

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

Original Application No. 193/2024

**IN THE MATTER OF:**

Chandan Singh & Ors.

...Applicants

Versus

State of HP & Ors.

...Respondents

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**MUKESH KUMAR**  
Advocate  
(AMICUS CURIAE)

**DATED: 14-10-2024**  
**NEW DELHI**

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**FACTUAL REPORT ON BEHALF OF AMICUS CURIAE**

Most Respectfully Showeth:

1. That the Hon'ble National Green Tribunal appointed undersigned as Amicus Curie vide Order dated 10.09.2024 to assist the Tribunal in aforesaid case. As per order, the Hon'ble Tribunal also instructed amicus curie to visit the site and collect information for proper assistance. That the excerpts of order dated 10.09.2024 are under below:

*“10. Further since this matter was taken suo-moto, we find it appropriate to appoint an Amicus Curiae to assist the Tribunal, and if necessary to visit the site, collect information for proper assistance. Hence, we appoint Shri Mukesh Kumar, Advocate (Enrolment no. D/1127/2005) as Amicus Curiae.”*

2. Prior to visit at Village Kuner as well as mines area, that undersigned informed all stake holder i.e. Chandan Singh Complainant, Member Secretary HPPCB, Shimla and Regional Officer HPPCB Paonta Sahib through email as well as phone call and finally date was decided on 03.10.2024 to visit at Village Kuner and Mines area.

3. As per the order of the Hon'ble Tribunal undersigned visited village Kuner, PO KantiMashwa, Tehsil Kamarau, District Sirmaur, Himachal Pradesh and Mines area of M/s M/s Giri Lime and Chemical Pvt. Ltd. After reaching at Village Mrigwal, started climbing on the height of hill area to visit mines area. The village Kuner was situated in the downhill and it was completely forest area which took 3 hrs. by foot to reach in the village.
4. That during visit, two officials Sh. Jitendra Singh and Sh. Naveen Banyal JEE, Paonta Sahib from HPPCB facilitated to visit Village Kuner and Mines area. Sh. Jagdeep Singh Tomar, Mines Agent was also present at the time of visit. The copy of attendance sheet dated 03.10.2024 annexed herewith as **ANNEXURE-AC-1**.
5. During visit, undersigned interacted with the Complainant Sh. Chandan Singh and other villagers and tried to know the issues. During conversation, the complainant raised various issues like damaged of drinking water resources due to mining, damages to Temple, Road, pipelines and agricultural lands etc. Please find Photographs during conversation with the complainant as **ANNEXURE-AC-2 (COLLY)**.
6. The undersigned inspected two places which are under following:
  - A. INSPECTION OF MINES AREA OF M/S M/S GIRI LIME AND CHEMICAL PVT. LTD:** During inspection undersigned found that mines were not functional and activity of mining was completely closed. During conversation with Mines Agent Sh. Jagdeep Singh Tomar told undersigned that mines area usually functional for 4 months in a year as it is very difficult to operate in rainy season and

after rainy season it took much time to repair the path/road. Please find Photographs as **ANNEXURE-AC-3 (COLLY)**.

**B. INSPECTION OF VILLAGE KUNER, PO KANTIMASHWA, TEHSIL KAMARAU, DISTRICT SIRMAUR, HIMACHAL PRADESH:**

The Complainant Chandan Singh and other villagers met at village Kuner and during conversation they raised various issues like Damaged of drinking water resources (BAWRI) due to mining, Damages to Temple structure, Path/Road, pipelines and agricultural lands etc. I inspected the various sites which are main issues in the present case and photographs annexed herewith as **ANNEXURE-AC-4**.

**OBSERVATIONS:** The undersigned not found damage of any public and private property due to activity of mining. It is observed under following that:

A. **NO DAMAGE TO TEMPLE:** During inspection, undersigned not seen any damaged to the Temple in village Kuner. Since the temple is situated on the way of flow of rainy water from the top hill which removes some soil from lower level of the structure. The undersigned not found any direct connection between mining activity which caused damage to the temple. Also, long distance between temple and mines area evident the same. The Photographs annexed herewith as **ANNEXURE-AC-5 (COLLY)**.

B. **NO DAMAGE TO AGRICULTURAL LAND:** The undersigned not seen any damaged agricultural land due to mining activity. I saw fully

developed agricultural land and crops were standing on the land. The Photographs annexed herewith as **ANNEXURE-AC-6 (COLLY)**.

C. NO DAMAGE TO SOURCE OF DRINKING WATER: The complainant shown me a dry source of water saying that the BOWRY is dry due to mining in the top of the hill but my observation is that the BOWRY may be dry by the other reason because source of drinking water is active at downhill of the other village. At the same time, Mining Agent shown me restored BAWRI in the village and rejuvenated defunct water source. It is further informed by Jagdeep Singh Tomar Mining Agent that BAWRI is restored and constructed by the Respondent no. 4 i.e. M/s Giri Lime and Chemical Pvt. Ltd. The Complainant also confirmed the same. The Photographs annexed herewith as **ANNEXURE-AC-7 (COLLY)**.

D. NO DAMAGE TO ROAD/PATH: That Mines area and Village Kuner is situated in the hill area where landsliding is story of everyday during rainy season. During traveling towards top of the hill by vehicle, undersigned noticed numerous broken roads/paths because of landslides at various places. It is pertinent to mentioned that landslides happened frequently in the area in rainy season. Therefore, there is no connection between mining activity and cracked/damaged road/path of the village. During inspection, undersigned not found any damaged road/path in the village Kuner. The Photographs annexed herewith as **ANNEXURE-AC-8 (COLLY)**.

E. MORE PLANTATION OF TREES AND SHURBS IN MINING AREA TO PROTECT THE ENVIRONMENT: More plantation of

fast grown trees and shrubs needed in the mining area to protect the Environment, flora and fauna.

7. The said factual report is being submitted to this Hon'ble Tribunal.



**MUKESH KUMAR**  
**Advocate**  
**(AMICUS CURIE)**

**DATED: 14.10.2024**  
**NEW DELHI**

## ANNEXURE-AC-1

ATTENDANCE SHEET OF VISIT ON 03.10.2024 IN O.A. NO. 193/2024 (CHANDAN SINGH & ORS. VS. STATE OF HIMACHAL PRADESH & ORS.) PENDING BEFORE NGT PRINCIPAL BENCH, NEW DELHI

SR. NO.	NAME	DESIGNATION	CONTACT NO.	SIGNATURE
1.	Noreen Bano	JEE, HPS PCB Board Secy	7018058369	
2.	Jitender Singh	JEE, HPS PCB Board Secy	8894904701	
3.	चानंद सिंह	शिकायतकर्ता	7876311595	
		कार्यवाही		
4.	सुरज सिंह	शिकायतकर्ता		
5.	सुरज सिंह	शिकायतकर्ता		
6.	रवि शर्मा	शिकायतकर्ता		
7.	महेश सिंह	शिकायतकर्ता	783361025	
8.	Jagdeep Singh Tomar	Mine Agent	7018604840	
9.	Mukesh Kumar	Advocate/Amicus Curiae	8800424215	

ANNEXURE-AC-2 (COLLY)



ANNEXURE-AC-3 (COLLY)





ANNEXURE-AC-4



ANNEXURE-AC-5 (COLLY)



ANNEXURE-AC-6 (COLLY)



ANNEXURE-AC-7 (COLLY)



ANNEXURE-AC-8 (COLLY)

