

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

OA No. 308/2022

IN THE MATTER OF:

Harbans Singh

.....Petitioner

Versus

State of Haryana & Ors.

.....Respondents

REPLY OF THE MEMBER SECRETARY, HARYANA STATE  
POLLUTION CONTROL BOARD IN COMPLAINE OF  
ORDER DATED 21.03.2024

**MOST RESPECTFULLY SHOWETH:**

1. That this Hon'ble tribunal vide order dated 21.03.2024 directed as follows:

*"3. We find that HSPCB which acted as the nodal agency for coordination and compliance failed to comply with our order and single report of the Joint Committee has been casually prepared without any proper scientific study just on the basis of single site visit on 05.03.2024 and even the report of the Joint Committee was not prepared, deliberated upon and signed in Joint Meeting and the report does not conform to the directions given by this Tribunal as the requisite tests have not been conducted and information has not been obtained. Since the reply was filed very late on 20.03.2024 at 01:32 PM the same cannot be examined in detail and the case has to be adjourned. The reply and report will be examined/considered in detail on the date of hearing hereby fixed.*

*4. The Director, Mining and Geology, Haryana has not filed any additional affidavit as directed vide order dated 18.08.2023.*

*5. Show cause notices be issued to the Member Secretary, HSPCB and the Director, Mining and Geology, Haryana as to why heavy costs be not imposed on them for non-compliance of order dated 18.08.2023 passed by this Tribunal."*



2. That at the outset, it is humbly submitted that answering noticee has highest regard for the Environment as well as for the directions passed by this Hon'ble Tribunal. It is most respectfully submitted that the undersigned acknowledges receipt of the show cause notice and regrets the delay in submitting the reports. The delay was due to the following unforeseen circumstances:

- Gathering of information and expert opinions from all the members of the joint committee took longer time than anticipated.
- Finalization of the status report required thorough review and consultation among the joint committee members.

3. That in compliance with the order dated 18.08.2023 passed by this Hon'ble Tribunal, the Haryana State Pollution Control Board, as the nodal agency, took the following actions:

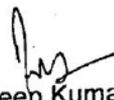
- A meeting along with the site visit was scheduled on dated 25.10.2023 with the members of the Joint Committee constituted vide para no 78 of NGT order dated 18.08.2023 and accordingly submitted reply(report) to this Hon'ble Tribunal on 27.10.2023 alongwith report of Executive Engineer, Water Services Division, Dadupur. It is humbly submitted that some questions put in para no.78 has answered by the committee constituted under para no.39 of the order.
- Convened a meeting under the chairmanship of Sh. P. Raghavendra Rao, Chairman, HSPCB on 13.02.2024, involving all members of the joint committee constituted vide para no 39 of NGT order dated 18.08.2023.



- Developed a comprehensive checklist based on the specific points outlined by the NGT.
  - Scheduled a site inspection at both mining sites on 05.03.2024, involving the members of the joint committee and other department officials (e.g., DDA of Agriculture Department, Mining Officer, DFO).
4. That on 05.03.2024, the joint committee, accompanied by the undersigned, conducted site inspections at the Jaidhar and Mandewala mining sites. During the inspection, it was confirmed that both sites are agricultural field mining blocks allocated for extraction of Boulder, Gravel, and Sand and No active mining operations were observed at the time of the inspection. The joint committee members, leveraging their expertise, carefully recorded observations and collected relevant information. Further based on the site inspection and expert analysis, a comprehensive status report was prepared, addressing all the specific points of para no 39 and para no 44 [i.e. 39(i), 39(ii), 39(iii), 44(i) and 44(ii) ] of the Hon'ble NGT order dated 18.08.2023 and submitted on 20.03.2024.
5. That the undersigned acknowledges the delay in submitting the report and expresses sincere regret for this oversight. The HSPCB acknowledges its role as the nodal agency and made every effort to coordinate effectively with the relevant departments and stakeholders. The undersigned fully cooperated with the joint committee and provided timely inputs to ensure preparation of report as per the points mentioned in the orders dated 18.08.2023.
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6. That the noticee undertakes to be more careful in future and not to cause the delay on his part in compliance of the directions passed by this Hon'ble Tribunal.

In view of the above stated facts and circumstances mentioned herein above, it is humbly prayed that answering noticee be discharged from the show cause notice issued by this Hon'ble Tribunal.



Pardeep Kumar, IAS  
Member Secretary  
Haryana State Pollution Control Board

Date: 08.07.2024  
Place: Panchkula