

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

**O.A. No. 599/2025**

**IN THE MATTER OF:**

Netar Singh and others

..... .. Applicants

VERSUS

State of Himachal Pradesh and others

..... Respondents

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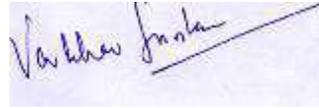
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Respondent No. 3

Dated: 27.03.2026

Place: Mandi

Through Counsel



Vaibhav Srivastava (Advocate)

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

**O.A. No. 599/2025**

**IN THE MATTER OF:**

Netar Singh and others

.....**Applicants**

**VERSUS**

State of Himachal Pradesh and others

.....**Respondents**

**REPLY TO THE ORIGINAL  
APPLICATION ON BEHALF OF  
RESPONDENT NO. 3 i.e. HP  
STATE POLLUTION CONTROL  
BOARD.**

**MAY IT PLEASE YOUR LORDSHIPS:-**

**Preliminary submissions:-**

- 1 That the instant Original Application has been registered by this Hon'ble Tribunal *suo-motu*, on the basis of a 'letter petition' sent by the applicants. The letter petition (OA), relates to the issues of alleged illegal operation of M/s Mahalaxmi Stone Crusher at Village Vire, P.O. Tilli, Tehsil Sadar, District Mandi H.P. by its

**ATTESTED**

TAPE RAM Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

  
Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

owners/proprietor, causing damage to environment etc.

2. That the matter came up for hearing on 04.12.2025 before this Hon'ble Tribunal wherein, following directions were passed:-

*6. In view of the averments in the application, we consider it appropriate to have response of (1) State of Himachal Pradesh through Principal Secretary, Environment, Forest and Climate Change, Government of Himachal Pradesh (2) District Magistrate, Mandi (3) Himachal Pradesh Pollution Control Board (HPPCB) through Member Secretary (4) and M/s Mahalaxmi Stone Crusher, Tehsil Sadar District Mandi (HP) who stand impleaded as respondents No. 1 to 4. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents No. 1 to 4 requiring them to file their replies/responses within two months.*

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TAPE MAHA Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

*7. In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of Central Pollution*

  
Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

*Control Board (CPCB), HPPCB and District Magistrate, Mandi and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action by following due course of law and submit its report within one month. The HPPCB will be the nodal agency for coordination and compliance.*

3. That in compliance to aforesaid directions passed by this Hon'ble Tribunal, the site in question was inspected by the Regional Officer, HPSPCB, Mandi alongwith the Joint Committee on 30.12.2025 and report of the Joint Committee dated 16.12.2025 was filed, which is already on record and considered by this Hon'ble Tribunal in its order dated 06.02.2026. It is humbly submitted that the submissions made in the report of Joint Committee, may also be read as part and parcel of this reply.

That as regards to the issue of illegal running of stone crusher, it is submitted that in the State of H.P., no stone crusher can be installed or operated except in accordance with policy Guidelines issued

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TAPE RAM Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

  
Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

by the State Govt. from time to time. Before grant of Consent of the State Board, the stone crushing unit has to obtain prior permissions of concerned departments *viz a viz* Registration and Mining Lease from the Industries Department and Environmental Clearance for Mining site from MoEF & CC/SEIAA.

5. That in the present case, the Geologist, Zone-IV vide letter dated 28.09.2022 (**Annexure R-3/1**) has granted the approval of Mining Plan in favour of the unit which is valid up to 27.09.2030. The unit is also having an Environmental Clearance issued in its favour by the State Environment Impact Assessment Authority (SEIAA) vide letter dated 04.03.2025 (**Annexure R-3/2**) which is valid up to 03.03.2030. The H.P. State Pollution Control Board hereinafter referred as "**State Board**" in short, has also granted Renewal of Consent to Operate to the unit i.e. M/s Mahalaxmi Stone Crusher on 22.12.2025 (valid till 07.08.2028), after the Unit has obtained the aforesaid permissions *viz.* Permanent Registration, Mining Lease, Environment Clearance etc. (Copy of Renewal of Consent to Operate is annexed as Annexure **R-3/3**).

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TAPEN M Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

**On merits:-**

1. That the contents of para-1 of the letter petition, relates to issue of alleged lapse of lease agreement for the site/land, upon which the stone crusher unit is operating since 20.01.2014, which calls for the reply of Industries Department.

However, it is submitted that as per record, at present, the unit is having valid mining lease in Khasra No. 1229/1/1, measuring 09-01-16 bighas (0.736 Hectare), granted on 21.03.2025 by the Industries Department and executed on 28.03.2025, for 5 years i.e. till 27.03.2030. The Industries Department has also granted Permanent Registration dated 12.08.2025 in favour of the unit which is valid up to 07.08.2028. The unit has also obtained Environmental Clearance dated 04.03.2025 from SEIAA, which is valid up to 03.03.2030 or till validity of plan. The State Board has also granted Renewal of Consent to Operate **(Annexure R-3/3)** to the unit on 22.12.2025, which is valid till 07.08.2028.

2. That the contents of para-2 of the letter petition relates to the ownership of the land upon which, the stone crusher is operating and need no reply from the replying Respondent.

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 Oath & Affidavit Commissioner  
 Mandi (H.P.)

It is submitted that as per the information from Mining Office, Mandi, a Civil Suit on the issue of expiry of 'lease deed' and operation of the stone crusher after the expiry of said lease period i.e. 05.04.2025, between the co-owners of the aforesaid land and proprietor of the stone crusher is *sub-judice* before the Ld. Senior Civil Judge, Mandi wherein, vide order dated 14.08.2024 passed in M.A. No. 129-VI/2024, the Court of Ld. Senior Civil Judge had directed the parties to maintain *status quo*. (Copy of order dated 14.08.2024 is annexed as **Annexure R-3/4**).

3-4 That the contents of paras 3-4, relates to alleged unscientific and indiscriminate mining without mining lease for many years on the Govt. land, pertain to and calls for reply of Mining Department. However, at present, as per record of the State Board, unit is having valid mining lease and permanent registration from the Industries Department. The unit has also obtained Environmental Clearance from SEIAA. Thereafter, State Board has also granted Renewal of Consent to Operate (**Annexure R-3/3**) to the unit on 22.12.2025 which is valid till 07.08.2028.

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Oath & Affirmation Commissioner  
Mandi (H.P.)

  
Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

Regarding closure of the Stone Crusher for 9 months, it is submitted that the said orders dated 23.08.2023, were issued by the Chief Secretary-cum-Chairman (SEC) to the Govt. of Himachal Pradesh to the Director, Industries Department, Govt. of H.P. with direction to immediately stop the operation of all the Stone Crushers (both perennial and non-perennial rivulets on the Beas River and its tributaries), till further orders or till proper assessment of Impact is made. The unit was thereafter allowed to operate by the Director of Industries, Govt. of H.P. vide order dated 11.03.2024 regarding approval for stock permission. (Copy of order dated 11.03.2024 is annexed as **Annexure R-3/5**).

5. That the contents of para-5, relates to agreement between the Stone Crusher's owner and Gaon Wire in 2015, which neither pertains to nor need reply from the Respondent-Board.

6. That the contents of para-6, relates to the issue of non-plantation of trees around the unit i.e. M/s Mahalaxmi Stone Crusher.

In this regard, it is submitted that although the plantation has been carried out in and around the stone crusher i.e. Mahalaxmi Stone Crusher by its

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TAPE RAM Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

  
Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

proprietors, however, as per the prescribed guidelines and suggestion made at Sr. No. 3 (ii) of the Joint Inspection Report by the Joint Committee constituted by this Hon'ble Tribunal, which is already on record that the unit still need to improve green belt around the stone crusher.

7. That the contents of para-7 of the letter petition, relates to pilling-up of sand, gravel and other raw materials at various locations along the road, the dust generated by passing vehicles, on the part of the concerned unit i.e. Mahalaxmi Stone Crusher and thereby causing environmental pollution and causing inconvenience to the general public.

In this regard, it is submitted that during the joint inspection of the Committee, the complainant showed a site adjoining to the Mandi-Biar-Kathalag Road, where the material was found stacked. It was observed by the Joint Committee that the site is located adjoining to the earlier Mining Lease of the Stone Crusher. As per the revenue record, the said land is a Forest land located at Khasra No. 674/592, Mohal Biar, Tehsil Sadar, District Mandi.

The spot inspection was again conducted on 17.03.2026, by the officials of Regional Office,

**ATTESTED**  
 TAPEN RAM Advocate  
 Oath & Affirmation Commissioner  
 Mandi (H.P.)

*Lay*  
 Assistant Environmental Engineer  
 H.P. State Pollution Control Board  
 Regional Office Mandi (H.P.)

HPSPCB, Mandi and it was observed during the visit that the stacked material was removed from the site and no mining activities were observed in and around the site.

8. That the contents of para-8, relate to the issue of illegal mining, which pertains to and calls for reply of the Mining Department.
9. That the contents of para-9 of the letter petition relates to the alleged damage to water sources and shortage of water on account of illegal mining activities on the part of unit.

In this regard, it is submitted that the Spring (*Subal*) is a traditional water source and as mentioned in the complaint, the tank is constructed at the source. During inspection by the Joint Committee, it was observed that the said tank is meant for storage of water however, during inspection, the tank was found dry. It was also observed that the source is accessible through road/passage. No mining activities were observed at the said location.

10. That the contents of para-10, relate to alleged noise pollution being caused by the operation of stone crusher, JCB and big bailer etc.

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TAREKAM Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

  
Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

In this regard, it is submitted that the stone crusher was found non-operational during the inspection conducted by the Joint Committee members on 30.12.2025, so the Ambient Noise Monitoring could not be done during the operational state of the unit. However, the Ambient Noise Monitoring, around the site of the unit (during its non operational state), was conducted on the day of inspection i.e. 30.12.2025 and the Ambient Noise values the Leq (A) was observed as 43.0 db. Subsequently, the unit was re-inspected by the Officials of the State Board and the noise monitoring was conducted on day time on 29.01.2026, at the boundary of the said stone crusher unit and the Leq (A) was observed as 66 db (A), against the permissible noise standards of 75 db (A) for Industrial area as per the Noise Pollution (Regulation and Control) Rules, 2000.

The inspection of the unit was again carried out by the officials of the Regional Officer, HPSPCB, Mandi on 17.03.2026. During inspection, the unit was found in operation. The Ambient Air Monitoring of the unit was conducted and as per the analysis results, the parameter SPM is reported to be 128 ug/m<sup>3</sup> against permissible limits of 600

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TAPE RAM Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

ug/nm3. (Copy of analysis report is annexed as **Annexure R-3/6**).

During inspection, the Noise Monitoring was also conducted during day time at the boundary of the unit Leq (A) was observed as 68.4 db (A) against the permissible Noise Standards of 75 db (A) for Industrial area as per the Noise Pollution (Regulation and Control) Rules, 2000.

11-13 That the contents of paras 11-13 of the letter petition, relates to alleged damage to the trees on account of illegal mining by the proprietors of the unit and issue of increasing soil erosion, do not pertain to the State Board and calls for reply of Mining Department and Forest Department.

14. That the contents of para-14 of the letter petition, relates to damage to road adjoining to Mahalaxmi Stone Crusher, due to mining activities pertains to and calls for reply of the Public Works Department and Mining Department.

15-17 That the contents of paras 15-17 relate to the issue of NOC of Gram Panchayat, alleged behavior and conduct with the villagers misbehave with the villagers and registration of FIR, neither pertains to nor need reply from the replying Respondent.

**ATTACHED**  
 TAPE  
 Date: / /  
 Advocate  
 Commissioner

18. That the contents of para-18, relates to the issue of disposition of payment of fine amounting to Rs. 50,000/- by the unit for alleged violations of norms.

In this regard, it is submitted that the said fine was deposited by the proprietor of the stone crusher, in compliance to the orders dated 18.05.2016, passed by this Hon'ble Tribunal in M.A. No. 1010/2015 and M.A. No. 393/2016, titled as Baldev Singh Vs. State of H.P. & ors.

- 19-21 That the contents of paras 19-21, relate to the applicant's representation to the concerned Departments and Mining Department and directions for closure of unit are a matter of record. As already submitted in paras supra, as per record of Respondent-Board, at present, the unit is having valid Registration and Mining Lease from the Industries Department. The unit has also obtained Environmental Clearance from SEIAA. The State Board has also granted Consent to Operate (**Annexure R-3/3**) to the unit on 22.12.2025 which is valid till 07.08.2028. Further, the unit is also complying with the prescribed norms for air and noise pollution, at present.

**ATTESTED**

TAPE BAMA Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

  
Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

22. That the contents of para-22 of the letter petition, relates to the issue of obtaining of alleged fabricated letter from the Mining Department, which neither pertains to nor need reply from the replying Respondent.

**Prayer:-**

It is most humbly prayed that the instant OA may kindly be disposed qua the State Board in view of submissions made above. Any other order which this Hon'ble Tribunal deem fit, may also be passed in public interest.

**ATTESTED**

TAPE RAM Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

Dated: 27/03/2026

Place: Mandi

  
**Respondent No. 3**

Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

**Through Counsel**

**Vaibhav Srivastava (Advocate)**

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

**O.A. No. 599/2025**

**IN THE MATTER OF:**

Netar Singh and others

.....**Applicants**

**VERSUS**

State of Himachal Pradesh and others

.....**Respondents**

**AFFIDAVIT**

I, Vinay Kumar, son of Sh. Ram Krishan, aged about 38 years, presently, working as Assistant Environmental Engineer, Regional Office, H.P. State Pollution Control Board, Mandi, Himachal Pradesh, do hereby solemnly declare and affirm on oath as under: -

1. That I am duly authorized to file the accompanying response to OA and the same has been drafted at my instance and under my instructions.

**ATTESTED**

TAPE RAM Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

  
Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)



2. That the contents of paras 1-5 of 'preliminary submissions' and paras 1-22 'on merits' of reply are true and correct to the best of my knowledge, derived from official record. No part of it is false and nothing material has been concealed therefrom.

3. I further affirm that the contents of this affidavit of mine are true and correct to my knowledge and belief.

Verified at Mandi on 27 day of March, 2026.

**ATTESTED**

TAPE RAMA Advocate  
Oath & Affidavit Commissioner  
Mandi (H.P.)

  
**DEPONENT**

Assistant Environmental Engineer  
H.P. State Pollution Control Board  
Regional Office Mandi (H.P.)

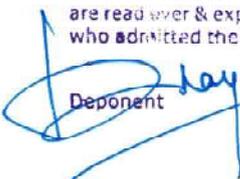
Sr. No 571/26

Declared before me on oath/affirmation  
on the 27 day of 03 2026  
at Mandi by Vinay Kumar  
who was identified by Sh. Vikender Kumar  
who is personally known to me  
Certified that contents of above Affidavit  
are read over & explained to the deponent  
who admitted them to be correct.

*Date Entry  
operation*

I know personally the deponent  
who has signed in my presence

  
Signature of Identifier

 Deponent  
 Oath Commissioner

REGISTERED

No. Udyog-Bhu(Khani-4)Laghu-48/2021- 6684  
 Government of Himachal Pradesh  
 Department of Industries  
 "Geological Wing"  
 Dated; Shimla-171001,

28/9/ 2022.

To

Smt. Lachhmi Devi S/o Sh. Chatter Singh,  
 Village Bair, P.O. Tilli, Tehsil Sadar,  
 Distt. Mandi, H.P.

Subject:-

**Approval of Mining Plan of area applied for grant of mining lease for extraction of stone from Khasra No. 1229/1, over an area measuring 09-01-16 Bighas (Pvt. land), falling in Mauza Kathalag/141, Tehsil Sadar, Distt. Mandi, H.P. for which Letter of Intent has been issued on 21.12.2021.**

Dear Sir,

In exercise of powers conferred by Rule 36 of Himachal Pradesh Minor Mineral (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules 2015, I hereby approve the above said Mining Plan for the purpose of obtaining Environment Clearance of the area applied for renewal of mining lease for which the letter of intent has been issued on 21.12.2021. The mining plan is approved for a period of five years from the date of execution of mining lease deed. This approval is subject to the following conditions:--

1. That the Mining Plan is approved without prejudice to any other laws applicable to the mine/area from time to time whether made by the Central/State govt. or any other authority.
2. That this approval of the Mining Plan does not in any way imply the approval of Govt. in terms of any other provisions of the H. P. Minor Minerals (Concession) Revised Rules, 1971 now repealed as Himachal Pradesh Minor Mineral (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules 2015 or any other laws including Forest (Conservation) Act, 1980, Environment Protection Act, 1986 and the rules made there under and other relevant statutes, orders and guidelines as may be applicable to lease area from time to time.
3. That the Mining Plan is approved without prejudice to any orders or directions from any Court of competent jurisdiction.
4. That in case State Geologist, Geologist, any other inspecting officer/official of Geological Wing Department of Industries, after field inspection notices that proposals made and workings shown in the mining lease by the RQP need certain corrections/ amendments due to change in conditions either natural or manmade, the inspecting officer can recommend necessary amendments in the Mining Plan at any point of time in the interest of environment and mineral conservation.
5. That the lease holder shall procure Environment clearance from the competent authority as per Environmental Impact Assessment notification, 2006 and amendments/notifications issued time to time in this regard.
6. That the approval of proposed mining operations is restricted to the mining lease area only.

7. That in case additional conditions are imposed by the Ministry of Environment & Forests Govt. of India while according clearance under EIA notification dated 14.9.2006 and any condition imposed by the State Govt. while granting mining lease the same shall have to be incorporated by making necessary amendments in the Mining Plan by the lessee through R. Q. P.
8. That in case Mining lease is not renewed or is terminated or working is suspended before the expiry of the lease period due to any reason, the approval of Mining Plan shall stand automatically cancelled.
9. That the lease holder shall carry out production of mineral in accordance to the production shown in Mining Plan and Environmental Clearance whichever is less.
10. That no person shall undertake mining operations in any mining lease area, except in accordance with a Mining Plan approved under sub rule (2) of Rule 39 of Himachal Pradesh Minor Mineral (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules 2015.
11. That the lease holder shall carry out working in the mining lease area as per Mining Plan only after obtaining permission to work in the mining lease area from the competent authority.
12. That if the mining operations are not carried out in accordance with the approved Mining Plan the State Geologist, Geologist, Assistant Geologist and the Mining Officer, may order suspension of all or any of the mining operations and permit continuation of only such operations as may be necessary to restore the conditions in the mine as envisaged under the said Mining Plan.
13. That if anything is found to be concealed as required under various Rules and guidelines pertaining to mining in the context of the Mining Plan and the proposal for rectification has not been made, the approval shall be deemed to have been withdrawn with immediate effect.
14. That in case of any violation of terms and conditions of the approved Mining Plan, the financial assurance deposited by the said lessee shall be liable to forfeited.

Enclosed:- Copy of approved Mining Plan.

Yours faithfully,

Geologist (Zone-IV)  
Himachal Pradesh  
Dated : 2022

Endst. No. As above.

Copy for kind information to:-

1. The Mining Officer, Mandi, Distt. Mandi, H. P. alongwith a copy of Mining Plan for further necessary action.
2. Sh. Subhash Chand Kaura (Ex. DDG, GSI), Flat No. 604, Victoria Tower, Chandigarh Enclave, Zirakpur (Punjab). RQP No. H.P./R.Q.P./17/1/2021..

Geologist (Zone-IV)  
Himachal Pradesh

ENVIRONMENTAL  
CLEARANCE

PARIVESH

(Pro-Active and Responsive Facilitation by Interactive,  
and Virtuous Environmental Single-Window Hub)



**Government of India**  
**Ministry of Environment, Forest and Climate Change**  
**(Issued by the State Environment Impact Assessment**  
**Authority(SEIAA), HIMACHAL PRADESH)**

To,

The -1  
LACHMI CHANDEL  
W/o Chatter Singh Post Office Tilli Tehsil Sadar Bayar Mandi -175001

**Subject:** Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the SEIAA vide proposal number SIA/HP/MIN/426167/2023 dated 15 Jul 2023. The particulars of the environmental clearance granted to the project are as below.

1. EC Identification No.	EC25B001HP160854
2. File No.	HPSEIAA/2023/1078
3. Project Type	New
4. Category	B
5. Project/Activity including Schedule No.	1(a) Mining of minerals
6. Name of Project	"Stone Mining Project"
7. Name of Company/Organization	LACHMI CHANDEL
8. Location of Project	HIMACHAL PRADESH
9. TOR Date	N/A

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 04/03/2025

(e-signed)  
D.C. Rana  
Member Secretary  
SEIAA - (HIMACHAL PRADESH)

*Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH. Please quote identification number in all future correspondence.*

*This is a computer generated cover page.*

This has a reference to your proposal No. SIA/HP/MIN/426167/2023 submitted online by Smt. Lachhami Devi, W/o Sh. Chatter Singh, Prop: M/s Mahalaxmi Stone Crusher, Village Bair, P.O. Tili, Tehsil-Sadar, District-Mandi, Himachal Pradesh; for grant of Environment Clearance. The proposal has been appraised as per prescribed procedure in the light of provisions under the Environment Impact Assessment Notification, dated 14<sup>th</sup> September 2006 on the basis of documents viz; Form-I, Pre-feasibility Report, EIA/EMP etc. by the State Expert Appraisal Committee constituted by the competent authority in its 105<sup>th</sup> meeting of SEAC held on dated 23/1/2025 with following features:

- |   |   |  |
|---|---|--|
| a. Online SEIAA Proposal No.                    | : | SIA/HP/MIN/426167/2023<br>HP SEIAA/2023-1078   |
| b. Project Type                                 | : | Extraction of Stone.   |
| c. Project Location with Khasra Number          | : | Khasra number 1229/1/1 falling in Mohal/MauzaKathalag/141, Tehsil-Sadar, District-Mandi, H.P.  |
| d. Jamabandi                                    | : | Jamabandi for the year 2015-16   |
| e. Land Status                                  | : | Private Land.  |
| f. Project Capacity                             | : | 52,659 TPA.  |
| g. Mining Area                                  | : | 09-01-16 Bighas, Private land/hill slope.  |
| h. Leases within 500 mtrs.                      | : | One mining lease exist within 500 meters:-<br>Sh. Jagdish Kumar (08-05-13 Bighas)  |
| i. Letter of Intent                             | : | Extension of Letter of Intent issued on dated 26/12/2022<br>(Valid for one year i.e. up to 19/12/2025)   |
| j. Working Plan                                 | : | Strictly as per Working-cum-Environment Management Plan approved by Geological Wing of Industries Department, Himachal Pradesh.  |
| k. Proposed EMP Costs                           | : | Capital Cost Rs.3.15 Lakhs and Recurring Cost Rs. 4.45 Lakhs/ PA   |
| l. Proposed CER Costs                           | : | Rs 4.00 Lakhs.   |
| m. Institutional Mechanisms for Env. Protection | : | The following will be responsible for maintenance of APCDs and Solid Waste Management sites:<br>i) Construction phase: Developer/ Project Proponent.<br>ii) Operational Phase: Developer/ Project Proponent. |
| n. Validity period of EC                        | : | 5 Years or upto the date of valid mining plan whichever is earlier.  |

The SEIAA examined the proposal in its 73<sup>th</sup> meeting held w.e.f. 24-25, February, 2025 and considered the recommendations made by SEAC in its 105<sup>th</sup> meeting of SEAC held on dated 23/1/2025. After considering the recommendations of the State Level Expert Appraisal Committee, the State level Environmental Impact Assessment Authority accords Environmental Clearance to the project as per provisions of the EIA Notification No. S.O. 1533 dated 14<sup>th</sup> September, 2006 of Ministry of Environment & Forests, Govt subject to strict compliance of terms and conditions as mentioned below. The Authority reserves the right to revise, revoke or impose additional conditions at any stage.

#### A. Statuary Compliance

- 1 This Environmental Clearance (EC) is subject to orders/ judgment of Hon'ble Supreme Court of India, Hon'ble High Court, Hon'ble NGT and any other Court of Law, Common Cause Conditions as may be applicable.
- 2 The Project proponent complies with all the statutory requirements and judgment of Hon'ble Supreme Court dated 2<sup>nd</sup> August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors. before commencing the mining operations.
- 3 The State Government concerned shall ensure that mining operation shall not be commenced till the entire compensation levied, if any, for illegal mining paid by the Project Proponent through their respective Department of Mining & Geology in strict compliance of Judgment of Hon'ble Supreme Court dated 2<sup>nd</sup> August, 2017 in Writ Petition (Civil) No. 114 of 2014 in matter of Common Cause versus Union of India & Ors.
- 4 This Environmental Clearance shall become operational only after receiving formal NBWL Clearance from MoEF&CC subsequent to the recommendations of the Standing Committee of National Board for Wildlife, if applicable to the Project.
- 5 This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, if applicable to the Project.
- 6 Project Proponent (PP) shall obtain Consent to Operate after grant of EC and effectively implement all the conditions stipulated therein. The mining activity shall not commence prior to obtaining Consent to Establish / Consent to Operate from the concerned State Pollution Control Board/Committee.
- 7 The PP shall adhere to the provision of the Mines Act, 1952, Mines and Mineral (Development & Regulation), Act, 2015 and rules & regulations made there under. PP shall adhere to various circulars issued by Directorate General Mines Safety (DGMS) and Indian Bureau of Mines from time to time.
- 8 The Project Proponent shall obtain consents from all the concerned landowners, before start of mining operations, as per the provisions of MMDR Act, 1957 and rules made there under in respect of lands which are not owned by it.
- 9 The Project Proponent shall follow the mitigation measures provided in MoEFCC's Office Memorandum No. Z-11013/57/2014-IA.II (M), dated 29th October, 2014, titled —Impact of mining activities on Habitations-Issues related to the mining Projects where in Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area].
- 10 The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and from CGWA for withdrawal of ground water for the project.
- 11 A copy of EC letter will be marked to concerned Panchayat / local NGO etc. if any, from whom suggestion / representation has been received while processing the proposal.
- 12 State Pollution Control Board/Committee shall be responsible for display of this EC letter at its Regional office, District Industries Centre and Collector's office/ Tehsildar's Office for 30 days.
- 13 The Project Authorities should widely advertise the grant of this EC letter by printing the same in at least two local newspapers, one of which shall be in vernacular language of the concerned area. The advertisement shall be done within

7 days of the issue of the clearance letter mentioning that the instant project has been accorded EC and copy of the EC letter is available with the State Pollution Control Board/Committee and web site of the Ministry of Environment, Forest and Climate Change ([www.parivesh.nic.in](http://www.parivesh.nic.in)). A copy of the advertisement may be forwarded to the concerned MoEFCC Regional Office for compliance and record.

- 14 The Project Proponent shall inform the SEIAA for any change in ownership of the mining lease. In case there is any change in ownership or mining lease is transferred than mining operation shall only be carried out after transfer of EC as per provisions of the para 11 of EIA Notification, 2006 as amended from time to time.

**B. Air Quality Monitoring And Preservation**

1. The Project Proponent shall install a minimum of 3 (three) online Ambient Air Quality Monitoring Stations with 1 (one) in upwind and 2 (two) in downwind direction based on long term climatological data about wind direction such that an angle of 120° is made between the monitoring locations to monitor critical parameters, relevant for mining operations, of air pollution viz. PM10, PM2.5, NO<sub>2</sub>, CO<sub>2</sub> and SO<sub>2</sub> etc. as per the methodology mentioned in NAAQS Notification No. B-29016/20/90/PCI/I, dated 18.11.2009 covering the aspects of transportation and use of heavy machinery in the impact zone. The ambient air quality shall also be monitored at prominent places like office building, canteen etc. as per the site condition to ascertain the exposure characteristics at specific places. The above data shall be digitally displayed within 03 months in front of the main Gate of the mine site.
2. Effective safeguard measures for prevention of dust generation and subsequent suppression (like regular water sprinkling, metalled road construction etc.) shall be carried out in areas prone to air pollution wherein high levels of PM10 and PM2.5 are evident such as haul road, loading and unloading point and transfer points. The Fugitive dust emissions from all sources shall be regularly controlled by installation of required equipment's/ machineries and preventive maintenance. Use of suitable water-soluble chemical dust suppressing agents may be explored for better effectiveness of dust control system. It shall be ensured that air pollution level conform to the standards prescribed by the MoEFCC/ Central Pollution Control Board.

**C. Water quality monitoring and preservation**

1. In case, immediate mining scheme envisages intersection of ground water table, then Environmental Clearance shall become operational only after receiving formal clearance from CGWA. In case, mining operation involves intersection of ground water table at a later stage, then PP shall ensure that prior approval from CGWA and MoEFCC is in place before such mining operations. The permission for intersection of ground water table shall essentially be based on detailed hydro-geological study of the area.
2. Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug well located in village should be incorporated to ascertain the impact of mining over ground water table. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board & SEIAA
3. Project Proponent shall regularly monitor and maintain records w.r.t. ground water level and quality in and around the mine lease by establishing a network of existing wells as well as new piezo-meter installations during the mining operation in consultation with Central Ground Water Authority/ State Ground Water Department. The Report on changes in Ground water level and quality shall be submitted on six-monthly basis to the Regional Office of the Ministry, CGWA and State Groundwater Department / State Pollution Control Board.
4. The Project Proponent shall undertake regular monitoring of natural water course/ water resources/ springs and perennial nallahs existing/ flowing in and around the mine lease and maintain its records. The project proponent shall undertake regular monitoring of water quality upstream and downstream of water bodies passing within and nearby/ adjacent to the mine lease and maintain its records. Sufficient number of gullies shall be provided at appropriate places within the lease for management of water. PP shall carryout regular monitoring w.r.t. pH and included the same in monitoring plan. The parameters to be monitored shall include their water quality vis-à-vis suitability for usage as per CPCB criteria and flow rate. It shall be ensured that no obstruction and/ or alteration be made to water bodies during mining operations without justification and prior approval of MoEFCC. The monitoring of water courses/ bodies existing in lease area shall be carried out four times in a year viz. pre-monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the record of monitored data may be sent regularly to Regional Office, MOEFCC, SEIAA, Central Ground Water Authority and Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board. Clearly showing the trend analysis on six-monthly basis.
5. Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines runoff; acid mine drainage and metal contamination in runoff shall be monitored along with Total Suspended Solids (TDS), Dissolved Oxygen (DO), pH and Total Suspended Solids (TSS). The monitored data shall be uploaded on the website of the company as well as displayed at the project site in public domain, on a display board, at a suitable location near the main gate of the Company. The circular No. J- 20012/1/2006-IA.II (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change may also be referred in this regard.
6. Project Proponent shall plan, develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area in consultation with Central Ground Water Board/ State Groundwater Department. A report on amount of water recharged needs to be submitted to Regional Office MoEFCC & SEIAA annually.
7. Industrial waste water (workshop and waste water from the mine) should be properly collected and treated so as to conform to the notified standards prescribed from time to time. The standards shall be prescribed through Consent to Operate (CTO) issued by concerned State Pollution Control Board (SPCB). The workshop effluent shall be treated after its initial passage through Oil and grease trap.
8. The water balance/water auditing shall be carried out and measure for reducing the consumption of water shall be taken up and reported to the Regional Office of the MoEF&CC, SEIAA and State Pollution Control Board/Committee.

**D. Noise and vibration monitoring and prevention**

1. The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
2. The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day /night hours.
3. The Project Proponent shall take measures for control of noise levels below 85 dBA in the work environment. The workers engaged in operations of HEMM, etc. should be provided with ear plugs /muffs. All personnel including laborers working in dusty areas shall be provided with protective respiratory devices along with adequate training, awareness and information on safety and health aspects. The PP shall be held responsible in case it has been found that workers/ personals/ laborers are working without personal protective equipment.

**E. Mining plan**

1. The Project Proponent shall adhere to the working parameters of mining plan which was submitted at the time of EC appraisal wherein year-wise plan was mentioned for total excavation i.e. quantum of mineral, waste, over burden, inter burden and top soil etc. No change in basic mining proposal like mining technology, total excavation, mineral & waste production, lease area and scope of working (viz. method of mining, overburden & dump management, O.B & dump mining, mineral transportation mode, ultimate depth of mining etc.) shall not be carried out without prior approval of the SEIAA, which entail adverse environmental impacts, even if it is a part of approved mining plan modified after grant of EC or granted by State Govt. in the form of Short Term Permit (STP), Query license or any other name.
2. The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology/Department of Industries as required under the Provision of the MMDR Act, 1957 and Rules/ Guidelines made there under. A copy of approved final mine closure plan shall be submitted within 2 months of the approval of the same from the competent authority to the concerned Regional Office of the Ministry of Environment, Forest and Climate Change & SEIAA for record and verification.
3. The land-use of the mine lease area at various stages of mining scheme as well as at the end-of-life shall be governed as per the approved Mining Plan. The excavation vis-à-vis backfilling in the mine lease area and corresponding afforestation to be raised in the reclaimed area shall be governed as per approved mining plan. PP shall ensure the monitoring and management of rehabilitated areas until the vegetation becomes self-sustaining. The compliance status shall be submitted half-yearly to the concerned Regional Office, MoEFCC & SEIAA.

**F. Land reclamation**

1. The Overburden (O.B.) generated during the mining operations shall be stacked at earmarked OB dump site(s) only and it should not be kept active for a long period of time. The physical parameters of the OB dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by D.G.M.S w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of top soil/OB dumps. The topsoil shall be used for land reclamation and plantation.
2. The reject/waste generated during the mining operations shall be stacked at earmarked waste dump site(s) only. The physical parameters of the waste dumps like height, width and angle of slope shall be governed as per the approved Mining Plan as per the guidelines/circulars issued by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of waste dumps.
3. The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan.
4. The slope of dumps shall be vegetated in scientific manner with suitable native species to maintain the slope stability, prevent erosion and surface run off. The selection of local species regulates local climatic parameters and help in adaptation of plant species to the microclimate. The gullies formed on slopes should be adequately taken care of as it impacts the overall stability of dumps. The dump mass should be consolidated with the help of dozer/ compactors thereby ensuring proper filling/ leveling of dump mass. In critical areas, use of geo textiles/ geo-membranes / clay liners / Bentonite etc. shall be undertaken for stabilization of the dump.
5. The Project Proponent shall carry out slope stability study in case the dump height is more than 30 meters. The slope stability report shall be submitted to concerned regional office of MoEF&CC & SEIAA.
6. Catch drains, settling tanks and siltation ponds of appropriate size shall be constructed around the mine working, mineral yards and Top Soil/OB/Waste dumps to prevent run off of water and flow of sediments directly into the water bodies (Nallah/ River/ Pond etc.). The collected water should be utilized for watering the mine area, roads, green belt development, plantation etc. The drains/ sedimentation sumps etc. shall be de-silted regularly, particularly after monsoon season, and maintained properly.
7. Check dams of appropriate size, gradient and length shall be constructed around mine pit and OB dumps to prevent storm run-off and sediment flow into adjoining water bodies. A safety margin of 50% shall be kept for designing of sump structures over and above peak rainfall (based on 50 years data) and maximum discharge in the mine and its adjoining area which shall also help in providing adequate retention time period thereby allowing proper settling of sediments/ silt material. The sedimentation pits/ sumps shall be constructed at the corners of the garland drains.
8. The top soil, if any, shall temporarily be stored at earmarked site(s) within the mine lease only and should not be kept unutilized for long. The physical parameters of the top soil dumps like height, width and angle of slope shall be governed as per the approved Mining Plan and as per the guidelines framed by DGMS w.r.t. safety in mining operations shall be strictly adhered to maintain the stability of dumps. The topsoil shall be used for land reclamation and plantation purpose.

9. The mining lease holders shall, after ceasing mining operations, undertake re-grassing the mining area and any other area which may have been disturbed due to their mining activities and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.

#### **G. Transportation**

1. No Transportation of the minerals shall be allowed in case of roads passing through villages/ habitations. In such cases, PP shall construct a bypass road for the purpose of transportation of the minerals leaving an adequate gap (say at least 200 meters) so that the adverse impact of sound and dust along with chances of accidents could be mitigated. All costs resulting from widening and strengthening of existing public road network shall be borne by the PP in consultation with nodal State Govt. Department. Transportation of minerals through road movement in case of existing village/ rural roads shall be allowed in consultation with nodal State Govt. Department only after required strengthening such that the carrying capacity of roads is increased to handle the traffic load. The pollution due to transportation load on the environment will be effectively controlled and water sprinkling will also be done regularly. Vehicular emissions shall be kept under control and regularly monitored. Project should obtain Pollution Under Control (PUC) certificate for all the vehicles from authorized pollution testing centers.
2. The Main haulage road within the mine lease should be provided with a permanent water sprinkling arrangement for dust suppression. Other roads within the mine lease should be wetted regularly with tanker-mounted water sprinkling system. The other areas of dust generation like crushing zone, material transfer points, material yards etc. should invariably be provided with dust suppression arrangements. The air pollution control equipments like bag filters, vacuum suction hoods, dry fogging system etc. shall be installed at Crushers, belt-conveyors and other areas prone to air pollution. The belt conveyor should be fully covered to avoid generation of dust while transportation. PP shall take necessary measures to avoid generation of fugitive dust emissions.

#### **H. Green Belt**

1. The Project Proponent shall develop greenbelt in 7.5 m wide safety zone all along the mine lease boundary as per the guidelines of CPCB in order to arrest pollution emanating from mining operations within the lease. The whole Green belt shall be developed within first 5 years starting from windward side of the active mining area. The development of greenbelt shall be governed as per the EC granted by the SEIAA irrespective of the stipulation made in approved mine plan.
2. The Project Proponent shall carryout plantation/ afforestation in backfilled and reclaimed area of mining lease, around water body, along the roadsides, in community areas etc. by planting the native species in consultation with the State Forest Department/ Agriculture Department/ Rural development department/ Tribal Welfare Department/ Gram Panchayat such that only those species be selected which are of use to the local people. The CPCB guidelines in this respect shall also be adhered. The density of the trees should be around 2500 saplings per Hectare. Adequate budgetary provision shall be made for protection and care of trees.
3. The Project Proponent shall make necessary alternative arrangements for livestock feed by developing grazing land with a view to compensate those areas which are coming within the mine lease. The development of such grazing land shall be done in consultation with the State Government. In this regard, Project Proponent should essentially implement the directions of the Hon'ble Supreme Court with regard to acquisition of grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded/ protected against felling and plantation of such trees should be promoted.
4. The Project Proponent shall undertake all precautionary measures for conservation and protection of endangered flora and fauna and Schedule-I species during mining operation. A Wildlife Conservation Plan shall be prepared for the same clearly delineating action to be taken for conservation of flora and fauna. The Plan shall be approved by Chief Wild Life Warden of the State Govt.
5. And implemented in consultation with the State Forest and Wildlife Department. A copy of Wildlife Conservation Plan and its implementation status (annual) shall be submitted to the Regional Office of the Ministry & SEIAA

#### **I. Public hearing and human health issues**

1. The Project Proponent shall appoint an Occupational Health Specialist for Regular as well as Periodical medical examination of the workers engaged in the mining activities, as per the DGMS guidelines. The records shall be maintained properly. PP shall also carryout Occupational health check-ups in respect of workers which are having ailments like BP, diabetes, habitual smoking, etc. The check-ups shall be undertaken once in six months and necessary remedial/ preventive measures be taken. A status report on the same may be sent to MoEFCC Regional Office, SEIAA and DGMS on half-yearly basis.
2. The Project Proponent must demonstrate commitment to work towards 'Zero Harm' from their mining activities and carry out Health Risk Assessment (HRA) for identification workplace hazards and assess their potential risks to health and determine appropriate control measures to protect the health and wellbeing of workers and nearby community. The proponent shall maintain accurate and systematic records of the HRA. The HRA for neighbourhood has to focus on Public Health Problems like Malaria, Tuberculosis, HIV, Anaemia, Diarrhoea in children under five, respiratory infections due to bio mass cooking. The proponent shall also create awareness and educate the nearby community and workers for Sanitation, Personal Hygiene, Hand washing, not to defecate in open, Women Health and Hygiene (Providing Sanitary Napkins), hazard of tobacco and alcohol use. The Proponent shall carryout base line HRA for all the category of workers and thereafter every five years.
3. The Proponent shall carry out Occupational health surveillance which be a part of HRA and include Biological Monitoring where practical and feasible, and the tests and investigations relevant to the exposure (e.g. for Dust a X-Ray chest; For Noise Audiometric; for Lead Exposure Blood Lead, For Welders Full Ophthalmologic Assessment; for Manganese Miners a complete Neurological Assessment by a Certified Neurologist, and Manganese (Mn) Estimation in Blood; For Inorganic Chromium- Fortnightly skin inspection of hands and forearms by a responsible person. Except routine tests all tests would be carried out in a Lab accredited by NABH. Records of Health Surveillance must be kept for 30 years, including the results of and the records of Physical examination and tests. The record of exposure due to materials like Asbestos,

Hard Rock Mining, Silica, Gold, Kaolin, Aluminium, Iron, Manganese, Chromium, Lead, Uranium need to be handed over to the Mining Department of the State in case the life of the mine is less than 30 years. It would be obligatory for the State Mines Departments to make arrangements for the safe and secure storage of the records including X-Ray. Only conventional X-Ray will be accepted for record purposes and not the digital one). X-Ray must meet ILO criteria (17 × 14 inches and of good quality).

4. The Proponent shall maintained a record of performance indicators for workers which includes (a) there should not be a significant decline in their Body Mass Index and it should stay between 18.5 -24.9, (b) the Final Chest X-Ray compared with the base line X-Ray should not show any capacities ,(c) At the end of their leaving job there should be no Diminution in their Lung Functions Forced Expiratory Volume in one second (FEV1),Forced Vital Capacity (FVC), and the ratio) unless they are smokers which has to be adjusted, and the effect of age, (d) their hearing should not be affected. As a proof an Audiogram (first and last need to be presented), (e) they should not have developed any Persistent Back Pain, Neck Pain, and the movement of their Hip, Knee and other joints should have normal range of movement, (f) they should not have suffered loss of any body part. The record of the same should be submitted to the Regional Office, MoEFCC & SEIAA annually along with details of the relief and compensation paid to workers having above indications.
5. The Project Proponent shall ensure that Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
6. Project Proponent shall make provision for the housing for workers/labours or shall construct labour camps within/outside (company owned land) with necessary basic infrastructure/ facilities like fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche for kids etc. The housing may be provided in the form of temporary structures which can be removed after the completion of the project related infrastructure. The domestic waste water should be treated with STP in order to avoid contamination of underground water.
7. The activities proposed in Action plan prepared for addressing the issues raised during the Public Hearing shall be completed as per the budgetary provisions mentioned in the Action Plan and within the stipulated time frame. The Status Report on implementation of Action Plan shall be submitted to the concerned Regional Office of the Ministry, SEIAA along with District Administration.

#### J. Corporate Environment Responsibility (CER)

1. The activities and budget earmarked for Corporate Environmental Responsibility (CER) as per Ministry's O.M No 22-65/2017-IA. II (M) dated 01.05.2018 or as proposed by EAC should be kept in a separate bank account. The activities proposed for CER shall be implemented in a time bound manner and annual report of implementation of the same along with documentary proof viz. photographs, purchase documents, latitude & longitude of infrastructure developed & road constructed needs to be submitted to Regional Office MoEF&CC & SEIAA annually along with audited statement.
2. Project Proponent shall keep the funds earmarked for environmental protection measures in a separate account and refrain from diverting the same for other purposes. The Year wise expenditure of such funds should be reported to the MoEFCC and its concerned Regional Office & SEIAA.

#### K. Miscellaneous

1. The Project Proponent shall prepare digital map (land use & land cover) of the entire lease area once in five years purpose of monitoring land use pattern and submit a report to concerned Regional Office of the MoEFCC & SEIAA
2. The Project Authorities should inform to the Regional Office & SEIAA regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
3. The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEFCC & its concerned Regional Office, SEIAA, Central Pollution Control Board and State Pollution Control Board.
4. A separate 'Environmental Management Cell' with suitable qualified manpower should be set-up under the control of a Senior Executive. The Senior Executive shall directly report to Head of the Organization. Adequate number of qualified Environmental Scientists and Mining Engineers shall be appointed and submit a report to RO, MoEFCC & SEIAA.
5. The concerned Regional Office of the MoEFCC shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEFCC officer(s) & competent Authority by furnishing the requisite data / information / monitoring reports.

#### L. Additional Conditions

1. The capital cost (@ Rs. 4.00 lacs per ≤ ha.) under CER, shall be deposited in HDFC Saving Bank Account No. 50100626488752, IFSC: HDFC0006405, office of EC Monitoring Cell, DEST&CC, GOHP. The Director (DEST&CC) may devise a plan for this purpose in consultation with project proponent.
2. The project proponent shall provide one plastic waste shredder machine to DEST& CC, Shimla within one month from the date of issuance of EC letter, for further distribution under CER. The machines will be purchased from authorised/ approved sources and CMC/AMC will be assured with supplier for at least three years from date of installation. The Project proponent shall be responsible for functioning of the machines. The size of the shredded plastic shall be less than 2.36 mm. Technical specifications of the plastic waste shredder are as under:

Plastic Waste Shredder specifications (250Kg/Hr.)	
PARAMETER	SPECIFICATION
Mechanism type	Double shaft with rotating blades
Application	Shredding of RDF waste (Plastic bags, polythene, rags, leather, rubber etc. found in the Municipal Waste)
Shredder capacity	250-300 Kg/hr
Machine Size	Height- 4.5 ft, Length- Any & Width- Any.
Blade MOC	WP 45/ENOS (Harden)
Minimum height of hook above shaft &	70-SOmm

disc	
Output shredded material size	<2.36 mm
Working chamber	300mm X 380 mm
Motor HP	7.5HP
Total motor	1 Nos.
RPM of shafts	30-40
Motor make	Havells/ Crompton
Motor rating	IE2
Total gearbox	1Nos.
Hopper size	500mm X 350mm
Structure & cover & Hopper MOC	MS with paint
Extra features	Cladding total body
Supply	3 Phase 440V- 50Hz.
Panel	
Panel function	Overload Protection, Short Circuit protection, Tower light, Limit switch for safety (when machine front cover open machine to stop working)
Warranty	
Duration	12 months or more
Scope under warranty	All the spares & repair work including labor

3. The project proponent shall sensitize and create awareness among people working within the project area as well as its surrounding area on the ban of SUP in order to ensure the compliance of Notification published by MoEF&CC on 12/08/2021. A report, along with photographs, on the measures taken shall also be included in the six monthly compliance report being submitted by the project proponents.
4. The project proponent, before start of mining operations, shall install CCTV cameras on the mining site covering all angles of mining site including entry & exit points. These cameras shall be theft and tamper proof. Where electricity/power is not available solar energy based cameras shall be installed with adequate battery backups. Date-wise video records w.r.t. CCTV camera shall be hosted & stored online and online portal link shall be shared with the office of Director-cum-Member Secretary, HPSEIAA through official e-mail: dbt-hp@nic.in.
5. Plantation of saplings shall be carried out in the earmarked 33% greenbelt area as a part of the tree plantation campaign "Ek Ped Ma Ke Naam" and the details of the same shall be uploaded in the MerilIFE Portal (<https://merilife.nic.in>).
6. The project proponent shall ensure that mining is carried out strictly in accordance with the approved mining plan failing which strict action under Environment (Protection) Act, 1986 will be initiated against the proponent and environmental compensation shall be imposed as per orders of Hon'ble NGT dated 19.02.2019 in the matter of OA No. 593/2017 (W.P.) (Civil) No. 375/2012).
7. The Department of Industries, Himachal Pradesh shall ensure that the mining is carried out strictly as per the Terms & Conditions of the Environment Clearance.
8. The Geological Wing of the Department of Industries, Himachal Pradesh and Project proponent shall ensure that the mining outside the riverbed on Patta Land/ Khatedari Land be granted when there is possibility of replenishment of material. In case, there is no replenishment then mining lease shall only be granted when there is no riverbed mining possibility within 5 KM of the Patta Land/ Khatedari land.
9. The Midterm review of hill slope mining activity shall be undertaken in case of any deviation from terms and conditions of EC/ Mining plan the EC shall be withdrawn along with environmental compensation imposed as per orders of Hon'ble NGT dated 19.02.2019 in the matter of OA No. 593/2017 (W.P.) (Civil) No. 375/2012).
10. The project proponent will ensure that no harm to the adjoining land or environmental degradation is caused due to mining activities and the mining activities are undertaken strictly as per approved mining plan.
11. This Environmental Clearance shall become operational only after receiving formal Forest Clearance (FC) under the provision of Forest Conservation Act, 1980, if applicable to the Project.
12. The project proponent shall ensure that the mining activity is carried out after leaving the required buffer zone and distance from existing habitation/village. Measures will be taken to protect the nearby habitation from noise, water and air pollution.

**Member Secretary**  
State Level Environment Impact Assessment Authority  
Himachal Pradesh

Endst. No. As Above.

Copy to following for further necessary action:

1. The Secretary (Environment), Ministry of Environment, Forests & Climate Change (MoEF&CC), Gol, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003 .
2. The Chairman, Central Pollution Control Board, Him Parivesh Bhawan, CBD-cum-office Complex, East Arjun Nagar, New Delhi-110032.
3. The Chairman, Himachal Pradesh State Pollution Control Board, Shimla-171009.
4. The Director (Environment, Science & Technology) to the GoHP, Shimla-171001.
5. The Adviser (IA), MoEF&CC, Gol, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003.

6.	The Integrated Regional Office, MoEF&CC, CGO Complex, Shivalik Khand, Longwood, Shimla, HP-171001.
7.	The Monitoring Cell, MoEF&CC,GoI, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003
8.	Record File.

The project proponent shall submit and create a document along with the working plan for the project area as well as its surrounding area to the best of their ability in order to ensure the compliance of the conditions stipulated by MoEF&CC on 12/01/2023. A report along with photographs on the measures taken shall also be submitted to the concerned authorities for their review and approval of the project proponent.

The project proponent shall submit a detailed plan of mining operations, including details of mining sites, mining equipment, and other relevant information. The plan shall also include details of the proposed road network, including the location, width, and construction details of the roads. The plan shall also include details of the proposed water supply system, including the location, capacity, and construction details of the water supply system.

The project proponent shall submit a detailed plan of the proposed road network, including the location, width, and construction details of the roads. The plan shall also include details of the proposed water supply system, including the location, capacity, and construction details of the water supply system.

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Member Secretary  
 State/Union Environment/Forest Department Authority  
 HP/India/Forest

Validity unknown  
 Digitally signed by: Sh. D.C. Rana  
 Designation: Member Secretary  
 Date and Time: 04/03/2025 4:36:42 PM



## H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

HPSPCB No : 175

Date: 22/12/2025

Industry Registration ID: 10597

Application No : 16702860

To,

**Mahalaxmi Stone Crusher**  
**Vill. Bair Kanhwal P.O. Tilly Tehsil Sadar Distt Mandi HP**  
**mandi**  
**Mandi**  
**175001**

**Subject: Renewal of 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981.**

With reference to your application for obtaining Renewal of 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby, authorized to operate an industrial unit subject to the Terms and Conditions as mentioned in this Consent letter.

### 1.Particulars of Consent to Operate under the Water Act, 1974 and Air Act, 1981 granted to the industry

Consent No.	CTO/BOTH/RENEW/RL/2025/16702860
Consent valid from:	22/12/2025
Consent valid upto:	07/08/2028
Certificate Type :	RENEW
Previous CTE/CTO No. & Validity :	

### 2. Particulars of the Industry

Name & Designation of the Applicant	LACHHAMI DEVI, (Proprietor)
Address of Industrial premises	Mahalaxmi Stone Crusher, Vill. Bair Kanhwal P.O. Tilly Tehsil Sadar Distt Mandi HP, mandi, Mandi-175001
Capital Investment of the Industry	18.0 lakhs
Category of Industry	Red
Type of Industry	2.1-Mining lease area more than 5 hectares or Mining lease area up to 5 hectares which is part of cluster mining
Scale of the Industry	Micro
Office District	Mandi
Capacity	

Raw Materials (Name with quantity per day)

Raw Materials	Quantiry	Unit
Minor Mineral from lease area	15000 out of 52659 MT/yr approved quantity in EC	M.T./Year

## Products (Name with quantity per day)

Name of Products	Unit	Quantity	Intermediate Product	Principal Use
Agreegate and Sand	M.T./Year	15000	Nil	Construction Activities

## Details of the Effluent Treatment Plant

Type of Effluent	Capacity	Quantity
Septic Tank	22.24 KL	0.864 KLD

## Mode of Disposal

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Domestic	0.864	Soak Pit/Septic Tank	Soak Pit/Septic Tank

## Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.

Type	No.of Boiler/'Heater /Evaporator/Incinerator/DG Set/Other	Capacity	Type of Boiler/'Heaters/Evaporators/Incinerator/DG Sets/Others	Type of Fuel	Fuel consumption rate in MT/hour or KL/hour or M3 /hour
DG Sets	N/A	N/A	N/A	N/A	N/A
Others	1	NA	Jaw Crusher	Electricity	Approx. 15 Units/day

## Type of Air Pollution Control Devices installed

Equipment Type	Equipment Name	Date/proposed date of installation	Efficiency(%reduction)	Final concentration of pollution being emitted
Wind breaking wall, Covered jaw cruhser and conveyer belts, water sprinklers, metaled road, plantation, Dust bag filter followed by cyclone, CCTV cameras etc.	Others	2025-01-01	Approx. 90 %	SPM<600 Micrograms per cubic meter



**Approved By**  
**Member Secretary**  
**( H. P. State Pollution Control Board)**

**Endst. No.:**

Copy To:-

Regional Officer, HPSPCB, Mandi for information and shall ensure the operation of the unit as per consent and with adequate PCDs.



PARVEEN | Digitally signed by  
CHANDER | PARVEEN  
GUPTA | CHANDER GUPTA  
Date: 2025.12.31  
12:31:11 +05'30'

**Dr. Parveen Chander Gupta**  
**Member Secretary**  
**For & on behalf of**  
**( H. P. State Pollution Control Board)**

## TERMS AND CONDITIONS

### A. SPECIFIC CONDITIONS

1. This 'Renewal of Consent to Operate' is only for the purpose and under the provision of Water Act, 1974 and Air Act, 1981 as the case may be, and will not construed as substitute for mandatory clearances required for the project under any other law/regulation/direction/order and the applicant shall obtain any such mandatory clearance before taking any steps to establish industry/ industrial plant, operation or process or any treatment and disposal system or an extension or addition thereto.
2. Nothing in this Consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected to under this or any other Act.
3. The unit shall apply for further renewal/extension in the validity of the Consent, before the expiry of this 'Renewal of Consent to Operate'.
4.
  - i) The unit shall ensure compliance of Waste Management Rules i.e. Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016/ Plastic Waste Management Rules, 2016/ E-Waste (Management) Rules, 2016/Construction & Demolition Waste Management Rules, 2016 and Manufacture, Storage & Import of Hazardous Chemical Rules, 1989 and provisions made thereunder, as amended from time to time, without any adverse effect on the environment, in any manner (As Applicable).
  - ii) The unit shall made provisions for the compliance Solid Waste Management Rules, 2016 and provisions made thereunder and unit shall also not practice burning activity of solid waste/waste generated from fuel within/outside premises, to avoid public nuisance.
5. This 'Renewal of Consent to Operate' is for:-
  - i) The emissions from all sources conforming to the norms as prescribed in Schedule-I of Environment (Protection) Rules, 1986 as amended from time to time.
  - ii) Noise and Ambient Air Quality shall be maintained within Ambient Air Quality Standards for noise as specified in Schedule-III of Environment (Protection) Rules, 1986 and Noise Pollution (Regulation and Control) Rules, 2000, as amended from time to time.
  - iii) The effluent (Domestic/Industrial) shall conform to the limits as prescribed in Schedule-I or Schedule-VI or Industry specific standards of Environment (Protection) Rules, 1986 as amended from time to time.
  - iv) Sewage and sullage generated from the unit to be disposed-off in a properly designed septic tank system/Sewage Treatment Plant/ Public Sewer System (as applicable).
6. The unit shall ensure regular operation and maintenance of Pollution Control Devices to achieve the norms as prescribed in Environment (Protection) Act, 1986 and the achievement of the adequacy and efficiency of the effluent treatment plant/pollution control devices/re-circulation system installed shall be the entire responsibility of the unit.
7. The unit shall ensure regular operation and maintenance of separate energy meter/flow meter for running pollution control devices and shall also maintain record with respect to operation of air pollution control device/effluent treatment plant, so as to the satisfy the Board regarding the regular operation of air pollution control device/effluent treatment plant and shall maintain log book for the monthly reading / record.
8. **CONDITIONS UNDER WATER (PREVENTION & CONTROL OF POLLUTION) ACT, 1974.**
  - a) The unit shall maintain the record regarding the daily water consumption as per flow meter installed.
  - b) The unit shall ensure that terminal manhole(s) at the end of each collection system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.

- c) The pollution control devices shall be interlocked with the manufacturing process of the industry (if applicable) and the authorized outlet and mode of disposal shall not be changed without the prior written permission of the Board. Unit shall not use any unauthorized out-let(s) for discharging effluents from its premises.
  - d) Solids, sludge, filter backwash or other pollutant removed from or resulting from treatment or control of waste waters shall be disposed-off in scientific manner.
9. **CONDITIONS UNDER AIR (PREVENTION & CONTROL OF POLLUTION) ACT, 1981.**
- a) The unit shall ensure port-holes, platforms and/or other necessary facilities as may be required for collecting samples of emissions from any chimney, flue or duct or any other outlets as per the specifications.
  - b) The unit shall discharge air emissions through a stack of minimum height as specified in 'Consent to Establish' and shall follow standards laid down from time to time.
  - c) For industrial furnaces and kilns, the criteria for selection of stack height would be based on fuel used for the corresponding steam generation & as per specification.
  - d) Unit shall ensure Stack height for diesel generating sets as per specification.
  - e) The unit shall ensure regular operation and maintenance of installed canopy and stack of the D.G sets so as to control the noise & air pollution in order to comply with the provision of notification No GSR-371 E dated 17-5-2002 or direction as issued by MOEF from time to time, under Environment (Protection) Act, 1986.
  - f) The unit shall ensure disposal of boiler ash/fuel ash through authorized person or within premises in a scientific manner (as the case may be) and shall maintain proper record for the same, if applicable.
  - g) The unit shall ensure regular operation and maintenance of air pollution control arrangements for control emission from its coal/fuel handling area and from handling, transportation and processing of raw material & product of the industry.
- 10. The unit shall ensure valid and approved on-site and off-site emergency plan, approved by the Chief Inspector of Factories, Himachal Pradesh (If applicable).
  - 11. The unit shall ensure regular operation and maintenance of real time online monitoring equipment's and provisions for the un-interrupted transfer of data as per guidelines of CPCB (if applicable).
  - 12. The unit shall provide adequate arrangements for fighting the accidental leakages/ discharge of any air pollutant/gas/liquids from the vessels, mechanical equipment's etc. which are likely to cause environmental pollution.
  - 13. The unit shall plant & maintain minimum three layer of trees so far possible as per plantation guide (may be download from the website <http://hppcb.nic.in/plantationguide.pdf>) all along the boundary of the industrial premises and check air/water/noise pollution at source.
  - 14. Any guidelines issued by the Central Government/State Government/MoEF/CPCB/SPCB/any other authority concerned, shall be binding.
  - 15. This 'Renewal of Consent to Operate' is subject to orders on any litigation pending in any Court of Law. Any direction/order issued by any court shall be binding (if any).
  - 16. The Board reserves the right to revoke the 'Renewal of Consent to Operate' granted to the industry at any time, in case the industry is found violating the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as amended from time to time.
  - 17. The unit shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.
- B. OTHER CONDITIONS**
- 1. The unit shall comply with the conditions imposed by the MoEF/State Level Environment Impact Assessment Authority/ District Level Environment Impact Assessment Authority in the environmental clearance granted to it as required under EIA notification dated 14-9-06, if applicable.

2. The issuance of this consent does not convey any property right in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or Local Laws or Regulations.
3. Stone Crusher units shall comply with the provisions of guidelines notified by the State Government vide Notification No. STE-E(3)-11/2012, dated 29-05-2014 (If Applicable).
4. Brick Kiln units shall comply with the provisions of guidelines notified by the MoEF vide Notification No. G.S.R.233.(E), dated-15-03-2018 and by the State Government vide Notification No. STE-E(5)-6/2013, dated-07-03-2014 (If Applicable).
5. Hydroelectric Projects shall install Online Real Time Monitoring System for the measurement of 15% of minimum discharge in lean season as per orders of Court/Government. The unit shall also ensure provisions for the regular and uninterrupted transfer of data from the real time online monitoring system for 15% of minimum discharge of flow to SPCB, failing which unit shall be liable for action on account of violation of the directions issued by Court/Government/SPCB in this regard (If Applicable).
6. Unit shall strictly adhere to the capacity approved by the Industries Department/ Department of Tourism & Civil Aviation/any other concerned Authority (As Applicable).
7. The unit shall not cause any nuisance/traffic hazard in vicinity of the area.
8. The unit shall ensure that there will not be significant visible dust emissions beyond the property line.
9. The unit shall obtain and submit Insurance cover as required under the Public Liability Insurance Act, 1991.
10. Unit shall submit all the annual/quarterly returns, as per timeline.
11. The industry shall submit a yearly certificate to the effect that no addition/up-gradation/modification/ modernization has been carried out during the previous year otherwise the industry shall apply for the varied consent.
12. The unit shall maintain record regarding the operation of effluent treatment plant i.e. record of quantity of chemicals and energy utilized for treatment and sludge generated from treatment so as to satisfy the Board regarding regular and proper operation of pollution control equipment.
13. Any amendments/revisions made by the Board/CPCB/MOEF in the emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.
14. The validity of this consent shall be coterminous with the life of the industry or the maximum period as mentioned in the certificate, whichever is earlier.

**C. SPECIAL CONDITIONS**

1. Unit shall ensure compliance to the notified guidelines of DEST.
2. Unit shall ensure compliance to notified guidelines of CPCB.



**By Order**  
**Member Secretary**  
**( H. P. State Pollution Control Board)**

Copy of Judgment/Award/Order dt.  
 Passed in case CMA No. \_\_\_\_\_ Reg. No. 838/2024  
 Inst. on. 05.07.2024 Fixed/Decided on. 14.08.2024  
 Titled as Lachmi Devi Vs. Netar Singh  
 Passed by the Ld. Sr. Civil Judge Court No. I Mandi (H.P.)

CNR No. HPM03-001261-2024, CIS Registration No. 838 of 2024, CIS Case  
 Type: CMA, CIS Case Year: 2024.

**IN THE COURT OF GEETIKA KAPILA, SENIOR CIVIL  
 JUDGE, COURT NO. 1, MANDI, DISTRICT MANDI, H.P.**

CNR No. : HPM03-001261-2024  
 Registration No. : 838 of 2024  
 CMA No. : 129-VI/24  
 Date of Institution : 05.07.2024  
 Date of Decision : **14.08.2024.**

**In the matter of:**

1. Lachmi Devi @ Laxmi Devi Wd/o Late Sh. Chattar Singh R/o Village Bayar, P.O. Tilli, Tehsil Sadar, Distt. Mandi, H.P., aged 77 years.
  2. Rajesh Kumar S/o Late Sh. Chattar Singh R/o Village Bayar, P.O. Tilli, Tehsil Sadar, Distt. Mandi, H.P., aged 45 years, Special Power of Attorney Holder of plaintiff No.1.
- ...Applicants.

**Versus**

1. Netar Singh
  2. Ishwar Singh,
- Both sons of Late Sh. Baman Singh R/o Village Bayar, P.O. Tilli, Tehsil Sadar, Distt. Mandi, H.P.

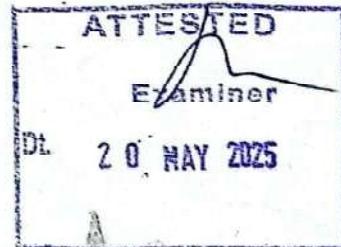
...Respondents.

**Application under Order 39 Rules 1 & 2 CPC.**

**Counsel:-**

For the Applicants : Sh. Akhilesh Thakur, Ld.  
 Advocate.

For the Respondents : Sh. Naresh Sharma, Ld.  
 Advocate.



Senior Civil Judge  
 Court No.-1, Mandi (H.P.)

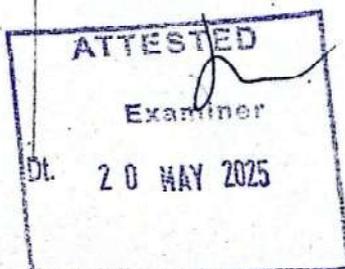
CNR No.HPMA03-001261-2024, CIS Registration No.838 of 2024, CIS Case  
Type: CMA, CIS Case Year : 2024.

**ORDER**

This order shall dispose of an application filed under Order 39 Rule 1 and 2 of CPC filed by the plaintiffs (hereinafter referred to as the applicants) for restraining the defendants (hereinafter referred to as the respondents) from forcibly dispossessing the applicants from the portion of the suit land depicted as 645/639/1 in lease deed, affidavit and tatima and from interfering with the possession of applicants over this portion of suit land falling under Khata Khatauni No. 22/35 Khasra No. 645/639, as per jamabandi for the year 1998-99, which portion now comprises under Khata Khatauni No. 29/38 Khasra No. 820/645/639 Muhal Bayar, Tehsil Sadar, Distt. Mandi, H.P. in the jamabandi for the year 2018-19.

2. Briefly stated the facts of the application are that the applicant no.1 is in possession of portion of suit land comprised in Khata-Khatauni No. 22/35 Khasra No. 645/639 measuring 8-16-02 bighas, as per jamabandi for the year 1998-1999 bighas, situated at Muhal Bayar, Tehsil Sadar, Distt. Mandi, H.P. on the basis of lease for an agreed period of 20 years, since 05.04.2005. The said lease agreement was entered upon between Baman Singh S/o Sh. Govardhan, the predecessor-in-interest of the respondents and the applicants on 13.04.2005 depicting agreed portion of suit land which was put in the possession of the applicant. The portion was tentatively marked as 645/639/1 and it measured 3-9-0 bighas. It has been averred that late Sh. Baman Singh authorized the applicant to install a crusher on the said portion and had executed an affidavit on 05.04.2005 to this effect original of which was submitted to the authorities, however photocopy of same with tatima is

  
Senior Civil Judge  
Court No.-I, Mandi (H.P.)



CNR No.HPMA03-001261-2024, CIS Registration No.830 of 2024, CIS Case Type: CMA, CIS Case Year : 2024.

attached herewith. It has been averred that suit land was further bifurcated into new Khata Khatauni and Khasra Nos. after 1998-99 and it at present comprises under Khata Khatauni No. 29/38, Khasra No. 820/645/639, Muhal Bayar, Tehsil Sadar, Distt. Mandi, H.P. in the jamabandi for the year 2018-19. It has been averred that based on the affidavit and lease agreement the applicant no.1 had installed a stone crusher under the name of M/s Mahalaxmi Stone Crusher and has employed a number of persons with it on the suit land. It has been averred that agreed rent under the lease agreement was Rs. 50,000/- per year and was Rs. 12 lakhs in total for a period of 20 years. Yearly increase in rent was agreed upon at Rs. 1000 per year. It has been averred that the applicant no.1 has paid all the above amount. And has paid 5-6 times more than the agreed amount. At present the applicant had been paying Rs. 35,000/- p.m. to the respondents, specific details with cheque withdrawals by respondent shave been applied to the Bank and shall be supplied soon, which is again multiple times than what was agreed. Despite that respondents have started creating nuisance and are trying to stall the work of the applicants on the above said portion of suit land. On 27.06.2024, the respondents entered upon the land in lawful possession of the applicants, misbehaved and threatened the workers on the site and threatened to dispossess illegally the applicants from the suit land. It has been averred that the applicant no.1 is an old lady and due to old age she has appointed her son the special power of attorney to institute the present suit and do all the incidental works as mentioned in the SPA. The applicant no.2 is conversant with all the facts of the case and has personal knowledge about it. It has been averred

Senior Civil Judge  
Court No.-4, Mandi (H.P.)



CNR No.HPMA03-001261-2024, CIS Registration No.838 of 2024, CIS Case Type: CMA, CIS Case Year : 2024.

that equity is in favour of the applicants as they have paid all the agreed amount of lease/rent for 20 years and as the respondents have received multiple times of agreed lease rent and now are estopped from dispossessing the applicants before the expiry of lease period or otherwise than in accordance with law. Hence, the present application. The application is duly supported with an affidavit of Sh. Rajesh Kumar.

3. Notice of this application was resisted by the respondents by filing a reply wherein, it is denied that applicant no.1 is in possession of portion of suit land comprised in Khata Khatauni No. 22/35, Khasra No. 645/639, measuring 8-16-02 bighas, situated at Muhal Bayar, Tehsil Sadar, Distt. Mandi, H.P. on the basis of lease for an agreed period of 20 years since 05.04.2005. However, the respondents are in owner in possession of suit land and the lease deed was registered between the parties on 18.11.2005, but the same was revoked on 20.01.2014 vide cancellation/revocation deed-1 vide Reg. No. 88/2014.

Senior Civil Judge  
Court No. 4, Mandi (H.P.)

Moreover, the lease deed registered between the parties for the land comprised in Khasra No. 645/639/1, measuring 3-9-0 bighas only which was revoked by the predecessor-in-interest of respondents and applicant herself. It is denied that predecessor-in-interest of the respondents put the applicant in possession of land bearing Khasra No. 645/639/1. The lease deed was revoked on 20.01.2014. The averments as to the suit land was further bifurcated into new Khata Khatauni and Khasra Nos. after 1998-99 and it at present comprises under Khata Khatauni No. 29/38, Khasra No. 820/645/639, Muhal Bayar, Tehsil Sadar, Distt. Mandi, H.P. in the jamabandi for the year 2018-19 are matter of



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CMR No. HPMA03-001261-2024, CIS Registration No. 838 of 2024, CIS Case  
Type: CMA, CIS Case Year: 2024.

record, hence needs no reply. The averments as to based on the affidavit and lease agreement the applicant no.1 had installed a stone crusher under the name of M/s Mahalaxmi Stone Crusher and has employed a number of persons with it on the suit land are a matter of record and applicant will be put to strict proof for the same. The amount was agreed in lease deed between the parties is Rs. 24000/- for 20 years and the same lease deed was revoked on 20.01.2014. It is denied that the applicant no.1 has paid all the agreed amount and has paid 6 times more than the agreed amount. It is denied that at present the applicant had been paying Rs. 35000/- p.m. to the respondents. Record is also denied. It is denied that the respondents have started creating nuisance and are trying to stall the work of applicant on the above said portion and on 27.06.2024, the respondents entered upon the land in lawful possession of the applicant, misbehaved and threatened the workers on the site and threatened to dispossess illegally the applicant from the suit land. It is denied that equity is in favour of the applicants as they have paid all the agreed amount of the lease/rent for 20 years and as the respondents have received multiple times of agreed lease rent and now are estopped from dispossessing the applicants before the expiry of lease period or otherwise than in accordance with law. Rest of contests are denied. With these submissions, has prayed that the application be dismissed.

Senior Civil Judge  
Court No. 6 Mandi (H.P.)

4. Rejoinder to the reply filed by the respondents was filed wherein denying the contents of the reply and have reasserted the contents of the application.

5. Heard. Record perused.



-6:-

CNR No.HPMA03-001261-2024, CIS Registration No.838 of 2024, CIS Case Type: CMA, CIS Case Year : 2024.

6. From the perusal of record, it is transpired that the applicant has taken a specific plea that he is in possession on spot on the basis of lease deed and respondents be restrained from dispossessing him.

7. To the contrary, Ld. Counsel for respondent has argued that the lease deed relied upon by the applicants has been cancelled in the year 2014 and as such presently the respondents are in possession on spot. Perusal of record in hand clearly goes to show that one Baman Singh entered into lease deed dt. 13-4-2005 with applicant no.1. It is also pertinent to mention here that Baman was father of respondents and even the revenue record placed on file clearly shows that he was owner of the suit land and as such was entitled to execute a lease deed. Execution of lease deed is not disputed on record however, the respondent has come up with the case that lease deed stands cancelled in the year 2014. Furthermore, it is also evident that cancellation deed is also placed on record which has been executed by Baman only in the year 2014 but it is clear that the documents relied upon by the parties are yet to be established on record in accordance with law after adducing cogent and convincing evidence but at this stage it is clear that a prima facie case exist in favour of applicant because a lease deed was executed in their favour and no doubt a cancellation deed of the year 2014 is placed on record but at the same time certain payments are on record stated to have been done by Mahaluxmi-Stone crusher in favour of Ishwar Singh which shows that amount of Rs 35000/- has been paid repeatedly on numerous occasion which corroborated the averments of applicants only at this stage that they are making payments also and nothing has been

*[Signature]*  
 JUDGE  
 Court No.-1, Mandi (H.P.)



-7:-

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argued on record as to why the payments are being received by respondents. It is also pertinent to mention here that perusal of jamabandi shows that the khasra no. ie 645/639/1 vide mutation no.280 is under the ownership of State of HP whereas the possession over the said khasra no. is of PWD. However, it is evident that the applicant has at this stage even placed on record nakal aks latha, which clearly shows that the possession of applicants is over 820/645/639 and it even gets corroborated to the averment made by applicants in para no.4 of the plaint.

8. For relief of injunction triplicate test of injunction is to be passed and as far as the prima facie case is concerned the same lies in favour of applicants as a lease deed is in their favour and on the basis of same transaction is being made till date and if the lease deed was cancelled as submitted by respondent then there is nothing submitted at this stage that for what reason they are receiving payment from applicants. As far as balance of convenience is concerned, the same also lies in favour of applicants because if cancellation of lease is not genuine then definitely applicants will suffer loss and injury in case the applicants are dispossessed.

9. Basic purpose of granting injunction is to protect the suit property/land till the rights of the parties are completely determined by the court and the right of parties shall be determined by leading cogent and convincing evidence. Both the parties have placed documents on record but they are yet to be established on record. But, at this stage, I am of the opinion that there exist prima facie case in favour of plaintiff/applicant and if the respondents are not restrained from changing the nature of suit land then it is

  
Senior Civil Judge  
Court No.-1, Mandi (H.P.)



CNR No.HPMA03-001261-2024, CIS Registration No.838 of 2024, CIS Case Type: CMA, CIS Case Year : 2024.

the applicant who shall suffer irreparable loss. While deciding this application, I have placed reliance on AIR 1982 Gauhati 69 wherein it has been laid down that:-

*"It is true that the court will not so interfere if it thinks that there is no real question between the parties, but assuming that there is a substantial question to be decided, it will preserve the property until such question can be regularly disposed of. The court should grant the temporary injunction if the effect of not granting such an injunction will be to deprive the plaintiff for ever of the right claimed by him in the suit."*

10. In view of the discussions made above as well as facts and circumstances are concerned, I feel that the applicant has been able to pass triplicate test of prima facie case, balance of convenience and irreparable loss and injury, as such, the prayer of the applicant for injunction deserves to be allowed and accordingly allowed and the applicant and respondents are directed to maintain status quo qua nature, possession from portion of land depicted as 645/639/1 in lease deed now khasra No. 820/645/639 Khata Khatauni No. 29/38, situated at Muhal Bayar, Tehsil Sadar, Distt. Mandi, H.P., till the final disposal of the suit on merits. Accordingly, application is allowed. It stands disposed of. It be registered and after due completion be tagged with the file for record. Accordingly, application is allowed. It stands disposed of. It be registered and after due completion be tagged with the file for record.

  
Senior Civil Judge  
Court No. 4 Mandi (H.P.)



CNR No.HPMA03-001261-2024, CIS Registration No.838 of 2024, CIS Case Type: CMA, CIS Case Year : 2024.

11. Before parting with the orders, it is made clear that the opinion made herein shall have no bearing over the merits of the case.

Announced and signed in the open Court today on this 14<sup>th</sup> day of August, 2024.



(Geetika Kapila)  
Senior Civil Judge, Court No.1,  
Mandi, Himachal Pradesh, H.P.

2024, CIS-Case

White  
MR

- a) The number of the application in the register in form Annexure-B 3928
- b) The date of presentation of the application for a copy: 09.05.2025
- c) The name of the copyist: Sanjay
- d) The date on which the copy was completed: 20.05.2025
- e) The date on which the copy was examined: 20.05.2025
- f) The date on which the copy was attested: 20.05.2025
- g) Purpose for which the copy is applied for: Proof
- h) The number of words or pages: 19
- i) 1. The cost of the copy as prescribed in the schedule annexed to these rules: 18
- 2. Urgent fee :
- 3. Search fee :
- 4. Date of delivery : 20-05-2025

Certified to be a true copy

Superintendent  
Court of the Senior Civil Judge-cum-ACJM  
Court No.-1, Mandi Himachal Pradesh  
Authorised under Section 76 of the  
Indian Evidence Act 1971.

20.05.2025

(52)

No. Ind-Bhu (Regd) Mandi-Mahalaxmi St. Cr.-  
Government of Himachal Pradesh  
Department of Industries  
"Geological Wing"  
Dated, Shimla-171001

3148  
2024/11/3/24

**Order**

In reference to this office letter of even No. 2651 dated 07.06.2023, vide which the permission to lift and use about 34159 MT of auctioned material was granted to M/s Mahalaxmi Stone Crusher Prop. Smt. Lachhmi Devi, Village Bair, P.O. Tilly, Tehsil Sadar, Distt. Mandi, H.P. after recommendations of the Joint Inspection Committee.

Now, the Mining Officer, Mandi, vide letter No. MO/MDI/Stone Crusher data/2023-24-5920 dated 04.03.2024 has reported that the applicant has consumed only 23208 MT of material out of granted permission of 34159 MT of material. As such permission to lift and use about 10951 MT of balance material is hereby granted for a period of three months or till the material is exhausted, whichever is earlier in favour of M/s Mahalaxmi Stone Crusher Prop. Smt. Lachhmi Devi, Village Bair, P.O. Tilly, Tehsil Sadar, Distt. Mandi, H.P. after completing all codal formalities and conditions as stipulated earlier.

Smt. Lachhmi Devi,  
Prop. M/s Mahalaxmi Stone Crusher,  
Village Bair, P.O. Tilly, Tehsil Sadar,  
Distt. Mandi, H.P.

Endst. No. Ind-Bhu (Regd) Mandi-Mahalaxmi St. Cr.-14/23

Copy to:-

(Signature)

Director of Industries  
Himachal Pradesh  
Dated 11/3/2024.

1. The Mining Officer, Mandi, Distt. Mandi, H.P. w.r.t. his letter referred to above for information and necessary action.
2. The Assistant Engineer, HPPWD, Division No. 2, Mandi, Distt. Mandi, H.P. w.r.t. joint inspection report dated 01.06.2022 for information please.

Sh. Manoj  
Bandyopadhyay  
11/3/2024

(Signature)

Director of Industries  
Himachal Pradesh



**H.P. STATE POLLUTION CONTROL BOARD  
REPORT BY STATE BOARD ANALYST  
(Stack/Ambient Air) Monitoring Report**

Report No: 18482552/A-22579

25/03/2026

I hereby certify that I **Promila Sharma, SO**, State Board Analyst duly appointed under sub-section (2) of section 29 of the Air (Prevention and Control of Pollution) Act, 1981 received on **23/03/2026** from **Rajneesh Chaudhary , JEE**, HP State Pollution Control Board **RO Mandi** a **Grab** sample of **8 to 9 m** away from **conveyor belt** of **Mahalaxmi Stone Crusher, 0 Vill. Bair Kanhwal P.O. Tilly Tehsil Sadar Distt Mandi HP, Baldwara Distt. Mandi, H.P. 175001** on dated **17/03/2026** for analysis. The sample was in a condition fit for analysis reported below:

I further certify that I have analyzed the aforementioned sample on **23/03/2026** to **25/03/2026** and declare the result of analysis is to be as follows :-

SAMPLING PARAMETERS					
Sr. No.	Parameter Name	Results	Units	Permissible Limit	Remark/Result Analysis
1	SPM	128.00	microgram mes/m <sup>3</sup>	600	Within Permissible Limit

The condition of the seals, fastening and container on receipt was as follows:-

Filter paper was enclosed in sealed envelope with the impression of **HPPCB-304**. The envelope contained details of sample like source of sample, time and date of collection, name and designation of person who had collected the sample.

Signed this on **25/03/2026**

**Remarks of Lab Head:**

-



**Promila Sharma, SO  
(State Board Analyst)  
RL Sundarnagar**

**From:**

H.P. STATE POLLUTION CONTROL BOARD,  
RL Sundarnagar

**To:**

Mahalaxmi Stone Crusher  
0 Vill. Bair Kanhwal P.O. Tilly Tehsil Sadar Distt Mandi HP, Baldwara,

Distt.Mandi, H.P.175001