R-2/6**.

12. That it shall be imperative to state that as per the knowledge of the answering respondent, the e-ravaana portal account of the Company was suspended by the Department from 05.06.2022 to 09.06.2022. Furthermore, during the period from 01.06.2022 to 04.06.2022, the Company did not sell any boulder and gravel. However, on account of the technical issue in the e-ravaana portal of the Company, the e-ravaana bills were being generated for boulder, gravel and sand.

13. That on 09.06.2022, the Company again submitted an application with Director General, Mines and Geology, Haryana and made a similar request to the one made in the previous applications. A copy of the Application dated 09.06.2022 is attached herewith as **Annexure R-2/7**.

14. That on 17.06.2022, the Mining Officer, Yamunanagar issued a letter to the Company whereby reference was made to the Order dated 31.05.2022 (Annexure A-1) passed by this Hon'ble Tribunal and the Company was directed to stop the generation of e-ravaana bills for boulder, gravel and sand. However, on account of the fact that the aforesaid letter was issued without taking into consideration the actual facts, the Company submitted a reply dated 21.06.2022 to the Mining Officer, Yamunanagar. A copy of the Letter dated 17.06.2022 is attached herewith as **Annexure R-2/8**; and a copy of the Reply dated 21.06.2022 is attached herewith as **Annexure R-2/9**.
15. That the bare perusal of the reply dated 21.06.2022 shall reveal that the Company had made a specific reference to the correspondence dated 01.06.2022, 04.06.2022 and 09.06.2022. It was further submitted that the generation of e-ravaana bills for boulder, gravel and sand were on account of the technical issue which was duly brought to the notice of the Department by way of aforesaid communications. It was further stated that the Company is not selling boulder and gravel; and the Company has ensured due compliance of the Order dated 31.05.2022 passed by this Hon'ble Tribunal.
16. That after taking into consideration the applications filed by the Company, the Director General, Mines and Geology, Haryana issued a letter dated 23.06.2022 to the Company whereby an opportunity of hearing was granted to the

Company for 28.06.2022. A copy of the Letters dated 23.06.2022 is attached herewith as **Annexure R-2/10**.

17. That on 28.06.2022, the authorized representative of the Company came present at the office of Director General for the purpose of the hearing. However, on account of some pre-occupation of the Director General, the hearing could not be conducted and the matter was posted for 01.07.2022. However, the authorized representative had submitted written submissions dated 28.06.2022 with the office of Director General. A copy of the written submissions dated 28.06.2022 is attached herewith as **Annexure R-2/11**.

18. That the bare perusal of the written submissions shall reveal that it was only on 18.06.2022 that necessary corrections/changes in the e-ravaana portal of the Company were made and the option of sand minor mineral was available for the purpose of generation of e-ravaana bill for sale of sand minor mineral.

19. That the Director General had conducted the personal hearing on 01.07.2022. The authorized representative of the Company made submissions on the basis of the correspondence as well as the written submissions. The Director General proceeded to pass the Order dated 12.07.2022 whereby it was categorically held that the generation of e-ravaana bills for boulder, gravel and sand by the Company were on account of technical glitch; and the e-ravaana bills of the Company shall be shown as

Sand w.e.f. 17.06.2022. A copy of the Order dated 12.07.2022 is attached herewith as **Annexure R-2/12.**

20. That it shall be imperative to state that the hearing dated 01.07.2022 was also attended by the Mining Officer, Yamunanagar. During the course of hearing, he had specifically stated that he had carried out the inspection and had verified the fact that the Company had not sold any boulder and gravel after the Order dated 31.05.2022 passed by this Hon'ble Tribunal. In this regard, a copy of the Office Noting dated 01.07.2022 is attached herewith as **Annexure R-2/13.**

21. That it is submitted that the answering respondent has duly complied with the mandate of the Order dated 31.05.2022 passed by this Hon'ble Tribunal and there is no violation of the said Order on the part of the answering respondent. The answering respondent did not sell boulder and gravel after the issuance of the aforesaid order; and the generation of e-ravaana bills for boulder, gravel and sand from 01.06.2022 to 17.06.2022 were on account of technical glitch in the e-ravaana portal. All sincere efforts were made on behalf of the Company to bring the said anomaly to the notice of the Department.

22. That it is humbly submitted that the execution application is liable to be dismissed; and the applicants may kindly be burdened with exemplary costs for not bringing the

true facts to the knowledge of this Hon'ble Tribunal and for concealing the material facts.

REPLY ON MERITS:

- A. That the contents of paragraph No. A of the application are a matter of record in so far as the interim order dated 31.05.2022 is concerned.
- B. That the contents of paragraph No. B are denied being false. It is submitted that subsequent to the Order dated 31.05.2022, the answering respondent has not conducted any mining for boulder and gravel. There is no violation of the Order dated 31.05.2022 on the part of the answering respondent. In this regard, the contents of preliminary submissions are reiterated.
- C. That the contents of paragraph No. C are a matter of record in so far as the generation of e-ravaana bills after the Order dated 31.05.2022 is concerned. However, it is vehemently denied that the answering respondent had sold boulder and gravel subsequent to the Order dated 31.05.2022. It is submitted that the generation of e-ravaana bills from 01.06.2022 to 17.06.2022 for boulder, gravel and sand were on account of the technical glitch in the e-ravaana portal which has been duly acknowledged by the Director General in its Order dated 12.07.2022. Furthermore, the fact that the answering respondent did not indulge in sale of boulder and gravel is further verified from the Office Noting dated 01.07.2022 wherein it has been stated that the Mining Officer,

Yamunanagar had conducted verification and there was no sale of boulder and gravel by the Company.

D. That the contents of paragraph No. D refers to Rule 56 (17) of Haryana State Mining Rules, 2012. Hence, no reply is required.

E. That the contents of paragraph No. E are a matter of record.

F. That the contents of paragraph No F are not related to the answering respondent. Hence, no reply is required.

G. That the contents of paragraph No. G are a matter of record.

H. That the contents of paragraph No. H are not related to the answering respondent. Hence, no reply is required.

I. That the contents of paragraph No. I are a matter of record.

J. That the contents of paragraph No. J are a matter of record.

K. That the contents of paragraph No. K are denied for want of knowledge.

L. That the contents of paragraph No. L are a matter of record.

M. That the contents of paragraph No. M are a matter of record.

N. That the contents of paragraph No. N are a matter of record.

O. That the contents of paragraph No. O are denied for want of knowledge.

P. That the contents of paragraph No. P are a matter of record.

Q. That the contents of paragraph No. Q are a matter of record. However, it is clarified that the letter vide Annexure A-2 is dated 23.06.2022 and the same was not a show cause notice. The letter dated 23.06.2022 vide Annexure A-2 was issued by the Director General for the purpose of providing opportunity of hearing to the answering respondent on the basis of the correspondence mentioned in the preliminary submissions.

R. That the contents of paragraph No. R are denied for want of knowledge.

S. That the contents of paragraph No. S are denied for want of knowledge.

T. That the contents of paragraph No. T are denied being false. It is submitted that the answering respondent did not indulge into illegal mining of boulder and gravel and there was no violation of the Order dated 31.05.2022. In this regard, the contents of preliminary submissions are reiterated.

U. That the contents of paragraph No. U are a matter of record. However, it is clarified that as per the Order dated 22.06.2022, there is no imputation against any officer of the

Department; and the said order has apparently been issued on the administrative side by the Director General.

V. That the contents of paragraph No. V, alongwith sub-para No. A to N are denied being false. It is submitted that there was no ground available with the applicant to file the execution application as there was no violation of the Order dated 31.05.2022. In this regard, the contents of preliminary submissions are reiterated.

O. That the contents of paragraph No. O are denied being false. It is submitted that the applicant has not appended any proof regarding the service of the representation mentioned therein; and there is no cause of action in favour of the applicant for filing the execution application.

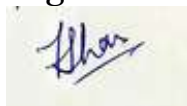
Prayer:-

In the light of the submissions made herein above, it is submitted that the Execution Application filed by the applicants is liable to be dismissed with costs and the applicants are not entitled to any relief as prayed for.

PLACE: Karnal

DATED:- 13.02.2024

Respondent No. 2
Through Counsel:-



(M.F. KHAN, B. KRISHNA)

Advocates for the Respondent

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Applicants

Versus

Kulwinder Singh and others

Respondents

AFFIDAVIT

I, Radhey Shyam Wadhwa aged 78 years son of Late Sh. Thau Ram, R/o Village Gumthala Rao, Tehsil Radaur, District Yamunanagar do, hereby, solemnly affirm and declare as under:-

1. That the deponent is filing the accompanying reply. The facts and circumstances mentioned in the accompanying reply are based upon the documents maintained by M/s JSM Foods Pvt. Ltd. in ordinary course of business as well as on the basis of the personal knowledge of the deponent.
2. That the contents of the accompanying reply may kindly be read as part and parcel of the present affidavit and the same have not be reproduced herein below for the sake of repetition.

PLACE:

RSW

DATED:-

DEPONENT

VERIFICATION:-

Verified that the contents of the present affidavit are true and correct as per my knowledge and belief. Nothing herein has been concealed or suppressed.

PLACE:

DATED:



Certified that the above was declare
soleman affirmation before me at
Karnal by the deponent who was
Identified by Sh.....
Notary Public, Karnal (India)

RSW

DEPONENT

25 JAN 2024



Director General, Mines & Geology, Haryana
ORDER

M/s JSM Foods Private Limited, W Z/932, Basie Darapur, 1st Floor, Near Senior Secondary School, New Delhi-110015 were granted mining contract for extraction of "**Sand**" a minor mineral for the period of 07 years through competitive bidding held on 10th-11th June, 2015 at the rate of **Rs. 04,20,50,000/-** [Rs. Four Crore twenty lakhs fifty thousand only] per annum. As per terms & conditions of the auction notice the actual mining operations were to be allowed only after prior Environmental Clearance by the competent authority as per requirement of Environment Impact Assessment (EIA) Notification dated 14.09.2006 of Ministry of Environment, Forest and Climate Change (MoEF&CC) Government of India as amended from time to time. Further, the period of contract was to commence from the date of grant of Environmental Clearance or after 12 months from the date of issuance of Letter of Intent (LoI) dated 19.06.2015, whichever is earlier. In the instant case LoI was issued on 19.06.2015.

2. M/s JSM Foods Private Limited obtained Environmental Clearance from State Environment Impact Assessment Authority (SEIAA) on 21.12.2016 for mining of 11,91,000MT per annum **sand a minor** mineral and after obtaining Consent to Operate from the Haryana State Pollution Control Board commenced mining operation on 18.06.2017.
3. As per terms of conditions of the contract agreement and Rule 56(17) of the State Rules, 2012 where any mineral concession holder finds any other *minor mineral* not granted under said concession, the discovery of same shall be reported without any delay to the Director or an officer authorized by him and shall not win or dispose of the same without obtaining a separate mineral concession from the Director. The Rule 56(19) further



Director General, Mines & Geology, Haryana

provides that where the newly discovered minor mineral is not available in sufficient quantity and the grant of a separate mining lease/ contract is not found justified, the Director may allow the lessee/ contractor to excavate and dispose of such newly discovered mineral by issuing a separate permit in Form 'PIM-8' on payment of advance royalty at the rates prescribed in the First Schedule. The royalty payable for the newly discovered minor mineral and prorated contribution to the R & R Fund shall be in addition to the dead rent/ contract money/ contribution to the R & R Fund for the mineral already granted on mining lease/ contract/ permit. The mineral concession holder shall also be liable to pay all other sums as prescribed for disposal of the mineral as if the same had been allowed under a regular mineral concession.

4. A similarly situated sand contractor, namely, M/s P.S. Buildtech having their mining area on the downstream side of the contractor firm namely M/s JSM Foods Private Limited informed that the mining area also has Boulder and Gravel along with Sand and sought permission for the grant of mineral concession for said newly discovered mineral for which they will pay all applicable dues/ royalty i.e for mining and disposal of boulder and gravel mineral.
5. Upon seeking detailed reports about the availability of new mineral (which was not part of existing grant) by a team of officers it was revealed that mixed material/ BGS was found in the contracted area of said contractor as also in the nearby upstream area held by M/s JSM foods Pvt. Ltd, in Mandoli Ghaggar (West) Block 4 and other area held by JSM foods Pvt. Ltd, in Mandoli Ghaggar (East) Block 3.

The areas held by M/s P.S Buildtech, Kanalsi mine / Block 5 had 34.95% Boulder gravel out of total mineral. In the case of mines in the



Director General, Mines & Geology, Haryana
village Mandli Ghaggar [Mandoli Ghaggar (West) Block-4 and Mandoli Ghaggar (East) Block- 3] it was found that Boulder / Gravel was 27.45% of overall mineral.

6. The permission for mining and disposal of newly found mineral (BG) was accorded on **26.11.2020** to M/s P.S. Buildtech subject to condition that the contractor shall pay, an additional amount of Royalty for **35%** of the total production and also additional amount of **10%** of the same towards 'Mines and Minerals Development, Restoration and Rehabilitation Fund' for Boulder/ Gravel at the rate prescribe in the First Schedule of the State Rules, 2012. The same is to be paid over and above the contract money and other dues as applicable under contract. Further the overall quantity of mineral production [Boulder, Gravel and Sand] shall not exceed the maximum annual production of **11,91,000 MT** allowed under Environmental Clearance grant by the Competent authority. Keeping in view that they were disposing of the mineral as such along with Boulder gravel and were also issued a notice dated 14.08.2020 in this behalf- they were directed to pay additional royalty on the same proportional basis for the mineral excavated and disposed of from Jan, 2020 itself.
7. In the case of M/s JSM Foods Private Limited, though no application was submitted earlier, however, they vide letter dated 25.09.2020 submitted application for the grant of mineral concession for said newly discovered mineral for which they will pay all applicable dues/ royalty i.e for mining and disposal of boulder and gravel mineral.
8. It is also relevant to state here that in the past it was found with the help of e-Rawaana portal that a number of sand contractors (not having permission for BG) had been supplying/ selling sand to the Crushers and Screening plants. The sand found in river Yamuna being fine sand is not



Director General, Mines & Geology, Haryana

the raw material of the screening plants/ crushers. All such contractors including applicant M/s JSM Foods Private Limited were issued notices to explain their position for disposing of BG without permission or providing e-Rawaana to be used to legitimize processing of BG illegally mined from other sources by the Screening Plant/ crushers. M/s JSM Foods Private Limited sold a total 10,60,504 MT during the period from 1.1.2020 to 21.07.2020 out of which 4,03,904 MT was sold to screening plants/ crushers.

9. In order to decide the application for allowing additional mineral namely BG, it was found necessary to decide action on the show cause notice dated 14.08.2020 for alleged volition of contract agreement. So in the interest of natural justice an opportunity of hearing was afforded on 11.12.2020 to the contractor.
10. Sh. Wadhwa appearing for the contractor firm stated that the Boulder Gravel were found in the area though they were not disposing of the mineral in river where notable quantity of BG was present but conceded that it cannot be stated that no BG may have gone along with sand as some of the quantity was purchased by the Screening plants/ crushers. He stated that they were seeking permission for addition of mineral and agreed pay additional royalty and other dues as may be applicable (over and above the contract money) for **27.45%** of production on account of intermixed BG and sought to file the show cause notice also.
11. After having considered all related facts of the case it has been established that in the area granted on contract to M/s JSM Foods Private Limited over an area of 20.18 hectares of land in village **Mandoli Ghaggar** i.e for **'Mandoli Ghaggar East Block/YNR B-3'** **27.45%** of mineral is Boulder and Gravel which is inextricably mixed with sand. The contractor firm



Director General, Mines & Geology, Haryana

being entitled for grant of permission for addition of the mineral, as per the provisions of Rule 56(17) of the State Rules, 2012 is hereby granted the permission /mining contract for the period co-terminus with contract of existing mining contract granted for sand mineral subject to condition that:

- A. The contractor shall pay for 27.45 % of the total production, as additional amount of Royalty and additional amount of 10% of the same towards 'Mines and Minerals Development, Restoration and Rehabilitation Fund' for Boulder/ Gravel at the rate prescribed in the First Schedule of the State Rules, 2012 i.e over and above the contract money and other dues as applicable under contract.

Note: To clarify the above they shall pay Royalty= total production of mineral during preceding month X 0.27.45 X applicable Rate of Royalty by 7th of each month along other applicable dues. Further 10% of total amount of additional royalty shall also be deposited as R&R Fund for newly discovered mineral.

- B. The period of permission / contract for Boulder gravel shall be co-terminus with original contract granted for sand mineral;
- C. The overall quantity of mineral production [Boulder, gravel and sand] shall not exceed the maximum annual production of 11,91,000 MT allowed under Environmental Clearance grant by the Competent authority and shall obtain separate EC for newly added mineral from competent authority.
- D. The contractor shall execute a supplementary deed for additional mineral namely Boulder gravel.



Director General, Mines & Geology, Haryana

12. Further, it is clear that M/s JSM Foods Private Limited had been disposing of the Boulder Gravel along with sand on e-Rawaana / bills issued for sand. The contention that mineral was being disposed of from sites not having BG was not found justified as it is not the case that BG was available only in part of the total area. It is clear beyond doubt that the BG is inextricably mixed with sand and sand alone could have been disposed off only after screening. It is admitted fact that within mining area no screening is/ was being carried out, so along with sand the mineral BG was disposed off.

To file the show cause notice dated 14.08.2020 it was decided and was also agreed by the contractor during the course of the hearing that firm shall pay royalty at the rate of Rs 50 per MT and Rs 5 per MT towards R&R Fund for 27.45% of the mineral production since from 01.01.2020 to 31.01.2021. The amount of additional royalty and R&R fund for above period shall be deposited in 03 equal monthly installments. The first installment on this account shall be paid on or before 07.03.2021. Further, payment of additional royalty for February, 2021 shall be paid on regular basis from 7th March, 2021 onward. The show cause notice dated 14.08.2020 shall stand filed on payment of first installment.

(Amitabh Singh Dhillon, IPS)
Director General, Mines and Geology,
Haryana.

Place : Panchkula.

Dated: 05.02.2021.

Speed Post

Endst No.: DMG/HY/Cont./MG West Block/YNR B-4/2015/ 514 Dated: 05.02.2021

A copy is forwarded to M/s JSM Foods Private Limited, Corr. Add. 676, Sector-13, Urban Estate, Karnal (Hr.)-132001 for information and necessary action.

Director General
Mines & Geology Department, Haryana.



Director General, Mines & Geology, Haryana

Speed Post

Endst No.:DMG/HY/Cont./MG West Block/YNR B-4/2015/

Dated:

A copy is forwarded to the Assistant Mining Engineer, Department of Mines & Geology, Yamuna Nagar for information.

— *sd/*

Director General
Mines & Geology Department, Haryana.



Director General, Mines & Geology, Haryana
ORDER

M/s JSM Foods Private Limited, W Z/932, Basie Darapur, 1st Floor, Near Senior Secondary School, New Delhi-110015 were granted mining contract for extraction of "**Sand**" a minor mineral for the period of 10 years through competitive bidding held on 10th-11th June, 2015 at the rate of **Rs. 03,30,50,000/-** [Rs. Three Crore thirty lakhs fifty thousand only] per annum. As per terms & conditions of the auction notice the actual mining operations were to be allowed only after prior Environmental Clearance by the competent authority as per requirement of Environment Impact Assessment (EIA) Notification dated 14.09.2006 of Ministry of Environment, Forest and Climate Change (MoEF&CC) Government of India as amended from time to time. Further, the period of contract was to commence from the date of grant of Environmental Clearance or after 12 months from the date of issuance of Letter of Intent (LoI) dated 19.06.2015, whichever is earlier. In the instant case LoI was issued on 19.06.2015.

2. M/s JSM Foods Private Limited obtained Environmental Clearance from State Environment Impact Assessment Authority (SEIAA) on 21.12.2016 for mining of 8,50,000 MT per annum **sand a minor** mineral and after obtaining Consent to Operate from the Haryana State Pollution Control Board commenced mining operation on 18.06.2017.
3. As per terms of conditions of the contract agreement and Rule 56(17) of the State Rules, 2012 where any mineral concession holder finds any other *minor mineral* not granted under said concession, the discovery of same shall be reported without any delay to the Director or an officer authorized by him and shall not win or dispose of the same without obtaining a separate mineral concession from the Director. The Rule 56(19) further



Director General, Mines & Geology, Haryana

provides that where the newly discovered minor mineral is not available in sufficient quantity and the grant of a separate mining lease/ contract is not found justified, the Director may allow the lessee/ contractor to excavate and dispose of such newly discovered mineral by issuing a separate permit in Form 'PIM-8' on payment of advance royalty at the rates prescribed in the First Schedule. The royalty payable for the newly discovered minor mineral and prorated contribution to the R & R Fund shall be in addition to the dead rent/ contract money/ contribution to the R & R Fund for the mineral already granted on mining lease/ contract/ permit. The mineral concession holder shall also be liable to pay all other sums as prescribed for disposal of the mineral as if the same had been allowed under a regular mineral concession.

4. A similarly situated sand contractor, namely, M/s P.S. Buildtech having their mining area on the downstream side of the contractor firm namely M/s JSM Foods Private Limited informed that the mining area also has Boulder and Gravel along with Sand and sought permission for the grant of mineral concession for said newly discovered mineral for which they will pay all applicable dues/ royalty i.e for mining and disposal of boulder and gravel mineral.
5. Upon seeking detailed reports about the availability of new mineral (which was not part of existing grant) by a team of officers it was revealed that mixed material/ BGS was found in the contracted area of said contractor as also in the nearby upstream area held by M/s JSM foods Pvt. Ltd, in Mandoli Ghaggar (West) Block 4 and other area held by JSM foods Pvt. Ltd, in Mandoli Ghaggar (East) Block 3.

The areas held by M/s P.S Buildtech, Kanalsi mine / Block 5 had 34.95% Boulder gravel out of total mineral. In the case of mines in the



Director General, Mines & Geology, Haryana

village Mandli Ghaggar [Mandoli Ghaggar (West) Block-4 and Mandoli Ghaggar (East) Block- 3] it was found that Boulder / Gravel was 27.45% of overall mineral.

6. The permission for mining and disposal of newly found mineral (BG) was accorded on **26.11.2020** to M/s P.S. Buildtech subject to condition that the contractor shall pay, an additional amount of Royalty for **35%** of the total production and also additional amount of **10%** of the same towards 'Mines and Minerals Development, Restoration and Rehabilitation Fund' for Boulder/ Gravel at the rate prescribe in the First Schedule of the State Rules, 2012. The same is to be paid over and above the contract money and other dues as applicable under contract. Further the overall quantity of mineral production [Boulder, Gravel and Sand] shall not exceed the maximum annual production of **8,50,000 MT** allowed under Environmental Clearance grant by the Competent authority. Keeping in view that they were disposing of the mineral as such along with Boulder gravel and were also issued a notice dated 14.08.2020 in this behalf- they were directed to pay additional royalty on the same proportional basis for the mineral excavated and disposed of from Jan, 2020 itself.
7. In the case of M/s JSM Foods Private Limited, though no application was submitted earlier, however, they vide letter dated 25.09.2020 submitted application for the grant of mineral concession for said newly discovered mineral for which they will pay all applicable dues/ royalty i.e for mining and disposal of boulder and gravel mineral.
8. It is also relevant to state here that in the past it was found with the help of e-Rawaana portal that a number of sand contractors (not having permission for BG) had been supplying/ selling sand to the Crushers and Screening plants. The sand found in river Yamuna being fine sand is not



Director General, Mines & Geology, Haryana

the raw material of the screening plants/ crushers. All such contractors including applicant M/s JSM Foods Private Limited were issued notices to explain their position for disposing of BG without permission or providing e-Rawaana to be used to legitimize processing of BG illegally mined from other sources by the Screening Plant/ crushers. M/s JSM Foods Private Limited sold a total 10,60,504 MT during the period from 1.1.2020 to 21.07.2020 out of which 4,03,904 MT was sold to screening plants/ crushers.

9. In order to decide the application for allowing additional mineral namely BG, it was found necessary to decide action on the show cause notice dated 14.08.2020 for alleged volition of contract agreement. So in the interest of natural justice an opportunity of hearing was afforded on 11.12.2020 to the contractor.
10. Sh. Wadhwa appearing for the contractor firm stated that the Boulder Gravel were found in the area though they were not disposing of the mineral in river where notable quantity of BG was present but conceded that it cannot be stated that no BG may have gone along with sand as some of the quantity was purchased by the Screening plants/ crushers. He stated that they were seeking permission for addition of mineral and agreed pay additional royalty and other dues as may be applicable (over and above the contract money) for **27.45%** of production on account of intermixed BG and sought to file the show cause notice also.
11. After having considered all related facts of the case it has been established that in the area granted on contract to M/s JSM Foods Private Limited over an area of 20.18 hectares of land in village **Mandoli Ghaggar** i.e for **'Mandoli Ghaggar East Block/YNR B-3'** **27.45%** of mineral is Boulder and Gravel which is inextricably mixed with sand. The contractor firm



Director General, Mines & Geology, Haryana

being entitled for grant of permission for addition of the mineral, as per the provisions of Rule 56(17) of the State Rules, 2012 is hereby granted the permission /mining contract for the period co-terminus with contract of existing mining contract granted for sand mineral subject to condition that:

- A. The contractor shall pay for 27.45 % of the total production, as additional amount of Royalty and additional amount of 10% of the same towards 'Mines and Minerals Development, Restoration and Rehabilitation Fund' for Boulder/ Gravel at the rate prescribed in the First Schedule of the State Rules, 2012 i.e over and above the contract money and other dues as applicable under contract.

Note: To clarify the above they shall pay Royalty= total production of mineral during preceding month X 0.27.45 X applicable Rate of Royalty by 7th of each month along other applicable dues. Further 10% of total amount of additional royalty shall also be deposited as R&R Fund for newly discovered mineral.

- B. The period of permission / contract for Boulder gravel shall be co-terminus with original contract granted for sand mineral;
- C. The overall quantity of mineral production [Boulder, gravel and sand] shall not exceed the maximum annual production of 8,50,000 MT allowed under Environmental Clearance grant by the Competent authority and shall obtain separate EC for newly added mineral from competent authority.
- D. The contractor shall execute a supplementary deed for additional mineral namely Boulder gravel.



Director General, Mines & Geology, Haryana

12. Further, it is clear that M/s JSM Foods Private Limited had been disposing of the Boulder Gravel along with sand on e-Rawaana / bills issued for sand. The contention that mineral was being disposed of from sites not having BG was not found justified as it is not the case that BG was available only in part of the total area. It is clear beyond doubt that the BG is inextricably mixed with sand and sand alone could have been disposed off only after screening. It is admitted fact that within mining area no screening is/ was being carried out, so along with sand the mineral BG was disposed off.

To file the show cause notice dated 14.08.2020 it was decided and was also agreed by the contractor during the course of the hearing that firm shall pay royalty at the rate of Rs 50 per MT and Rs 5 per MT towards R&R Fund for 27.45% of the mineral production since from 01.01.2020 to 31.01.2021. The amount of additional royalty and R&R fund for above period shall be deposited in 03 equal monthly installments. The first installment on this account shall be paid on or before 07.03.2021. Further, payment of additional royalty for February, 2021 shall be paid on regular basis from 7th March, 2021 onward. The show cause notice dated 14.08.2020 shall stand filed on payment of first installment.

(Amitabh Singh Dhillon, IPS)
Director General, Mines and Geology,
Haryana.

Place : Panchkula.

Dated: . . . 2021.

Speed Post

Endst No.: DMG/HY/Cont./MG East Block/YNR B-3/2015/ 576 Dated: 05.02.2021

A copy is forwarded to M/s JSM Foods Private Limited, Corr. Add. 676, Sector-13, Urban Estate, Karnal (Hr.)-132001 for information and necessary action.

Director General
Mines & Geology Department, Haryana.



Director General, Mines & Geology, Haryana

Speed Post

Endst No.:DMG/HY/Cont./MG East Block/YNR B-3/2015/

Dated:

A copy is forwarded to the Assistant Mining Engineer, Department of Mines & Geology, Yamuna Nagar for information.


Director General
Mines & Geology Department, Haryana.

ANN. R-2/2

JSM FOODS PRIVATE LIMITED

Regd. Off. : WZ-932/16, Ground Floor, Near MCD School, Village Basai,
Darapur, West Delhi, New Delhi 110015

CORR. ADD. : 676, Sector-13, Urban Estate, Karnal (Hr.) 132001

Ref. No.

Date. / 2 / 02 / 21

To,

The Director General,
Mines and Geology Department,
IT Park, Sector- 22,
Panchkula, Haryana.

**Subject : - Request Regarding to update the Boulder, Gravel along with
Sand on E- Ravana portal of JSM Foods Pvt. LTd., Mandoli
Ghaggar East, Block YNR B-3.**

Sir,

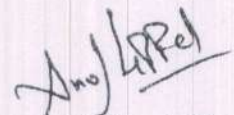
With reference to your office order no. DMG/HY/Cont./MG East Block/YNR B-3/2015/516 dated 05.02.2021. JSM Foods Pvt. Ltd. were granted mining contract for extraction of Sand for the period of 10 years through LOI issued on dated 19.06.2015 over an area of 20.18 hectares in Mandoli Ghaggar East, Block YNR B-3. AS per the above order, you have granted the permission of addition of the mineral i.e. Boulder and Gravel along with sand for our mining site Mandoli Ghaggar East, Block YNR B-3.

In view of the above, we hereby request you to kindly update the Boulder, Gravel along with Sand on E- Ravana portal so that we can able to generate the e ravana of Boulder, Gravel and Sand. Kindly update the same on e- ravana portal as soon as possible.

Thanking you

Yours Faithfully

For JSM Foods Pvt. Ltd.



Authorized Signatory

ANN. R-2/3

Speed Post/Registered

From

The Director General,
Mines & Geology, Haryana,
DHL Square, Plot No. 9, 2nd Floor,
IT Park, Sector-22, Panchkula.

To

M/s JSM Foods Private Limited,
R/o House No. 676, Sector-13, Urban Estate,
Karnal-132001.

Memo No. DMG/HY/Cont/MG East Block/YNR B- 3/2015/3964
Dated Panchkula, the 08/10/21

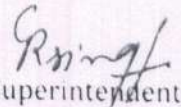
Sub:-

Permission to M/s JSM Foods Private Limited to dispose of boulder and Gravel mined along with sand from 'Mandoli Ghaggar East YNR B-3' held on mining contracts by them.

Reference your letter dated 05.04.2021 on the subject noted above.

2. Vide letter under reference, you have requested to permit you to dispose of Boulder and Gravel and also allow to generate the e-Rawaana for the same on portal. Your matter has been considered and it has been decided to afford you opportunity of personal hearing by the Director General, Mines and Geology.

3. You are, therefore, advised to appear before Director General, Mines & Geology, Haryana on **13.10.2021 at 12:00 Noon** in his office Room No. 1, DHL Square, Plot No. 9, 2nd Floor, IT Park, Sector-22, Panchkula to explain your position on above said date, time and venue.


Superintendent,
for Director General, Mines and Geology,
Haryana

Speed Post/Registered

From

The Director General,
Mines & Geology, Haryana,
DHL Square, Plot No. 9, 2nd Floor,
IT Park, Sector-22, Panchkula.

To

M/s JSM Foods Private Limited,
R/o House No. 676, Sector-13, Urban Estate,
Karnal-132001.

Memo No. DMG/HY/Cont/MG West Block/YNR B- 4/2015/
Dated Panchkula, the

Sub:-

Permission to M/s JSM Foods Private Limited to dispose of boulder and Gravel mined along with sand from 'Mandoli Chaggar West YNR B-4' held on mining contracts by them.

Reference your letter dated 05.04.2021 on the subject noted above.

2. Vide letter under reference, you have requested to permit you to dispose of Boulder and Gravel and also allow to generate the e-Rawaana for the same on portal. Your matter has been considered and it has been decided to afford you opportunity of personal hearing by the Director General, Mines and Geology.

3. You are, therefore, advised to appear before Director General, Mines & Geology, Haryana on **13.10.2021 at 12:00 Noon** in his office/Room No. 1, DHL Square, Plot No. 9, 2nd Floor, IT Park, Sector-22, Panchkula to explain your position on above said date, time and venue.

Superintendent,
for Director General, Mines and Geology,
Haryana.

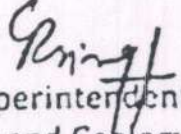
Endst. DMG/HY/Cont/MG West Block/YNR B-4/2015/3962 dated: 68/11/21

A copy is forwarded to the following for information and necessary action:

1. Mining Officer, Yamuna Nagar.

A spare copy of this letter is also forwarded to the Mining Officer, Mines and Geology Department, Yamuna Nagar with advise to ensure the delivery of the same to the concerned party immediately under a proper receipt.

2. PA to the Director General, Mines and Geology Haryana for information of DGMG.


Superintendent,
for Director General, Mines and Geology.
Haryana.

ANN. R-2/4

Speed Post/Registered

From

The Director General,
Mines & Geology, Haryana,
DHL Square, Plot No. 9, 2nd Floor,
IT Park, Sector-22, Panchkula.

To

M/s JSM Foods Private Limited, W Z/932,
Basie Darapur, 1st Floor, Near Senior Secondary School,
New Delhi-110015.

Corr. Address:- # 676, Sector-13, Urban Estate, Karnal-132001.

Memo No. DMG/HY/Cont./M. G. East Block/YNR B-3/2015/142
Dated Panchkula, the 05/01/2022

Subject :- Hearing as per letter dated 05.04.2021 in matter of M/s JSM Foods Private Limited in respect of Madoli Ghaggar East Block-YNR-3 district Yamuna Nagar.

Reference your letter dated 13.10.2021 on the subject noted above.

2. You (M/s JSM Foods Private Limited) are aware that the minor mineral mines of district Yamuna Nagar were notified on 27th April, 2015 and corrigendum dated 19.05.2015 for grant of mining contracts through e-auction to be held on 10th-11th June, 2015 as per terms and conditions of the auction notice. You having accepted the conditions of the notice, participated in the e-auction and offered the highest bid of Rs. 03,30,50,000/- [Rs. three Crore thirty lakhs fifty thousand only] per annum against Reserve Price of Rs. 03,30,00,000/- for obtaining the Mining Contract of Minor Mineral block namely 'Mandoli Ghaggar East Block/YNR B-3' for extraction of Sand having tentative area of 20.18 hectares. As per requirement of the auction notice you deposited an amount of rupees 33.05 lakhs towards initial bid security. The highest bid was accepted by the State Government, accordingly, the acceptance of the bid/Letter of Intent (LoI) was issued on 19.06.2015 and you executed contract agreement with the State on 20.07.2017.

3. You are also aware that as per terms & conditions of the auction notice, the actual mining operations were to be allowed only after prior Environmental

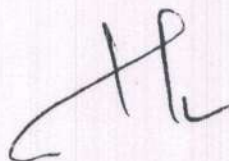


Clearance by the competent authority as per requirement of Environment Impact Assessment (EIA) Notification dated 14.09.2006 of Ministry of Environment, Forest and Climate Change (MoEF&CC) Government of India as amended from time to time. Further, the period of contract was to commence from the date of grant of Environmental Clearance or after 12 months from the date of issuance of Letter of Intent (LoI) dated 19.06.2015, whichever is earlier. In your case LoI was issued on 19.06.2015.

4. You obtained Environmental Clearance from State Environment Impact Assessment Authority (SEIAA) on 21.12.2016 for mining of 8,50,000MT per annum **sand a minor** mineral and after obtaining Consent to Operate from the Haryana State Pollution Control Board commenced mining operation on 18.06.2017.

5. As per terms of conditions of the contract agreement and Rule 56(17) of the State Rules, 2012 where any mineral concession holder finds any other minor mineral not granted under said concession, the discovery of same shall be reported without any delay to the Director or an officer authorized by him and shall not win or dispose of the same without obtaining a separate mineral concession from the Director. The Rule 56(19) further provides that where the newly discovered minor mineral is not available in sufficient quantity and the grant of a separate mining lease/ contract is not found justified, the Director may allow the lessee/ contractor to excavate and dispose of such newly discovered mineral by issuing a separate permit in Form 'PIM-8' on payment of advance royalty at the rates prescribed in the First Schedule. The royalty payable for the newly discovered minor mineral and prorated contribution to the R & R Fund shall be in addition to the dead rent/ contract money/ contribution to the R & R Fund for the mineral already granted on mining lease/ contract/ permit. The mineral concession holder shall also be liable to pay all other sums as prescribed for disposal of the mineral as if the same had been allowed under a regular mineral concession.

6. As per detailed survey of the area granted to M/s JSM Foods Private Limited in Village Mandoli Ghaggar and that of adjoining area of Kanalsi held by another

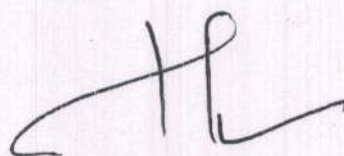


mining contractor, it was found that the area was also having boulder gravel deposits. The detailed survey showed that in case of the sand mine of Mandoli Ghaggar by M/s JSM Foods Private Limited 27.45% of the mineral was Boulder Gravel. It is relevant to point out here that the department the help of e-Rawaana portal separately noted that a few of sand contractors including that of M/s JSM Foods Private Limited otherwise not having permission for BG, had been supplying/ selling sand to the Crushers and Screening plants in and around area. All such contractors including applicant M/s JSM Foods Private Limited were issued notices to explain their position for disposing of BG without permission or providing e-Rawaana. You through an application on 25.09.2020 for the grant of mineral concession for said newly discovered mineral and undertaking that for same (newly discovered mineral) you will pay all applicable dues/ royalty i.e for mining and disposal of boulder and gravel mineral. The then DGMG afforded you an opportunity of hearing on 11.12.2020.

7. After having considered all related facts of the case and that the contractor firm being entitled for grant of permission for addition of the mineral, as per the provisions of Rule 56(17) of the State Rules, 2012 was granted the permission /mining contract for Boulder Gravel also for the period co-terminus with contract of existing mining contract granted for sand mineral subject to condition that:

- A. The contractor shall pay for 27.45 % of the total production, as additional amount of Royalty and additional amount of 10% of the same towards 'Mines and Minerals Development, Restoration and Rehabilitation Fund' for Boulder/ Gravel at the rate prescribed in the First Schedule of the State Rules, 2012 i.e over and above the contract money and other dues as applicable under contract.

Note: To clarify the above they shall pay Royalty= total production of mineral during preceding month X 0.27.45 X applicable Rate of Royalty by 7th of each month along other applicable dues. Further 10% of total amount of additional



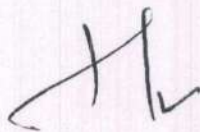
royalty shall also be deposited as R&R Fund for newly discovered mineral.

- B. The period of permission / contract for Boulder gravel shall be co-terminus with original contract granted for sand mineral;
- C. The overall quantity of mineral production [Boulder, gravel and sand] shall not exceed the maximum annual production of 8,50,000 MT allowed under Environmental Clearance grant by the Competent authority and shall obtain separate EC for newly added mineral from competent authority.
- D. The contractor shall execute a supplementary deed for additional mineral namely Boulder gravel.

8. Further, keeping in view that you had been disposing of the Boulder, Gravel along with sand on e-Rawaana / bills issued for sand, it was decided/ ordered that the firm shall pay royalty at the rate of Rs 50 per MT and Rs 5 per MT towards R&R Fund for 27.45% of the mineral production since from 01.01.2020 to 31.01.2021. The amount of earlier additional dues were allowed to be deposited in installments. You were also directed to get the EC modified for mining / disposal of B G along with sand being inextricably mixed with each other.

9. You vide letter dated 05.04.2021 sought permission to allow disposal of additional minerals by issuing permits, but keeping in view that boulder gravel deposits are found on regular basis, so it would be desirable to allow by additional of the same in your contract.

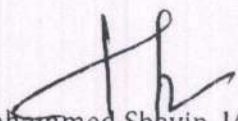
10. However, it is clear that for excavation of mineral (excavation of BG along with sand) will have no impact of overall mining as the approved quantity of mineral under EC will not change. Accordingly, the disposal of Boulder, Gravel found along with Sand being inextricably mixed with each other and not a case of excavation of any separately found mineral, disposal of same under nomenclature of Boulder, Gravel and Sand is being allowed subject to condition that you may get the



necessary corrections made in your EC document from SEIAA by clarifying/applying the same.

11. As regard to allow more time to pay dues for additional royalty and R&R for additional mineral the request has been considered and in the overall interest, it is ordered that you shall clear all pending dues towards royalty of additional mineral in 04 equal installments along with concurrent installments along with interest on delay if any. The other formalities such as signing of supplementary deed shall also be completed within next 07 days.

Place : Panchkula.
Dated: 4th January, 2022.


(Mohammed Shayin, IAS)
Director General, Mines and Geology,
Haryana.

Speed Post

Endst No.: DMG/HY/Cont./MG East Block/YNR B-3/2015/143 Dated: 05-01-2022

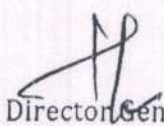
A copy is forwarded to the Chairman, State Level Environment Impact Assessment Authority, Haryana, Bay No. 55-58, Prayatan Bhawan, Sector-2, Panchkula w.r.t Endst. No. SEIAA/HR/2016/993 dated 21.12.2016 for information and necessary action.


Director General
Mines and Geology, Haryana.

Speed Post

EndstNo.:DMG/HY/Cont./MG East Block/YNR B-3/2015/144 Dated: 05/01/2022

A copy is forwarded to the Mining Officer, Department of Mines & Geology, Yamuna Nagar for information.


Director General
Mines and Geology, Haryana.

Speed Post/Registered

From

The Director General,
Mines & Geology, Haryana,
DHL Square, Plot No. 9, 2nd Floor,
IT Park, Sector-22, Panchkula.

To

M/s JSM Foods Private Limited, W Z/932,
Basie Darapur, 1st Floor, Near Senior Secondary School,
New Delhi-110015.

Corr. Address:- # 676, Sector-13, Urban Estate, Karnal-132001.

Memo No. DMG/HY/Cont./M. G. West Block/YNR B-4/2015/145
Dated Panchkula, the 05/01/2022

Subject :- Hearing as per letter dated 05.04.2021 in matter of M/s JSM Foods Private Limited in respect of Madoli Ghaggar West Block-YNR-4 district Yamuna Nagar.

Reference your letter dated 13.10.2021 on the subject noted above.

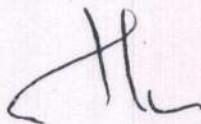
2. You (M/s JSM Foods Private Limited) are aware that the minor mineral mines of district Yamuna Nagar were notified on 27th April, 2015 and corrigendum dated 19.05.2015 for grant of mining contracts through e-auction to be held on 10th-11th June, 2015 as per terms and conditions of the auction notice. You having accepted the conditions of the notice, participated in the e-auction and offered the highest bid of **Rs. 04,20,50,000/-** [Rs. Four Crore twenty lakhs fifty thousand only] per annum against Reserve Price of Rs. 04,20,00,000/- for obtaining the Mining Contract of Minor Mineral block namely 'Mandoli Ghaggar West Block/YNR B-4' for extraction of Sand having tentative area of 25.56 hectares. As per requirement of the auction notice you deposited an amount of rupees 42.05 lakhs towards initial bid security. The highest bid was accepted by the State Government, accordingly, the acceptance of the bid/Letter of Intent (LoI) was issued on 19.06.2015 and you executed contract agreement with the State on 26.07.2017.

3. You are also aware that as per terms & conditions of the auction notice, the actual mining operations were to be allowed only after prior Environmental

Clearance by the competent authority as per requirement of Environment Impact Assessment (EIA) Notification dated 14.09.2006 of Ministry of Environment, Forest and Climate Change (MoEF&CC) Government of India as amended from time to time. Further, the period of contract was to commence from the date of grant of Environmental Clearance or after 12 months from the date of issuance of Letter of Intent (LoI) dated 19.06.2015, whichever is earlier. In your case LoI was issued on 19.06.2015.

4. You obtained Environmental Clearance from State Environment Impact Assessment Authority (SEIAA) on 21.12.2016 for mining of 11,91,000 MT per annum **sand a minor** mineral and after obtaining Consent to Operate from the Haryana State Pollution Control Board commenced mining operation on 18.06.2017.

5. As per terms of conditions of the contract agreement and Rule 56(17) of the State Rules, 2012 where any mineral concession holder finds any other minor mineral not granted under said concession, the discovery of same shall be reported without any delay to the Director or an officer authorized by him and shall not win or dispose of the same without obtaining a separate mineral concession from the Director. The Rule 56(19) further provides that where the newly discovered minor mineral is not available in sufficient quantity and the grant of a separate mining lease/ contract is not found justified, the Director may allow the lessee/ contractor to excavate and dispose of such newly discovered mineral by issuing a separate permit in Form 'PIM-8' on payment of advance royalty at the rates prescribed in the First Schedule. The royalty payable for the newly discovered minor mineral and prorated contribution to the R & R Fund shall be in addition to the dead rent/ contract money/ contribution to the R & R Fund for the mineral already granted on mining lease/ contract/ permit. The mineral concession holder shall also be liable to pay all other sums as prescribed for disposal of the mineral as if the same had been allowed under a regular mineral concession.

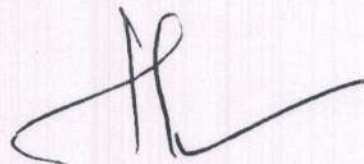


6. As per detailed survey of the area granted to M/s JSM Foods Private Limited in Village Mandoli Ghaggar and that of adjoining area of Kanalsi held by another mining contractor, it was found that the area was also having boulder gravel deposits. The detailed survey showed that in case of the sand mine of Mandoli Ghaggar by M/s JSM Foods Private Limited 27.45% of the mineral was Boulder Gravel. It is relevant to point out here that the department the help of e-Rawaana portal separately noted that a few of sand contractors including that of M/s JSM Foods Private Limited otherwise not having permission for BG, had been supplying/ selling sand to the Crushers and Screening plants in and around area. All such contractors including applicant M/s JSM Foods Private Limited were issued notices to explain their position for disposing of BG without permission or providing e-Rawaana. You through an application on 25.09.2020 for the grant of mineral concession for said newly discovered mineral and undertaking that for same (newly discovered mineral) you will pay all applicable dues/ royalty i.e for mining and disposal of boulder and gravel mineral. The then DGMG afforded you an opportunity of hearing on 11.12.2020.

7. After having considered all related facts of the case and that the contractor firm being entitled for grant of permission for addition of the mineral, as per the provisions of Rule 56(17) of the State Rules, 2012 was granted the permission /mining contract for Boulder Gravel also for the period co-terminus with contract of existing mining contract granted for sand mineral subject to condition that:

- A. The contractor shall pay for 27.45 % of the total production, as additional amount of Royalty and additional amount of 10% of the same towards 'Mines and Minerals Development, Restoration and Rehabilitation Fund' for Boulder/ Gravel at the rate prescribed in the First Schedule of the State Rules, 2012 i.e over and above the contract money and other dues as applicable under contract.

Note: To clarify the above they shall pay Royalty= total production of mineral during preceding month X 0.27.45 X



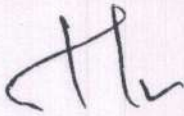
applicable Rate of Royalty by 7th of each month along other applicable dues. Further 10% of total amount of additional royalty shall also be deposited as R&R Fund for newly discovered mineral.

- B. The period of permission / contract for Boulder gravel shall be co-terminus with original contract granted for sand mineral;
- C. The overall quantity of mineral production [Boulder, gravel and sand] shall not exceed the maximum annual production of 8,50,000 MT allowed under Environmental Clearance grant by the Competent authority and shall obtain separate EC for newly added mineral from competent authority.
- D. The contractor shall execute a supplementary deed for additional mineral namely Boulder gravel.

8. Further, keeping in view that you had been disposing of the Boulder, Gravel along with sand on e-Rawaana / bills issued for sand, it was decided/ ordered that the firm shall pay royalty at the rate of Rs 50 per MT and Rs 5 per MT towards R&R Fund for 27.45% of the mineral production since from 01.01.2020 to 31.01.2021. The amount of earlier additional dues were allowed to be deposited in installments. You were also directed to get the EC modified for mining / disposal of B G along with sand being inextricably mixed with each other.

9. You vide letter dated 05.04.2021 sought permission to allow disposal of additional minerals by issuing permits, but keeping in view that boulder gravel deposits are found on regular basis, so it would be desirable to allow by additional of the same in your contract.

10. However, it is clear that for excavation of mineral (excavation of BG along with sand) will have no impact of overall mining as the approved quantity of mineral under EC will not change. Accordingly, the disposal of Boulder, Gravel found along with Sand being inextricably mixed with each other and not a case of excavation of any separately found mineral, disposal of same under nomenclature of

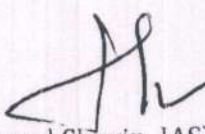


Boulder, Gravel and Sand is being allowed subject to condition that you may get the necessary corrections made in your EC document from SEIAA by clarifying/applying the same.

11. As regard to allow more time to pay dues for additional royalty and R&R for additional mineral the request has been considered and in the overall interest, it is ordered that you shall clear all pending dues towards royalty of additional mineral in 04 equal installments along with concurrent installments along with interest on delay if any. The other formalities such as signing of supplementary deed shall also be completed within next 07 days.

Place : Panchkula.

Dated: 4th January, 2022.

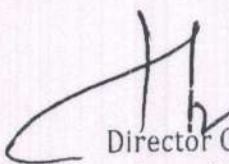

(Mohammed Shayin, IAS)
Director General, Mines and Geology,
Haryana.

Speed Post

Endst No.: DMG/HY/Cont./MG West Block/YNR B-4/2015/146

Dated: 05/01/2022

A copy is forwarded to the Chairman, State Level Environment Impact Assessment Authority, Haryana, Bay No. 55-58, Prayatan Bhawan, Sector-2, Panchkula w.r.t Endst. No. SEIAA/HR/2016/988 dated 21.12.2016 for information and necessary action.

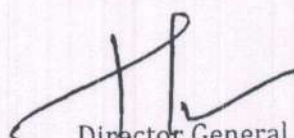

Director General
Mines and Geology, Haryana.

Speed Post

EndstNo.:DMG/HY/Cont./MG West Block/YNR B-4/2015/147

Dated: 05/01/2022

A copy is forwarded to the Mining Officer, Department of Mines & Geology, Yamuna Nagar for information.


Director General
Mines and Geology, Haryana.

ANN. R-2/5

JSM FOODS PRIVATE LIMITED

Regd. Off. : WZ-932/16, Ground Floor, Near MCD School, Village Basai,
Darapur, West Delhi, New Delhi 110015.

CORR. ADD. : 676, Sector-13, Urban Estate, Karnal (Hr.) 132001

Date 01.06.2022

To,

The Mining Officer
Mines & Geology Department
District Yamunanagar.

Subject: **Application seeking changes/correction in the portal account of M/s JSM Foods Private Limited.**

Reference: Order dated 31.05.2022 passed by Hon'ble NGT, New Delhi in OA No. 423 of 2022, duly communicated on 01.06.2022.

Respected Sir,

The undersigned is the authorised signatory of M/s JSM Foods Private Limited {hereinafter referred to as Company} who has been granted the mining contracts for extraction minor minerals from Mandoli Ghaggar East (YNR B-3) and Mandoli Ghaggar West (YNR B-4) mining block.

The undersigned received the order dated 31.05.2022 passed by the Hon'ble NGT, New Delhi in OA No. 423 of 2022 on 01.06.2022; and as per the Order, the Company has been directed to stop the sale of boulder and gravel from the aforesaid mining blocks. It shall be pertinent to mention that the Company was granted the permission to extract boulder and gravel from the aforesaid mining blocks as per orders passed by the Director General, Mines & Geology as per the provisions of Rule 56(19) of the Haryana Minor Mineral Rules, 2012.

Despite the fact that there is no formal communication from the Department, the undersigned, in order to show *bonafides* as well as in compliance of the aforesaid order as well as undertaking by the Counsel representing the Company, requests your good self to make necessary changes/corrections in the portal account so that the Company can smoothly carry on the sales of sand minor mineral only. As per the information of the undersigned, presently, only option available in the portal account is that of "Boulder, Gravel & Sand"; and there is no separate option for sale of Sand.

The undersigned humbly requests that the necessary correction may kindly be made at the earliest. However, in order to protect the financial interests of the Company as well as to comply with the aforesaid Order passed by Hon'ble NGT,

the Company shall not sale boulder and gravel till the necessary corrections are carried out. But, on account of the fact that for the purpose of effecting sales, the generation of e-ravaana is necessary, the Company is constrained to issue the same under the heading i.e. *Boulder, Gravel and Sand*. Any delay on the part of Department in carrying out the necessary changes in the portal account of the Company, in pursuance of the order passed by Hon'ble NGT, shall not be considered as willful default on the part of the Company.

Thanking You!

Yours Sincerely

Veerbhan Wadhwa

Authorised Signatory

M/s JSM Foods Private Limited.

Dated: 01.06.2022

ANN. R-2/6

Gmail

JSM Foods PVT LTD <jsmfoodsmandoli@gmail.com>

Request for Change in the Portal Account of M/s JSM Foods Private Limited. Ref:
NGT Order dated 31.05.2022 in OA No. 423 of 2022.

Message

JSM Foods PVT LTD <jsmfoodsmandoli@gmail.com>
To: drig.mines-hry@nic.in, ynrmining@gmail.com

Sat, Jun 4, 2022 at 4:03 PM

Respected Sir,

The undersigned is the authorised signatory of M/s JSM Foods Private Limited {hereinafter referred to as Company} who has been granted the mining contracts for extraction minor minerals from Mandoli Ghaggar East (YNR B-3) and Mandoli Ghaggar West (YNR B-4) mining block.

The undersigned received the order dated 31.05.2022 passed by the Hon'ble NGT, New Delhi in OA No. 423 of 2022 on 01.06.2022; and as per the Order, the Company has been directed to stop the sale of boulder and gravel from the aforesaid mining blocks. It shall be pertinent to mention that the Company was granted the permission to extract boulder and gravel from the aforesaid mining blocks as per orders passed by the Director General, Mines & Geology as per the provisions of Rule 50(19) of the Haryana Minor Mineral Rules, 2012.

Despite the fact that there is no formal communication from the Department, the undersigned, in order to show *bonafides* as well as in compliance of the aforesaid order as well as undertaking by the Counsel representing the Company, requests your good self to make necessary changes/corrections in the portal account so that the Company can smoothly carry on the sales of sand minor mineral only. As per the information of the undersigned, presently, only option available in the portal account is that of "Boulder, Gravel & Sand"; and there is no separate option for sale of Sand.

The undersigned humbly requests that the necessary correction may kindly be made at the earliest. However, in order to protect the financial interests of the Company as well as to comply with the aforesaid Order passed by Hon'ble NGT, the Company shall not sale boulder and gravel till the necessary corrections are carried out. But, on account of the fact that for the purpose of effecting sales, the generation of e-ravaana is necessary, the Company is constrained to issue the same under the heading i.e. *Boulder, Gravel and Sand*. Any delay on the part of Department in carrying out the necessary changes in the portal account of the Company, in pursuance of the order passed by Hon'ble NGT, shall not be considered as willful default on the part of the Company.

The undersigned had already informed the concerned Mining Officer, Yamunanagar in this regard.

Regards,

VILINDHAN WADIVVA

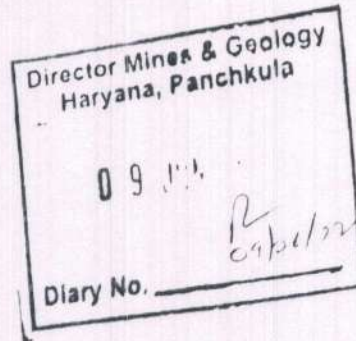
Authorised Signatory

M/s JSM Foods Private Limited

ANN. R-2/7

To,

The Director General
Mines & Geology Department
Government of Haryana



Subject: **Application seeking changes/correction in the portal account of M/s JSM Foods Private Limited.**

Reference: 1. Order dated 31.05.2022 passed by Hon'ble NGT, New Delhi in OA No. 423 of 2022, duly communicated on 01.06.2022.
2. Application dated 01.06.2022 submitted to Mining Officer, Yamunanagar.

Respected Sir,

The undersigned is the authorised signatory of M/s JSM Foods Private Limited (hereinafter referred to as Company) who has been granted the mining contracts for extraction minor minerals from Mandoli Ghaggar East (YNR B-3) and Mandoli Ghaggar West (YNR B-4) mining block.

The undersigned received the order dated 31.05.2022 passed by the Hon'ble NGT, New Delhi in OA No. 423 of 2022 on 01.06.2022; and as per the Order, the Company has been directed to stop the sale of boulder and gravel from the aforesaid mining blocks. It shall be pertinent to mention that the Company was granted the permission to extract boulder and gravel from the aforesaid mining blocks as per orders passed by the Director General, Mines & Geology as per the provisions of Rule 56(19) of the Haryana Minor Mineral Rules, 2012.

Despite the fact that there is no formal communication from the Department, the undersigned, had submitted letter dated 01.06.2022 with the Mining Officer, Yamunanagar for the purpose of issuance of necessary directions to provide an option for "Sand" in Portal account of the aforesaid Company in relation to aforesaid mining blocks.

More than 8 days have elapsed and no action has been initiated on the request of the undersigned.

It shall be pertinent to mention that the boulder and gravel is inextricably mixed with sand in the aforesaid mining blocks and any extraction of sand involves extraction of boulder & gravel. Hence, necessary permission may kindly be granted to extract and stock boulder & gravel in view of the above mentioned facts which are beyond the control of the Company. The Company undertakes not to sale boulder & gravel; and shall only sale sand till further orders are issued by the Hon'ble NGT, New Delhi.

Hence, in view of the aforesaid facts, it is humbly prayed that appropriate directions may kindly be issued to IT Cell of the Department to operationalise the portal account of the Company and to provide the option of "Sand" in the portal account to enable the Company to sale sand and comply with the order of Hon'ble NGT, New Delhi. Presently, the portal account has been suspended and the Company is incurring losses due to the same. Kindly take necessary and appropriate action at the earliest

Thanking You!

Yours Sincerely

Veerbhan Wadhwa

Authorised Signatory

TSM Foods Private Limited.

Dated: 09.06.2022

ANN. R-2/8

From

Mining Officer,
Department of Mines & Geology,
Yamunanagar.

To

1. M/s JSM Foods Pvt. Ltd., WZ/932, Basai Darapur, New Delhi.
2. M/s P. S. Buildtech, Sec-15, Near Tejli Satsang Bhawan, Yamunanagar.

Memo. No. MO/YNR/2500

Dated: 17.06.22

Subject: Regarding generation of BGS e-Rawaana by M/s JSM Foods Pvt. Ltd. East (B-3) & West (B-4) and M/s P. S. Buildtech Kanalsi (B-5).

It is informed you that the Hon'ble NGT, New Delhi vide order dt. 31.05.2022 stated that no mining of Boulder and Gravel takes place from the mining site of M/s JSM Foods Pvt. Ltd. East, M/s JSM Foods Pvt. Ltd. West and M/s P. S. Buildtech Kanalsi.

During the field inspection and checking on the departmental e-Rawaana site, it is found that the e-Rawaana of Boulder-Gravel-Sand is still generated by your firms. So, you are directed to stop the generation of BGS e-Rawaana from your portals immediately.



Mining Officer,
Mines & Geology Deptt.,
Yamunanagar.

ANN. R-2/9

o/c

M/S JSM FOODS PRIVATE LIMITED.

MINING SITE- VILLAGE MANDOLI GHAGGAR EAST & WEST BLOCK YNR/B-3 & 4, TEHSIL CHHACHHRAULI, YAMUNA NAGAR.

Date 21/06/2022

To,

The Mining Officer
Department of Mines and Geology, Haryana
Industrial Centre
Yamuna Nagar (Haryana) 135001

Subject: Reply to the Letter bearing Memo No. MO/YNR/2500 dated 17.06.2022, received on 18.06.2022

Reference:

1. Application dated 01.06.2022 by M/s JSM Foods Private Limited.
2. Email dated 04.06.2022 by M/s JSM Foods Private Limited.
3. Application dated 09.06.2022 by M/s JSM Foods Private Limited.

Respected Sir,

At the very outset, it is submitted that the captioned letter under reply has been issued to the undersigned without complete appreciation of the facts and previous correspondence addressed to your office as well as DGMG, M&G, Haryana by the undersigned. Furthermore, the allegations with regards to sale of boulder, gravel and sand are completely misconceived.

It is submitted that in pursuance of the Order dated 31.05.2022 issued by the Hon'ble NGT, New Delhi in the matter referred to in the captioned letter, the undersigned had submitted application dated 01.06.2022 to your office requesting for providing the option of SAND in the portal account of the Company. Thereafter, the undersigned submitted an e-mail dated 04.06.2022 to the DGMG, M&G, Haryana with a similar request. However, despite making repeated requests and instead of providing the option of SAND in the portal account of the Company, the portal account was suspended on 05.06.2022 to 09.06.2022 without any just cause or reason. Thereafter, the undersigned submitted another application dated 09.06.2022 with a similar request to DG, M&G, Haryana. A copy of all the applications is attached herewith for ready reference.

It shall be imperative to state that the portal account of the Company was made operational on 10.06.2022. However, on account of technical issue, the option shown in the portal account was still of Boulder, Gravel & Sand. But, in order to verify at our end, the Company sold SAND only and when e-ravaana bills were generated, the same were for SAND only. Since the issue was only technical, the Company sold sand through the portal account also the e rawaana portal has been temporarily closed by the department w.e.f from 05th June Onwards to 9th June. It was restarted on dated 10th June and again it was closed from 19th June to till date. The Company is only selling sand minor mineral and is issuing sand bills only to its purchasers. In this regard, a copy of the e-ravaana bills is attached for ready reference.

It is humbly submitted that the Company is only selling Sand minor mineral (photos enclosed) and has completely complied with the mandate of order passed by Hon'ble NGT, New Delhi, and has taken appropriate steps to address the issue which shows the bonafide and due diligence on the part of the Company.

... Continued

P.T.O.
01/06/2022 01:55 PM

M/S JSM FOODS PRIVATE LIMITED.

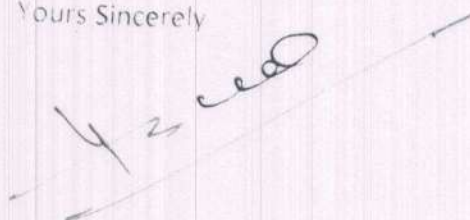
MINING SITE- VILLAGE MANDOLI GHAGGAR EAST & WEST BLOCK YNR/B-3 & 4, TEHSIL CHHACHHRAULI, YAMUNA NAGAR.

Date 21/06/2022

The undersigned assures you that the Company shall comply with the orders of Hon'ble NGT, New Delhi in letter & spirit.

Thanking You

Yours Sincerely



Authorized Signatory

ANN. R-2/10

Speed Post/Registered

From

The Director,
Mines and Geology, Haryana,
DHL Square, Plot No.9, IT Park, Sector-22, Panchkula.

To

1. Sh. Kulvinder Singh S/o Sh. Trilochan Singh,
Prop. of M/s P. S. Buildtech, 34-Vishal Nagar,
Yamuna Nagar-135001.
2. M/s JSM Foods Private Limited, W Z 932, Basie Darapur, 1st Floor,
Near Senior Secondary School, New Delhi-110015.

CORP. Add. # 676, Sector-13, Urban Estate, Karnal (Haryana).

Memo No. DMG/HY/Cont/Kanalsi Block/YNR B -5/2015/
Dated Panchkula, the 23.06.2022

Sub:-

Hearing Before DMG on 28.06.2022.

On the subject noted above.

2. You are aware that Sh. Mohinderpal S/o Sh. Darshan Lal and Anr. earlier filed an Original Application No. 423 of 2022 before the Hon'ble National Green Tribunal, New Delhi. The Hon'ble NGT vide its order dated 31.05.2022 directed to stop extraction of Boulder and Gravel from mining blocks namely (i) M/s JSM Foods Pvt. Ltd. East, the contractor of 'Mandoli Ghaggar East Block/YNR B-3, (ii) M/s JSM Foods Pvt. Ltd., the contractor of 'Mandoli Ghaggar West Block/YNR B-4 and M/s P. S. Buildtech, the contractor of 'Kanalsi Block/YNR B-5' district Yamuna Nagar.

3. In compliance with the order of the Hon'ble NGT, you vide order dated 07.06.2022 were directed that no mining of Boulder and Gravels would be undertaken in these areas till further order/modified by the Hon'ble NGT. Further, the MO, Yamuna Nagar has also reported that e-Rawaana of Boulder and Gravel is still generated by you.

4. Accordingly, before taking any action in the matter, it has been decided to afford you opportunity of personal hearing by the Director, Mines and Geology.

5. You are, therefore, advised to appear before the Director, Mines & Geology, Haryana on **28.06.2022 at 04:00 PM** in his office Room No. 1, 2nd Floor, DHL Square, Plot No.9, IT Park, Sector-22, Panchkula along with your legal team to explain your position on above said date, time and venue.

-2/-
Mining Engineer,
for Director, Mines and Geology,
Haryana

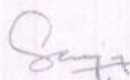
Endst. No. DMG/HY/Cont/Kanalsi Block/YNR B -5/2015/3973 dated: 23.06.2022.

A copy is forwarded to the following for information and necessary action:

- ✓ 1. Mining Officer, Department of Mines and Geology, Yamuna Nagar.

He is directed to attend the hearing before DMG on above said date, time and venue along with relevant record of the above mentioned 03 mining blocks. He is also advised to ensure for the delivery of the same to the concerned party under intimation to this office.

2. PS to Director, Mines and Geology for information of DMG.


Mining Engineer,
for Director, Mines and Geology,
Haryana.

ANN. R-2/11

To,
The Director General
Mines & Geology Department
Government of Haryana

Director Mines & Geology Haryana, Panchkula
28 JUN
Diary No. <u>28/06/2022</u>

Subject: Submissions on behalf of M/s JSM Foods Private Limited.

Reference: Memo No. DMG/HY/Cont/Kanalsi Block/YNR B-5/2015/3972 dated 23.06.2022.

Respected Sir,

The undersigned most respectfully submit as under:-

1. That in pursuance of the Order dated 31.05.2022 passed by Hon'ble National Green Tribunal, New Delhi passed in OA No. 423 of 2022 titled as Mohinder Pal & Another v. State of Haryana & Others, the undersigned had submitted application dated 01.06.2022 to the Mining Officer, District Yamunanagar. A copy of application dated 01.06.2022 is attached herewith as **Annexure A/1**.
2. That as per the application vide Annexure A/1, the undersigned had requested the Mining Officer to carry out necessary changes in the portal account of the Company as the only option available at the time of passing the aforesaid order was "Boulder, Gravel & Sand". It was requested that separate option of Sand may kindly be provided; and the Firm had further represented that the Firm shall not sale boulder & gravel till further orders from Hon'ble NGT, New Delhi.
3. That thereafter, the firm had submitted an e-mail dated 04.06.2022 to your office and made a similar request for the purpose of carrying out necessary changes in the portal account of the Firm. A copy of the e-mail dated 04.06.2022 is attached herewith as **Annexure A/2**.

4. That it shall be pertinent to mention that the portal account of the Firm was suspended from 05.06.2022 to 09.06.2022 without any just cause or reason; and despite making repeated submissions to carry out the changes in the portal account, no heed was paid and the Firm was made to suffer.
5. That on 09.06.2022, the Firm submitted third representation to your office and narrated the entire sequence of events leading to the suspension of the portal account of the Firm. The firm again made the request to operationalize the portal account of the Firm and to carry out necessary changes by providing the option of Sand in the portal account of the Firm. A copy of the application dated 09.06.2022 is attached herewith as **Annexure A/3**.
6. That it shall be pertinent to mention that the portal account of Firm was made operational on 10.06.2022 but no change was made in the portal account and the only option available was "boulder, gravel & sand". There was no option available for the Sand only. The Firm made repeated requests to the concerned officers to provide the necessary option but the same was not made available.
7. That thereafter, the Mining Officer, Yamunanagar issued a letter dated 17.06.2022 to the Firm alleging that the Firm is selling boulder & gravel in violation of Order dated 31.05.2022 passed by Hon'ble NGT, New Delhi. However, the Firm submitted its reply dated 21.06.2022 and took strong objection to the allegations raised therein. A copy of the reply dated 21.06.2022 is attached herewith as **Annexure A/4**.
8. That it shall be pertinent to mention that it was only on 18.06.2022 that the option of Sand was made available in the portal account of the Firm. In this regard, a copy of e-ravaana dated 18.06.2022 is attached herewith as **Annexure A/5**.
9. That subsequent to the issuance of the Orders by the Hon'ble NGT, New Delhi, the Firm has not sold any boulder & gravel and has been making repeated representations to the Department for the purpose of carrying out necessary corrections in the portal account. However, any generation of e-ravaana from the portal account of the Firm under the heading "boulder, gravel & sand" during the relevant period was on account of the fact that there was no other option available and the sale of sand could not have effected without generation of e-

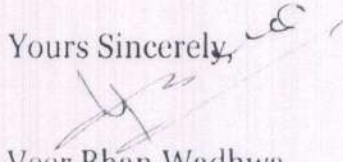
9. That subsequent to the issuance of the Orders by the Hon'ble NGT, New Delhi, the Firm has not sold any boulder & gravel and has been making repeated representations to the Department for the purpose of carrying out necessary corrections in the portal account. However, any generation of e-ravaana from the portal account of the Firm under the heading "boulder, gravel & sand" during the relevant period was on account of the fact that there was no other option available and the sale of sand could not have effected without generation of e-ravaana. The Firm is under an obligation to carry out the sales to meet the financial commitments arising out of the mining contract and could not be fastened with any liability on account of non-action at the end of the Department.

10. That the Firm has completely complied with the mandate of the Order dated 31.05.2022 passed by the Hon'ble NGT, New Delhi in letter and spirit and has not made any sale of boulder & gravel. The issue involved in the matter under consideration is purely technical and the Department did not take any action despite repeated requests.

It is, therefore, most respectfully prayed that the allegations raised by the Mining Officer, Yamunanagar without any basis and does not take into consideration the true facts and circumstances mentioned herein above. The issuance of e-ravaana in the name of "boulder, gravel & sand", if any, was on account of non-action on the part of the Department coupled with the obligations placed on the Firm. It is, however, clarified and submitted that no sale of boulder & gravel has been made after the issuance of orders from Hon'ble NGT, New Delhi.

Thanking You

Yours Sincerely,


Veer Bhan Wadhwa

Authorised Signatory

M/s ~~JSB Bhandari~~ JSM FOODS Pvt. Ltd.

Dated: 28.06.2022

ANN. R-2/12

Speed Post/E-mail
From

To The Director,
Mines & Geology, Haryana,
DHL Square, Plot No. 9, IT Park, Sector- 22,
Panchkula.

M/s JSM Foods Private Limited,
Corr. Address:- # 676, Sector-13, Urban Estate,
Karnal-132001.

Memo No. DMG/HY/Cont./M. G. East Block/YNR B-3/2015/4390
Dated Panchkula, the 12-7-2022

Subject: Application on behalf of M/s JSM Foods Pvt. Ltd. seeking copy of order passed by this office in relation to hearing conducted in pursuance of this office letter dated 23.06.2022.

Reference your letter dated Nil received on 08.07.2022 on the above noted subject.

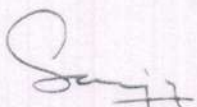
2. Vide letter under reference, you have requested to provide the copy of the order passed in hearing held on 01.07.2022.

3. It is to inform you that in compliance with the order dated 31.05.2022 passed by the Hon'ble National Green Tribunal at New Delhi in OA No. 423 of 2022 -Mohider Pal & Anr Vs State of Haryana & Ors., you vide letter dated 07.06.2022 were directed that no mining of Boulder and Gravels are undertaken in the 03 mining contract areas, till further orders/modified by the Hon'ble NGT and the IT Cell was directed to stop the e-Rawaana portal of Boulder and Gravels of M/s JSM Foods Pvt. Ltd., the contractor of Mandoli Ghaggar East Block/YNR B-3, M/s JSM Foods Pvt. Ltd., the contractor of Mandoli Ghaggar West Block/YNR B-4 and M/s P. S. Buildtech, the contractor of Kanalsi Block/YNR B-5'. But the Mining Officer, Yamuna Nagar vide letter dated 17.06.2022 has informed that during checking of the portal, it has been found that the e-Rawaana of Boulder-Gravel-Sand are still generated by all these contractors.

4. Accordingly, in the light of information received from the Mining Officer, Yamuna Nagar, you were afforded an opportunity of personal hearing on

28.06.2022, but due preoccupancy of DMG, the hearing was not held. The next date of hearing in this matter was fixed on 01.07.2022.

5. During the course of hearing, the matter was considered and the IT Cell of the department was directed to carry out corrections to change the e-Rawaan generation for Boulder and Gravel to Sand only of the contractor firm. The IT Cell has informed that in compliance with the order of the Hon'ble NGT, the Boulder, Gravel and Sand of 'Mandoli Ghaggar East Block/YNR B-3' was stopped. To accomplish this task on e-Rawaana Portal, necessary changes were made and only Sand option was given to the contractor firm. However, due to technical glitch, the modification would not updated properly in all tables of database pertaining to this matter on e-rawaana. IT Cell has also informed that the BGS of the above said mine will now be shown as Sand in their account w.e.f. 17.06.2022.


Mining Engineer,
for Director, Mines & Geology,
Haryana

Endst No. DMG/HY/Cont./M. G. East Block/YNR B-3/2015/

Dated:

A copy is forwarded to Mining Officer, Mines and Geology Department, Yamuna Nagar for information. He is directed to ensure that the contractor shall not undertake mining of boulder and Gravel till further order dated 31.05.2022 are modified by the Hon'ble NGT.


Mining Engineer
for Director, Mines & Geology
Haryana



हरियाणा सरकार

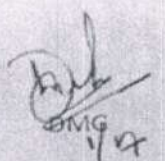
ANN.R-2/13

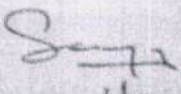
As per NGT orders dated 31.05.2022 in OA no. 423 of 2022 Mohinder Pal & others V/s State of Haryana & Others the sale of boulder and gravel of the contractor firm was stopped. On the same the contractor firm was afforded a course of hearing today. During the course of hearing, they submitted that after the orders of Hon'ble NGT, they have dispatched only sand but as there was no option available to contractor in the portal account to generate e-ravaana for sand only due to some technical glitch the bills/rawaana are showing BGS. The Mining Officer, Yamunanagar present during the course of hearing stated that on inspection, it has been verified that the Company has not sold any boulder and gravel after the orders passed by NGT and only sand has been sold.

Keeping in view the above facts and circumstances, The IT Cell of the Department shall carryout necessary corrections to change the e-ravaana generated for boulder, gravel and sand to sand only and the contractor firm shall be allowed to generate e-ravaana for sand only and the production of boulder & gravel (27.45% of total production) allowed to the firm vide Order dated 05.01.2022 shall be excluded from total production under EC.

ME(85)

IT cell
G-9


D. K. BEHERA, IAS
DMG


1/7

GOVERNMENT OF HARYANA
KEEP HARYANA CLEAN AND POLLUTION FREE

ANNEXURE R2/13**हरियाणा सरकार**

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D.K BEHERA, IAS

DMG

GOVERNMENT OF HARYANA

KEEP HARYANA CLEAN AND POLLUTION FREE

VAKALATNAMA

NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

E.A. No.27 Of 2022

IN

Between:

O.A. No. 423 Of 2022

Mohinder Pal and another

Petitioner/Appellant

Vs

Kulwinder Singh and others

Respondent/ Defendant

I/WE

Radhey Shyam Wadhwa aged 78 years son of Late Sh. Thau Ram,R/o Village Gumthala Rao, Tehsil Radiaur, District Yamunanagar do hereby appoint & retain:**M. F. KHAN, ADVOCATE ANSHUL MANGLA, Advocate**

UP/11435/2003

P/2238/2011

09, TODARMAL LANE,

BENGALI MARKET,

#477, SECTOR 12, PANCHKULA

NEW DELHI -110001

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to be advocate for _____ in the said Suit /Appeal / Petition / Case /Reference / Revision / Execution. I / we authorize the Advocates to do any or all of the following on my / our behalf:

- to represent, act and appear for me / us;
- to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree of order passed therein;
- to sign, file, verify, present, and receive all types of documents including complaints, statements, pleadings, appeals, cross objections, petitions, applications, revision, withdrawal, compromise or affidavits;
- to withdraw or compromise or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case;
- to deposit, draw and receive money, cheques, cash and grant receipts thereof;
- to do all other acts and things which may be necessary or expedient, in the opinion of the Advocates, to be done.

I/We do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes. Signed on Day of, 2023 by:

{**ANSHUL MANGLA**} & {**CHETNA GOYAL**}

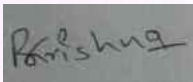
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UK-542/2013

PH- 220642



MOHD. FUZAIL KHAN
UP/11435/2003



B.KRISHNA
D/10084/2022


Client