



Regional Office
Haryana State Pollution Control Board,
 SCF-32, Opp. Community Centre, Sector-13, HSVP, Bhiwani
 Email-hspcbrojr@gmail.com



No. HSPCB/BHI/2021/ 538
 To

Dated: 16-7-21

The Registrar,
 Hon'ble National Green Tribunal,
 Faridkot House, Copernicus Marg
 New Delhi - 110001

Sub: Action Taken Report from the Additional Deputy Commissioner, Bhiwani, Division Forest Officer, Bhiwani and Regional Officer, HSPCB, Bhiwani in compliance of orders dated 20.08.2020 of Hon'ble NGT in the matter of Kuldeep Singh Vs State of Haryana & Ors. Original Application No. 169/2020.

It is submitted that the matter regarding illegal mining at Village - Tosham, District Bhiwani is pending before this Hon'ble Tribunal. The Hon'ble Tribunal vide order dated 20.08.2020 has passed the following orders :-

➤ " Before considering the matter, we find it necessary to require a factual and action taken report from a joint committee comprising the State PCB, Divisional Forest Officer, Bhiwani and the Additional District Magistrate, Bhiwani within two months by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF."

The matter is listed for hearing on 20.07.2021

The action taken report from the Additional Deputy Commissioner, Bhiwani, Division Forest Officer, Bhiwani and Regional Officer, HSPCB, Bhiwani Region in compliance of orders dated 20.08.2020 of Hon'ble NGT in the matter of Kuldeep Singh Vs State of Haryana & Ors. Original Application No. 169/2020 is attached herewith for kind consideration by the Hon'ble Tribunal.

It is submitted that the above said report is also being sent through E-Mail at judicaial-ngt@gov.in.

DA/Action Report in OA No. 169/2020.


 Regional Officer, HSPCB
 Bhiwani Region.

Dated:

Endst No. HSPCB/BHI/2021/

A copy of above is forwarded to Sh. Anil Grovar, Additional Advocate General Haryana, (NGT) for kind information, please

1
 Regional Officer, HSPCB
 Bhiwani Region.

ACTION TAKEN REPORT

By

**Additional District Magistrate, Bhiwani ,District Forest Officer & Haryana
State Pollution Control Board, Bhiwani**

As per

**Hon'ble National Green Tribunal
(Order dated 20.08.2020)**

&

IN THE MATTER OF

Kuldeep Singh

V/s

State of Haryana & Ors.

Original Application No. 169/2020

INDEX

Sr.No	Particulars	Annexure	Page No.
1.	Action Taken Report	-	1-13
2.	Action Taken Report dated 26.03.2021	R/Annexure-1	14-29
3	Copy of NGT order dated 02.06.2021 passed in OA No. 132/2020	R/Annexure-2	30-36
4	Mining Geology Department of letter no. 161 dated 03.01.2014	R/Annexure-3	37-42
5	EC granted by MoEF vide letter dated 03.07.2015	R/Annexure-4	43-53
6	Mining Geology Department vide letter no. 3864 dated 17.06.2015.	R/Annexure-5	54-58
7	CTE granted vide letter no. 2811915BHICTE2179882 dated 24.07.2015	R/Annexure-6	59-61
8	CTO granted vide letter no. 313100417BHICTO4578505 & dated 28.11.2017	R/Annexure-7	62-64
9	Supreme court order dated 11.08.2017	R/Annexure-8	65-79
10	Director General Mining Geology Department letter No. 5062 dated 11.10.2018	R/Annexure-9	80-85
11	Hon'ble Punjab and Haryana High Court order dated 04.12.2018	R/Annexure-10	86-89
12	Director General Mining Geology Department letter No. 6010 dated 21.12.2018	R/Annexure-11	90-93
13	CTE granted letter no. 313100419BHICTE6267995 dated 10.02.2019	R/Annexure-12	94-97
14	CTO granted Letter no. 313100419BHICTO6356744 dated 25.02.2019	R/Annexure-13	98-100
15	EC granted SEIAA vide letter No. 638 dated 21.12.2020	R/Annexure-14	101-116
16	Copy of inspection report dated 06.10.2020	R/Annexure-15	117-118
17	Copy of SCN dated 08.10.2020	R/Annexure-16	119-120
18	Copy of reply of SCN vide letter dated 22.10.2020	R/Annexure-17	121-123
19	Recommendation of Closure vide letter no. 5235 dated 06.11.2020	R/Annexure-18	124-125
20	Representation Project	R/Annexure-19	126-133

	proponent and HSPCB, Panchkula letter dated 18.11.2020		
21	Mining officer letter dated 02.02.2021	R/Annexure-20	134-136
22	Copy of DFO letters dated 17.11.2020	R/Annexure-21	137-141
23	Assistant Geologist, Ground Water cell letters dated 04.11.2020	R/Annexure-22	142-143
24	Exceutive Engineer, Jui water services letter dated 20.11.2020	R/Annexure-23	144-144
25	Minutes of Meeting dated 01.12.2020	R/Annexure-24	145-147
26	Deputy Conservator of forest letter dated 21.12.2020	R/Annexure-25	148-149
27	Director Mines Safety Ghaziabad letter dated 28.12.2020	R/Annexure-26	150-152
28	Revenue Department Report dated 06.11.2020, 30.12.2020 and 29.01.2021	R/Annexure-27	153-156
29	Deputy Commissioner letter no. 1080 dated 02.02.2021 and 1847 dated 11.02.2021	R/Annexure-28	157-158
30	The Director HARSAC Email attached as	R/Annexure-29	159-159
31	Deputy Forest officer letter dated 22.02.2021	R/Annexure-30	160-160
32	Astt. Geologist,Ground water cell, Bhiwani letter dated 22.02.2021	R/Annexure-31	161-166
33	FIR No. 587 dated 23.12.2019	R/Annexure-32	167-196
34	District Forest Office vide letter No. 649-50 dated 30.06.2021	R/Annexure-33	197-198
35	Executive Engineer, Jui W/s Division, Bhiwani letter No. 4424-31/l-w dated 30.06.2021	R/Annexure-34	199-199
36	Mining officer, Bhiwani vide Memo No. BWN/Mining/3057 dated 29.06.2021	R/Annexure-35	200-202

Background:

1. The Hon'ble National Green Tribunal vides its order dated 20/08/2020 has directed as follows:

"The Grievance in this application is against alleged illegal mining in forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham, District Bhiwani. The applicant has relied upon FIR, complaints and letters in support of the allegation. Before considering the matter, we find it necessary to require a factual and action taken report from a joint committee comprising the State PCB, Divisional Forest Officer, Bhiwani and the Additional District Magistrate, Bhiwani within two months by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

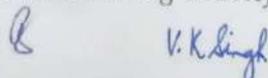
A copy of this order be forwarded to the State PCB, Divisional Forest Officer, Bhiwani and the Additional District Magistrate, Bhiwani by e-mail."

2. It is humbly submitted that similar complaint against same project proponent has been under consideration in OA No.132/2020 (Rakesh Dalal Vs Vs State of Haryana) and detailed report dated 26.03.2021 was submitted before this Tribunal. This Hon'ble Tribunal vide order dated 02.06.2021 disposed of the said OA with following observations and directions:

"6. It is, thus, suggested that at the moment there are no violations. However, following recommendations have been made:-

"Recommendations:-

1. The Forest Department may take steps to restore the damage to Forest area done in past. The work of afforestation and strict vigil may be ensured in the forest area.
2. The Department of Irrigation through Jui Water Services, Bhiwani may take steps for restoration of 'Dadam Distributary'.
3. The Mining Officer and Regional Officer, HSPCB may ensure that mining activity should be done strictly as per


V.K. Singh

conditions of permissions granted to project proponent. In case of violation, if any appropriate action be taken in accordance with law."

7. In view of the above, let further action be taken in terms of the above recommendations. We also direct that whenever mine is closed on expiry of lease, evaluation of impact on environment must be conducted before commencement of new lease and if there are violations, compensation must be assessed and recovered on 'Polluter Pays' principle as well as in accordance with Mining Rules. The Secretary Mining and Secretary Environment, Haryana may hold a joint meeting and prepare appropriate SOP in this regard as far as possible within one month. The Secretary Mining, Haryana will be the nodal agency for coordination and compliance. The application is disposed of."

Copy of report dated 26.03.2021 is annexed herewith as **Annexure-R/1**. Copy of order dated 02.06.2021 passed in OA No.132/2020 (Rakesh Dalal Vs Vs State of Haryana) is annexed herewith as **Annexure-R/2**.

3. For the sake of the convenience, the observations, facts finding and recommendations of the committee after inspection are narrated below:

Brief History of Mining at Village Dadam, Distrcit Bhiwani

4. That the mining area of 55.50 Hectares of village Dadam, Bhiwani was earlier allotted by Mining Geology Department vide letter no. 161 dated 03.01.2014 to M/s KJSL Sunder(JV) (**Annexure-R/3**) and the EC was granted by MoEF vide letter dated 03.07.2015 for area of 55.50 Hectares (**Annexure-R/4**) to the same firm. Further Mining Lease was transferred from KJSL Sunder (JV) to M/s Sunder Marketing Associate by Mining & Geology Department vide letter no. 3864 dated 17.06.2015. (**Annexure-R/5**).
5. That the Consent to Establish (CTE) was granted by HSPCB to M/s Sunder Marketing Associate vide letter no. 2811915BHICTE2179882 dated 24.07.2015 (**Annexure-R/6**) and CTO was granted vide letter no. 313100417BHICTO4578505 & dated 28.11.2017 for the period 01.10.2017 to 30.11.2017 (**Annexure-R/7**).The mining activity by M/s

§ V.K. Singh

Sunder Marketing project has already been closed on 01.12.2017 in compliance of Supreme Court order dated 11.08.2017 (**Annexure-R/8**).

6. That the Director General of Mine & Geology Department, Panchkula, Haryana vide letter No. 5062 dated 11.10.2018 (**Annexure-R/9**) has re-allotted the said stone mining project of Village Dadam, District Bhiwani to M/s Goverdhan Mines and Mineral, 51, Urban Estate-II, Hisar. The Hon'ble Punjab & Haryana High Court vide order dated 04.12.2018 (**Annexure-R/10**) has permitted to M/s Goverdhan Mines and Mineral, 51, Urban Estate-II, Hisar for mining on the same EC previously granted to M/s KJSL Sunder(JV) / M/s Sunder Marketing Associate subject to final appraisal by the State in this regard. After this, in compliance of Hon'ble Punjab and Haryana High Court order dated 04.12.2018, the Director General Mines & Geology Department vide their letter No. 6010 dated 21.12.2018 (**Annexure-R/11**) allowed the said firm to operate mining activity with previous EC granted to M/s KJSL Sunder(JV) by MOEF vide letter dated 03.07.2015 after obtaining CTE & CTO from HSPCB Board.
7. That on the basis of legal opinion obtained by Regional Officer, Bhiwani vide letter no. 154 dated 21.01.2019 from HSPCB, Panchkula, the consent for establish and operate to the said project was granted vide letter no. 313100419BHICTE6267995 dated 10.02.2019 and Letter no. 313100419BHICTO6356744 dated 25.02.2019 (**Annexure-R/12** and **Annexure-R/13** respectively). The SEIAA, Haryana was constituted by MOEF & CC on 30.01.2019. The public hearing for the said mining project had held on 28.07.2020 and Environment Clearance was granted to the said project by SEIAA vide letter No. 638 dated 21.12.2020 Copy of which is enclosed as **Annexure-R/14**.

Compliance to Hon'ble NGT directions and inspection of site:

8. That, in compliance of the order dated 21.07.2020, OA No. 169/2020 titled as Kuldeep Singh Versus State of Haryana, a joint team was constituted by DM, Bhiwani. The committee was headed by Additional Deputy Commissioner, Bhiwani as representative of District Magistrate, Bhiwani including Mining Officer Bhiwani, Assistant Geologist Ground Water Cell Bhiwani, Addl. District Forest Officer Bhiwani, Regional officer HSPCB Bhiwani and SDO Nigana Water Service Sub Div. Bhiwani. The Committee members visited the site of mining project on 06.10.2020. Copy of

8

V.K. Singh

inspection report attached as **Annexure- R/15** and during inspection following observations were made:-

- (i) Ways in the forest area created illegally without having any valid permission. The mining equipment's/machines were found standing in the non-minable forest area.
The 'Dadam hills minor' is a protected forest area under IFA, 1927 and same was found illegally mined.
- (ii) The mining is done at the site about 200 feet depth. But actual depth of the mining pits will be assured by the inspection of the mining surveyor from Mining Deptt. Head office, Panchkula.
- (iii) The concerned mining officer stated that an approved mining plan as well as a progressive closure plan of same is already submitted by the said mining project proponent. The mining project is still in progress and closure plan will be implemented after closure of the mining.
- (iv) In the progressive closure plan, the depth is shown to be up to 42 meters.
- (v) During the inspection the concerned mining officer stated that the said mining project has given following dimensions of mining pit as per approved mining plan:
 - (i) Length:536 meter (ii) Width: 528 meter (iii) Depth: 78 meter (from the ground level). But no record provided at the site during inspection in this regard.
- (vi) The mining is not done in scientific manner.
- (vii) The concerned Assistant Geologist Water Cell reported that no bore well found in the lease mining area. The project is meeting water requirement for plantation, dust suppression & domestic purpose etc. through tankers from outside the mining area and also using the water stored within mining pits and water stored in pits cannot be identified at spot whether it is ground water or rain water and same will be identified within 7 days as assured by the concerned Assistant Geologist Ground Water Cell.

9. That, a show cause notice for the closure under section 5 of EP Act, 1986 was issued by HSPCB, Bhiwani to the said unit i.e. M/s Govardhan Mines & Mineral, Village Dadam, Bhiwani vide letter no. 2633 dated 08.10.2020. Copy of SCN dated 08.10.2020 is enclosed as (Annexure-R/16). The said project proponent submitted reply of SCN vide letter dated 22.10.2020.

B *V.K. Singh*

Copy enclosed as (Annexure-R/17).

10. The reply of the said project proponent was considered by concerned departments i.e. Mining Department, Forest Department, and Ground Water Cell. The documents relied upon by the Project Proponent were also considered.
11. That the Regional officer, Bhiwani vide letter no. 5235 dated 06.11.2020 recommended closure action against the said unit under section 5 of EP Act, 1986 to the Competent Authority. Copy enclosed as (Annexure-R/18).
12. That M/s Goverdhan Mines and Mineral made representation to the Chairman, HSPCB, Panchkula. Accordingly, the Regional Officer was asked to get the representation of M/s Govardhan Mines & Mineral examined from all the departments who inspected the site and to submit comprehensive report. Copy of letter Dated 18.11.2020 of HSPCB, Panchkula along with representation is enclosed as (Annexure-R/19).
13. That in the meantime, Mining Department, Forest Department and Assistant Geologist Ground Water Cell also examined the issues concerning to them thoroughly and submit their reports. Those reports were considered in meeting dated 01.12.2020 convened by the Deputy Commissioner, Bhiwani with all concerned departments in order to examine the Action taken in the matter. The reports are explained below:

A. MINING DEPARTMENT:

Joint Committee consisting of Sr. Geologist Head Office Panchkula, Mining Officer Bhiwani, Sr. Surveyors, surveyor and officials of HARSAC inspected the area on date 03.11.2020. The Detailed Survey of the mines area was carried out with the help of DGPS instrument in the presence of concerned revenue officials i.e. Halka Girdaver and patwari. The detailed survey was carried out with the help of DGPS for confirming the boundary coordinates of the mining lease area. The Committee observed as under:

1. *Boundary pillars around the mining lease area were found in order with GPS coordinate. Total 32 numbers of pillars were found to be established as per approved Mining plan.*
2. *The maximum depth of the mining pits was found to be 109 meters from surface level at the time of inspection.*

V.K. Singh

3. Some seepage water was seen in this pit during the inspection. The report of Assistant Geologist Ground water cell Bhiwani is attached herewith.

4. Systematic and scientific Mining is regulated by the office of Director Mines Safety Gaziabad. If any violation is found in method of mining they took the action accordingly and inform to the office of concerned Mining Officer, District Collector, Director General Mines and Geology Haryana. But no such type of information is received from Director Mines Safety Gaziabad as reported by Mining Officer, Bhiwani.

5. Out of lease area in Khatoni No. 67//62min, khasra no. 16//20/1 min, 21/1min, 17//1 min, 9min, 10min, 12min, 13min, 14min, 16min, 17min, 18//6min, 7min, 14min haul road is being created and used by the contractor having approximate length 460 meters, width 20 mtr and depth 0-15 mtr. and DGPS readings of the Haul Road is N 28° 53' 12.460" E 75°51'24.053, N 28°53' 14 350" E 75°51'28.133", N 28°53' 10.851" E 75°51'34.937". But no stone has been extracted from above khashra numbers because the said area is consisting of ordinary clay / earth. Rest of the alleged area is found to be virgin area. It was also confirmed by the local revenue department too. (Copy of the report of revenue department is also attached herewith.)

6. During the inspection it was also found that no illegal Mining was noticed in the Forest area of Aravali Plantation.

Report of team constituted by Director General, Dept. of Mines & Geology was forwarded vide letter dated 02.02.2021 Copy of letter dated 02.02.2021 alongwith report dated 04.11.2020 is annexed as (Annexure-R/20).

B Forest Department:

Additional Deputy Commissioner, Bhiwani submitted a letter no. 1860 dated 17.11.2020 of DFO, Bhiwani. In this report DFO has clarified that the illegal mining was done in Dadam hills area by M/s Sunder Marketing Associates. Illegal mining noticed on 22.12.2019, an FIR number 587 dated 23.12.2019 was lodged at Police Station, Tosham against Sandeep etc.

The letter dated 17.11.2020 of DFO, Bhiwani stated that the said project proponent is now not using any Aravalli plantation area for ways and not

By V.K. Singh

Mineral, Dadam Stone Mine is doing scientific mining or not. Subsequently the Mining Officer, Bhiwani vide letter memo no 1201 dated 18.12.2020 also requested the Director Mines Safety Ghaziabad to verify the facts and Director Mines Safety Ghaziabad vide its letter dated 28.12.2020 (Annexure-R/26) gave observations and conclusion as under:-

Observations:

- (i) There were 25-30 number of pits dug within the lease hold area. The pit name was locally numbered for identification and convenience. The size of these pit was about 80-200m x100m-200m.
- (ii) The size of pit no. 38 was about 80mx60mx18m. The height of benches were 5-9m and width was about 5-7m. A haul road leading to benches was provided. The Aravali forest land was located on the western part of the excavation. Men and machinery were deployed by contractor. The size of pit no. 35 was about 60-65m(L)x40-45m(W)x8m-9m(D). The height of bench was about 8-9m. Adjoining to this pit, forest land of Aravali was located on western side. The size of pit no. 31 was about 100-110m(L)x80-90m(W)x 16-18m(D). The height of bench was about 8-10m. adjoining to this pit, forest land of Aravali was located on southern side. Loading of stone was being carried on in these pits.
- (iii) The size of pits no. 22 was about 200mx200mx200m(D). The height of benches were about 9-10m. Drilling of holes were being carried on the bottom bench. The drill machine was provided with wet drilling arrangement (Photographs enclosed). Management informed that the drill machines are provided with wet drilling arrangement. Some of the drill machines whose wet drilling mechanism was out of order were under repair.
- (iv) There were three portable fogger machines installed near the pit where loading operation was being carried on the settle the dust being generated during loading. It was informed that these foggers are moved to different pits where loading operations are carried on. Two to three dedicated tractor mounted water wanker was available for supplying water to these fogger machine.
- (v) Three water tanker with water spraying arrangement on the top (whiriling type) were provided for wetting the haul roads and benches (Photograph enclosed). Water sparying was being done on the haul roads and benches.

Rs V.K.Singh

- (vi) The danger zone was demarcated by means of red flag (photographs enclosed). The lease boundary was fenced by barbed wire. During inspection it was observed that all staffs and work persons were safety gadgets like helmet and shoes.
- (vii) An order under section 22(3) of the mines Act, 1952 was imposed in pit no. 12, vide this directorate's letter No. 2169 dated 28.06.2019. No work was being carried out at in this pit. Men and machinery were no found deployed in this pit.
- (viii) The records of attendance in form D were kept maintained. The employment register in Form_B was kept maintained.(Copy enclosed
- (ix) The deep hole drilling and blasting was carried out under the personnel supervision of assistant manager and foreman. The blasting time was reported to be between 1-4pm. A signage of blasting time was displayed on board at several places (photographs enclosed). Transport of explosive in license van for blasting in the mine was done by the explosive supplier that was in agreement with owner of mine. The records of explosive used and return in RE-13 were being maintained by the explosive supplier (Copy enclosed) and firings of shot were done by statutory persons appointed by the owner of mine.
- (x) An efficient means of signaling by siren within the radius of 300 m from the place of firing was provided and in use (photographs enclosed).
- (xi) High mast tower consisting of cluster of bulb was found installed on the haul roads around the quarry of the mines. (photographs enclosed) for lighting arrangement toward beyond day light hours.
- (xii) There were crushers not belonging to owner of mine within the danger zone in north eastern and north western side. However, the crusher were located outside the danger zone from active working face. The fly rocks generated during the blasting was towards free face. It was informed by the management that the adjoining field the lease were acquired by the lessee on rental basis. No signs of fly rocks were seen near the adjoining field to the lease.

Conclusion:

- (I). It is to be noted that, Mining lease for Dadam stone mines, Khasra No. 132, Ms Goverdhan Mines & Minerals was granted by department of

B V.K.Singh

made any illegal mining and is also same examined with the help of Google images obtained from HARSAC, Hisar, it appears that the illegal mining and illegal ways are created by previous project proponent and not by present mining project i.e. M/s Govardhan Mines & Mineral, Village Dadam, Bhiwani. Copy of DFO letters dated 17.11.2020 is enclosed as (Annexure-R/21).

C Asstt. Geologist Ground water cell:

According to report dated 04-11-2020 of Asstt. Geologist, Ground water cell the water table data of selected wells available in surrounding alluvial formation is from 9.41 mtrs. to 18.52 mtrs., whereas the depth of mining pit is approx. 109 mtrs. as measured by the officials of mining department. This shows that presently the surrounding water level is having no inter connectively with mining pits, as the water table has not been encountered upto the depth of 109 Mtrs. So it is concluded that the water accumulated in mining pits is seepage from the cracks and fissures of the quartzite rock of Aravalli system Annexure-R/22.

14. That the Executive Engineer, Jui Water Services, Bhiwani submitted a report dated 20.11.2020 stating that as per available records, in the case of Omparkash & others V/s Raman & others in the Hon'ble Court of Sh. Sunil Kumar Dewan, ACJ(SD) Tosham, the Tehsildar Tosham was appointed as Local Commissioner who had mentioned in his report dated 06.01.2016 that from RD 21100 to RD 22800 of Dadam distributary in a length of 1700 ft., the channel was damaged/ not existing since last 10 years. It was further stated that the channel was mostly damaged by earlier mining operations. Copy of letter dated 20.11.2020 of the Executive Engineer, Jui Water Services, Bhiwani is enclosed as Annexure-R/23.
15. That minutes of meeting dated 01.12.2020 as referred above is enclosed as Annexure-R/24.
16. The Deputy Conservator of Forests, Bhiwani vide letter dated 21.12.2020 stated that illegal mining and illegal ways are created by previous project proponent M/s Sunder Marketing, Dadam and not by M/s Govardhan Mines & Mineral, Village Dadam, Bhiwani. Copy of Deputy Conservator of Forests, Bhiwani letter dated 21.12.2020 is enclosed as (Annexure-R/25).
17. The Deputy Commissioner, Bhiwani requested the Director Mines Safety Ghaziabad to verify whether said project i.e. M/s Govardhan Mines and

RD V.K. Singh

Mines & Geology, Government of Haryana. Consent to operate, consent to establish and environment clearance was granted by the state authority Simplified Mining Scheme for working the Mine & Geology, Haryana.

(II). Inspection of Dadam mines, M/s Govardhan Mines & Minerals was carried out in accordance with mines Act, 1952.

(III). Under constitution of India, safety welfare and health of workers employed in the mines is regulated by the mines Act, 1952 and subordinate legislations framed under it. This Directorate, a subordinate office under Ministry of labour & Employment, Government of India administers and oversees the compliance of the provisions of the mines Act, 1952 & the Rules under certain Regulation for specific mining operations like Deployment of heavy Earth Moving Machinery & Deep hole blasting .

(IV). Inspection are carried out in accordance with Mines Act, 1952 to oversee compliance

(V). Scientific study is not carried out by the this Directorate. However, Department of mines & Geology may engage recognize scientific organisation or institutions to carry out scientific study of the mine.

CO-ORDINATION WITH THE HARYANA SPACE APPLICATION CENTRE (HARSAC) AT HISAR, THE FOREST SURVEY OF INDIA AND CENTRAL GROUND WATER AUTHORITY:

18. The demarcation of adjoining area of M/s Govardhan Mines & Minerals, Village- Dadam, Bhiwani was carried out on 06.11.2020, 30.12.2020 & 29.01.2021 by revenue department in compliance of direction issued by the Deputy Commissioner, Bhiwani. Copy attached as (Annexure-R/27 Colly). Thereafter, Deputy Commissioner, Bhiwani requested the Director of HARSAC, Hisar to provide the satellite images of mining at Village-Dadam from the year 2010 to 2020 by their office vide letter No. 1080 dated 02.02.2021 and subsequent reminder vide letter No. 1847 dated 11.02.2021 (Annexure-R/28). The Director, HARSAC has provided the satellite images of mining at Dadam for the year 2010, 2011, 2013, 2016 & 2019. Copy attached as (Annexure-R/29).
19. The Deputy Forest officer, Bhiwani has intimated by vide his letter dated 22.02.2021 (Annexure-R/30) that they have requested HARSAC to provided the high resolution imaginary of the Aravali plantation area from

V. K. Singh

Hisar to Dadam and HARSAC vide its letter dated 05.11.2020 have informed that the said data is not available with them. Thereafter, DFO, Bhiwani vide letter dated 03.02.2021 has also requested the Director, Forest Survey of India, Dehradun to provide the high resolution imaginary but the same has not been received so far.

20. The Deputy Commissioner has directed that the Assistant Geologist Ground Cell, Bhiwani to get the necessary report from CGWA regarding ground water extraction accordingly. The Asstt. Geologist Ground water cell, Bhiwani vide letter dated 14.12.2020 has requested Regional Director, CGWA, Chandigarh to investigate matter regarding level of groundwater table and illegal ground water extraction at Dadam Mines, Bhiwani. The Regional Director CGWB vide letter dated 31.12.2020 has nominated Sh. Saquib, HTG to investigate the said matter. The CGWA, Chandigarh has inspected the site on 05.02.2021 & vide letter dated 22.02.2021 (**Annexure-R/31**) concluded that based on field investigation and chemical analysis of collected water sample it is concluded that seepage in mining pit is ground water from quartzite formation. Quartzites are forming low yield aquifer and tubewell constructed in quartzite generally yields 100-150 lpm of water only, thus the seepage found in pit is very minor and during rainy season they may yield good quantity of water resulting in filling of mines pits. As the water in the alluvial formation is 9.41 mbgl to 18.52 mbgl in the surrounding alluvial areas of mines, the fracture in quartzite might be hydrologically connected to the water table of the alluvial areas and seepage in mine pit are of ground water only.

CONCLUSION:

In FIR No. 587 dated 23.12.2019 lodged for Act of illegal mining in the forest area in Dadam, Bhiwani. challan has been already placed before Hon'ble Court Tosham and matter is sub judice. However, as per investigation report submitted by the Police Station Tosham the M/s Govardhan Mines & Minerals, Village- Dadam, Bhiwani has not been named. (**Copy investigation report attached as Annexure R/32**). For the rest of Forest area in the Deputy Conservator of Forest vide his letter No. 1860 dated 17.11.2020 has submitted that no illegal mining has been reported in forest area after January, 2019 and also clarified that the Range Forest Officer, Tosham vide their letter No. 322 dated 16.11.2020,

B

V.K. Singh

the illegal mining in forest area was done by previous mining company i.e. M/s KJSL Sunder (JV), Dadam, Bhiwani.

It is not clear from the Google earth imagery whether illegal mining done or not due to non - available of satellite imagery of the mining area. Divisional Forest Officer, Bhiwani vide letter dated 03.02.2021 has already requested to Director, Forest Survey of India, Dehradun to provide High-resolution imagery but the same has not been received so far.

The Committee visited the site on 06.10.2020 and Mining Officer informed that the benches are not 9m x 9m and scientific mining is not being carried out. Further Directorate of Mines and Safety, Gaziabaad Vide report dated 04.11.2020 has reported that the depth of the one of the pits is 109 meters as against the approved plan depth of 78 m.

Recommendations

21. The Committee made the following recommendations :-

1. The Forest Department may take steps to restore the damage to Forest area done in past. The work of afforestation and strict vigil may be ensured in the forest area.
2. The Department of Irrigation through Jui Water Services, Bhiwani may take steps for restoration of 'Dadam Distributary'.
3. The Mining Officer and Regional Officer, HSPCB may ensure that mining activity should be done strictly as per conditions of permissions granted to project proponent. In case of violation, if any appropriate action be taken in accordance with law."
- 4 The Forest Survey of India may be directed to provide High-resolution imagery from the year 2010 to 2021 of the mining area of village Dadam, District Bhiwani and DFO to follow the proposal with FSI.
5. The Department of Mines & Geology may be directed to conduct the systematic and scientific study of the mines area in village Dadam District Bhiwani as recommended by Director Mines & Safety, Gaziabaad vide their dated 28.12.2020.

Action taken on the Recommendations:

22. The action taken/to be taken in furtherance of recommendations are as under:

1. Strict vigil is being kept in the Aravali forest area at Village- Dadam, Tosham, District- Bhiwani by Forest Department, Mining

B
V.K. Singh

Department, HSPCB, Policy Department & Revenue Department.
The plantation will be carried out in the financial year 2022-2023 as the annual plan operation of plantation for the year 2021-2022 has already been finalized. (Annexure-R/33).

2. Irrigation Department, Bhiwani submitted that the Dadam Distributory from RD 21100 to 22800 is not existing & the adjoining land will be explored to find alternate means of Irrigation for the tail end farmers. (Annexure-R/34)
3. The Mining Officer, Bhiwani reported that the mining pits in which the depth was found 109 Meters from surface level. This pit is very old and mining were closed in this pit. The M/s Govardhan Mines & Mineral at Village- Dadam, Tosham is being inspected from time to time alongwith District Level Task Force, Bhiwani. (Annexure-R/35)

 16.7.2021
Regional officer
Bhiwani Region

V.K. Singh
District Forest Officer
Bhiwani


Additional Deputy Commissioner
Bhiwani

DFO needs to follow up with FSI, but as per telephonic discussion with Sh. Devi Singh (Additional Director), FSI, high resolution image is to be provided with/by NRSC, Hyderabad and not by FSI.


16/7/2021



Regional Office
Haryana State Pollution Control Board,
 SCF-32, Opp. Community Centre, Sector-13, HSVP, Bhiwani
 Email-hspcbrojr@gmail.com



No. HSPCB/BHI/2021/ 8706
 To

Dated: 26/13/2020

The Registrar,
 Hon'ble National Green Tribunal,
 Faridkot House, Copernicus Marg
 New Delhi - 110001

Sub: Action Taken Report from the District Magistrate, Bhiwani and HSPCB in compliance of orders dated 21.07.2020 of Hon'ble NGT in the matter of Rakesh Dalal Vs State of Haryana & Ors. Original Application No. 132/2020

It is submitted that the matter regarding illegal mining at Village - Tosham, District Bhiwani is pending before this Hon'ble Tribunal. The Hon'ble Tribunal vide order dated 21.07.2020 has passed the following orders :-

- " We Consider it appropriate to require a factual and action taken report in the matter from the District Magistrate, Bhiwani and the Haryana State PCB within three months by E-mail at judicaial-ngt@gov.in preferably in the form of searchable pdf/OCR Support PDF and not in the form of image PDF. Nodal agency for compliance will be State PCB. "

The above said matter is listed for hearing on 14.04.2021.

In compliance of the orders dated 21.07.2020 the action taken report from the District Magistrate, Bhiwani and HSPCB in compliance of orders dated 21.07.2020 of Hon'ble NGT in the matter of Rakesh Dalal Vs State of Haryana & Ors. Original Application No. 132/2020 is attached herewith for kind consideration by Hon'ble Tribunal.

It is submitted that the above said report is also being sent through E-Mail at judicaial-ngt@gov.in.

DA/Action Report in OA No. 132/2020.

Endst No. HSPCB/BHI/2021/


 Regional Officer, HSPCB
 Bhiwani Region.

Dated:

A copy of above is forwarded to Sh. Anil Grovar, Additional Advocate General Haryana, (NGT) for kind information, please


 Regional Officer, HSPCB
 Bhiwani Region.



Regional Office
Haryana State Pollution Control Board,
 SCF-32, Opp. Community Centre, Sector-13, HSVP, Bhiwani
 Email-hspcbrojr@gmail.com



No. HSPCB/BHI/2021/

Dated: ___/___/2020

To

The Registrar,
 Hon'ble National Green Tribunal,
 Faridkot House, Copernicus Marg
 New Delhi - 110001

Sub: Action Taken Report from the District Magistrate, Bhiwani and HSPCB in compliance of orders dated 21.07.2020 of Hon'ble NGT in the matter of Rakesh Dalal Vs State of Haryana & Ors. Original Application No. 132/2020

It is submitted that the matter regarding illegal mining at Village - Tosham, District Bhiwani is pending before this Hon'ble Tribunal. The Hon'ble Tribunal vide order dated 21.07.2020 has passed the following orders :-

- " We Consider it appropriate to require a factual and action taken report in the matter from the District Magistrate, Bhiwani and the Haryana State PCB within three months by E-mail at judicaial-ngt@gov.in preferably in the form of searchable pdf/OCR Support PDF and not in the form of image PDF. Nodal agency for compliance will be State PCB. "

The above said matter is listed for hearing on 14.04.2021.

In compliance of the orders dated 21.07.2020 the action taken report from the District Magistrate, Bhiwani and HSPCB in compliance of orders dated 21.07.2020 of Hon'ble NGT in the matter of Rakesh Dalal Vs State of Haryana & Ors. Original Application No. 132/2020 is attached herewith for kind consideration by Hon'ble Tribunal.

It is submitted that the above said report is also being sent through E-Mail at judicaial-ngt@gov.in.

DA/Action Report in OA No. 132/2020.

Endst No. HSPCB/BHI/2021/

8206A

Regional Officer, HSPCB
 Bhiwani Region.

Dated:

26-3-21

A copy of above is forwarded to Sh. Anil Grovar, Additional Advocate General Haryana, (NGT) for kind information, please

Regional Officer, HSPCB
 Bhiwani Region.

INDEX			
Sr.No	Particulars	Annexure	Page No.
1.	Mining Geology Department of letter no. 161 dated 03.01.2014	R/Annexure-1	13-18
2	EC granted by MoEF vide letter dated 03.07.2015	R/Annexure-2	19-29
3	Mining Geology Department vide letter no. 3864 dated 17.06.2015.	R/Annexure-3	30-34
4	CTE granted vide letter no. 2811915BHICTE2179882 dated 24.07.2015	R/Annexure-4	35-37
5	CTO granted vide letter no. 313100417BHICTO4578505 & dated 28.11.2017	R/Annexure-5	38-40
6	Director General Mining Geology Department letter No. 5062 dated 11.10.2018	R/Annexure-6	41-48
7	Hon'ble Punjab and Haryana High Court order dated 04.12.2018	R/Annexure-7	49-52
8	Director General Mining Geology Department letter No. 6010 dated 21.12.2018	R/Annexure-8	53-56
9	CTE granted letter no. 313100419BHICTE6267995 dated 10.02.2019	R/Annexure-9	57-60
10	CTO granted Letter no. 313100419BHICTO6356744 dated 25.02.2019	R/Annexure-10	61-63
11	EC granted SEIAA vide letter No. 638 dated 21.12.2020	R/Annexure-11	64-68
12	Copy of inspection report dated 06.10.2020	R/Annexure-12	69-70
13	Copy of SCN dated 08.10.2020	R/Annexure-13	71-72
14	Copy of reply of SCN vide letter dated 22.10.2020	R/Annexure-14	73-94
15	Direction of Closure vide letter no. 5235 dated 06.11.2020	R/Annexure-15	95-96
16	Representation Project proponent and HSPCB, Panchkula letter dated 18.11.2020	R/Annexure-16	97-102
17	Director General Mining	R/Annexure-17	103-109

	Geology Department letter dated 02.02.2021		
18	Copy of DFO letters dated 17.11.2020	R/Annexure-18	110-120
19	Assistant Geologist, Ground Water cell letters dated 04.11.2020	R/Annexure-19	121-122
20	Executive Engineer, Jui water services letter dated 20.11.2021	R/Annexure-20	123-128
21	Minutes of Meeting dated 01.12.2020	R/Annexure-21	129-132
22	Deputy Conservator of forest letter dated 21.12.2020	R/Annexure-22	133-134
23	Director Mines Safety Ghaziabad letter dated 28.12.2020	R/Annexure-23	135-137
24	Revenue Department Report dated 06.11.2020, 30.12.2020 and 29.01.2021	R/Annexure-24	138-141
25	Deputy Commissioner letter no. 1080 dated 02.02.2021 and 1847 dated 11.02.2021	R/Annexure-25	142-143
26	The Director HARSAC Email attached as	R/Annexure-26	144
27	Deputy Forest officer letter dated 22.02.2021	R/Annexure-27	145
28	CGWA Chandigarh letter dated 22.02.2021	R/Annexure-28	146-151

Pwpc

"Action Taken Report in the matter of Rakesh Dalal Vs State of Haryana & Ors. Original Application No. 132/2020"

Background:

1. The Hon'ble National Green Tribunal took notice of the complaint and vide its order dated 21/07/2020 has directed as follows:

"The applicant has filed a complaint against illegal mining by M/s Goverdhan Mines at Tosham, District Bhiwani, Haryana. It is alleged that mining is done up to 150 meters which is not permissible. The mining company has not given a closure plan. In the progressive closure plan, the depth is shown to be up to 42 meters. Mining is not being done in a scientific manner. Ground water is also being illegally extracted. The applicant has annexed a letter addressed to the Additional Chief Secretary, Mines and Geology Department pointing out illegalities in the process of mining. A copy of order of Punjab and Haryana High Court dated 20.09.2018 in CWP No. 9002-2018 (O&M), Rakesh Dalal v. State of Haryana & Ors. has also been filed whereby the Writ Petition was allowed to be withdrawn to move the concerned authorities.

We consider it appropriate to require a factual and action taken report in the matter from the District Magistrate, Bhiwani and the Haryana State PCB within three months by email at judicialngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. Nodal agency for compliance will be the State PCB."

Brief History of Mining at Village Dadam, District Bhiwani

2. That the mining area of 55.50 Hectares of village Dadam, Bhiwani was earlier allotted by Mining Geology Department vide letter no. 161 dated 03.01.2014 to M/s KJSL Sunder(JV) (Annexure-R/1) and the EC was granted by MOEF vide letter dated 03.07.2015 for area of 55.50 Hectares (Annexure-R/2) to the same firm. Further Mining Lease was transferred from KJSL Sunder (JV) to M/s Sunder Marketing Associate by Mining Geology Department vide letter no. 3864 dated 17.06.2015. (Annexure-R/3).
3. That the Consent to Establish (CTE) was granted to M/s Sunder Marketing Associate vide letter no. 2811915BHICTE2179882 dated 24.07.2015 (Annexure-R/4) and CTO was granted vide letter no. 313100417BHICTO4578505 & dated 28.11.2017 for the period

AS

AS DC

01.10.2017 to 30.11.2017 (**Annexure-R/5**) The mining activity by M/s Sunder Marketing project has already been closed on 01.12.2017 in compliance of Supreme Court order dated 11.08.2017.

4. That the Director General of Mine & Geology Department, Panchkula, Haryana vide letter No. 5062 dated 11.10.2018 (**Annexure-R/6**) has re-allotted the said stone mining project of Village Dadam, District Bhiwani to M/s Goverdhan Mines and Mineral, 51, Urban Estate-II, Hisar. The Hon'ble Punjab & Haryana High Court vide order dated 04.12.2018 (**Annexure-R/7**) has permitted to M/s Goverdhan Mines and Mineral, 51, Urban Estate-II, Hisar for mining on the same EC previously grant to M/s KJSL Sunder(JV) / M/s Sunder Marketing Associate till the time the issue of M/s Goverdhan Mines & Mineral Environmental Clearance decide with subject to final appraisal by the State in this regard, which they shall conclude within a period of two months. After this in compliance of Hon'ble Punjab and Haryana High Court order dated 04.12.2018 the Director General Mines & Geology Department vide their letter No. 6010 dated 21.12.2018 (**Annexure-R/8**) allowed the said firm to operate mining activity with previous EC granted to M/s KJSL Sunder(JV) by MOEF vide letter dated 03.07.2015 after obtaining CTE & CTO from HSPCB Board.
5. That on the basis of legal opinion obtained by Regional Officer, Bhiwani vide letter no. 154 dated 21.01.2019 from HSPCB, Panchkula, the consent for establish and operate to the said project was granted vide letter no. 313100419BHICTE6267995 dated 10.02.2019 and Letter no. 313100419BHICTO6356744 dated 25.02.2019 (**Annexure-R/09 and Annexure-R/10** respectively). The SEIAA, Haryana was constituted by MOEF & CC on 30.01.2019. The public hearing for the said mining project had held on 28.07.2020 and Environment Clearance was granted to the said project by SEIAA vide letter No. 638 dated 21.12.2020 Copy of which is enclosed as **Annexure-R/11**.

Compliance to Hon'ble NGT directions

B

R

6. That, in compliance of the order dated 21.07.2020, OA No. 132/2020 titled as Rakesh Dalal Versus State of Haryana, a joint team was constituted by DM, Bhiwani. The committee was headed by Additional Deputy Commissioner, Bhiwani as representative of District Magistrate, Bhiwani including Mining Officer Bhiwani, Assistant Geologist Ground Water Cell Bhiwani, Addl. District Forest Officer Bhiwani, Regional officer HSPCB Bhiwani and SDO Nigana Water Service Sub Div. Bhiwani. The Committee members visited the site of mining project on 06.10.2020. Copy of inspection report attached as **Annexure- R/12** and during inspection following observations were made:-

- (i) Ways in the forest area created illegally without having any valid permission. The mining equipment's/machines were found standing in the non-minable forest area.
The 'Dadam hills minor' is a protected forest area under IFA, 1927 and same was found illegally mined.
- (ii) The mining is done at the site about 200 feet depth. But actual depth of the mining pits will be assured by the inspection of the mining surveyor from Mining Deptt. Head office, Panchkula.
- (iii) The concerned mining officer stated that an approved mining plan as well as a progressive closure plan of same is already submitted by the said mining project proponent. The mining project is still in progress and closure plan will be implemented after closure of the mining.
- (iv) In the progressive closure plan, the depth is shown to be up to 42 meters.
- (v) During the inspection the concerned mining officer stated that the said mining project has given following dimensions of mining pit as per approved mining plan:
 - (i) Length:536 meter (ii) Width: 528 meter (iii) Depth: 78 meter (from the ground level). But no record provided at the site during inspection in this regard.
- (vi) The mining is not done in scientific manner.
- (vii) The concerned Assistant Geologist Water Cell reported that

As

D

no bore well found in the lease mining area. The project is meeting water requirement for plantation, dust suppression & domestic purpose etc. through tankers from outside the mining area and also using the water stored within mining pits and water stored in pits cannot be identified at spot whether it is ground water or rain water and same will be identified within 7 days as assured by the concerned Assistant Geologist Ground Water Cell.

7. That, a show cause notice for the closure under section 5 of EP Act, 1986 was issued by HSPCB, Bhiwani to the said unit i.e. M/s Govardhan Mines & Mineral, Village Dadam, Bhiwani vide letter no. 2633 dated 08.10.2020. Copy of SCN dated 08.10.2020 is enclosed as **(Annexure-R/13)**. The said project proponent submitted reply of SCN vide letter dated 22.10.2020. Copy enclosed as **(Annexure-R/14)**.
8. The reply of the said project proponent was considered by concerned departments i.e. Mining Department, Forest Department, and Ground Water Cell. The documents relied upon by the Project Proponent were also considered.
9. That the Regional officer, Bhiwani vide letter no. 5235 dated 06.11.2020 recommended closure action against the said unit under section 5 of EP Act, 1986 to the Competent Authority. Copy enclosed as **(Annexure-R/15)**.
10. That M/s Goverdhan Mines and Mineral made representation to the Chairman, HSPCB, Panchkula. Accordingly, the Regional Officer was asked to get the representation of M/s Govardhan Mines & Mineral examined from all the departments who inspected the site and to submit comprehensive report. Copy of letter Dated 18.11.2020 of HSPCB, Panchkula along with representation is enclosed as **(Annexure-R/16)**.
11. That in the meantime, Mining Department, Forest Department and Assistant Geologist Ground Water Cell also examined the issues

B

the

concerning to them thoroughly and submit their reports. Those reports were considered in meeting dated 01.12.2020 convened by the Deputy Commissioner, Bhiwani with all concerned departments in order to examine the Action taken in the matter. The reports are explained below:

A. MINING DEPARTMENT:

Joint Committee consisting of Sr. Geologist Head Office Panchkula, Mining Officer Bhiwani, Sr. Surveyors, surveyor and officials of HARSAC inspected the area on date 03.11.2020. The Detail Survey of the mines area was carried out with the help of DGPS instrument in the presence of concerned revenue officials i.e. Halka Girdaver and patwari. The detail survey was carried out with the help of DGPS for confirming the boundary coordinates of the mining lease area. The Committee observed as under:

1. *Boundary pillars around the mining lease area were found in order with GPS coordinate. Total 32 numbers of pillars were found to be established as per approved Mining plan.*
2. *The maximum depth of the mining pits was found to be 109 meters from surface level at the time of inspection.*
3. *Some seepage water was seen in this pit during the inspection. The report of Assistant Geologist Ground water cell Bhiwani is attached herewith.*
4. *Systematic and scientific Mining is regulated by the office of Director Mines Safety Gaziabad. If any violation is found in method of mining they took the action accordingly and inform to the office of concerned Mining Officer, District Collector, Director General Mines and Geology Haryana. But no such type of information is received from Director Mines Safety Gaziabad as reported by Mining Officer, Bhiwani.*
5. *Out of lease area in Khatoni No. 67//62min, khasra no. 16//20/1 min, 21/1min, 17//1 min, 9min, 10min, 12min, 13min, 14min, 16min, 17min, 18//6min, 7min, 14min haul road is being created and used by the contractor having approximate length 460 meters, width 20 mtr and depth 0-15 mtr. and DGPS*

R_s

R_s

readings of the Haul Road is N 28° 53' 12.460" E 75° 51' 24.053", N 28° 53' 14.350" E 75° 51' 28.133", N 28° 53' 10.851" E 75° 51' 34.937". But no stone has been extracted from above khashra numbers because the said area is consisting of ordinary clay / earth. Rest of the alleged area is found to be virgin area. It was also confirmed by the local revenue department too. (Copy of the report of revenue department is also attached herewith.)

6. During the inspection it was also found that no illegal Mining was noticed in the Forest area of Aravali Plantation.

Report of team constituted by Director General, Dept. of Mines & Geology was forwarded vide letter dated 02.02.2021 Copy of letter dated 02.02.2021 alongwith report dated 04.11.2020 is annexed as (Annexure-R/17).

B Forest Department:

Additional Deputy Commissioner, Bhiwani submitted a letter no. 1860 dated 17.11.2020 of DFO, Bhiwani. In this report DFO has clarified that the illegal mining done in Dadam hills area by M/s Sunder Marketing Associates. Illegal mining noticed on 22.12.2019, an FIR number 587 dated 23.12.2019 was lodged at Police Station, Tosham against Sandeep etc.

The letter dated 17.11.2020 of DFO, Bhiwani stated that the said project proponent is now not using any Aravalli plantation area for ways and not made any illegal mining and is also same examined with the help of Google images obtained from HARSAC, Hisar, it appears that the illegal mining and illegal ways are created by previous project proponent and not by present mining project i.e. M/s Govardhan Mines & Mineral, Village Dadam, Bhiwani. Copy of DFO letters dated 17.11.2020 is enclosed as (Annexure-R/18).

C Asstt. Geologist Ground water cell:

According to report dated 04-11-2020 of Asstt. Geologist, Ground water cell the water table data of selected wells available in surrounding alluvial formation is from 9.41 mtrs. to 18.52 mtrs.,

RB

RB

whereas the depth of mining pit is approx. 109 mtrs. as measured by the officials of mining department. This shows that presently the surrounding water level is having no inter connectivity with mining pits, as the water table has not been encountered upto the depth of 109 Mtrs. So it is concluded that the water accumulated in mining pits is seepage from the cracks and fissures of the quartzite rock of Aravalli system **Annexure-R/19**.

12. That the Executive Engineer, Jui Water Services, Bhiwani submitted a report dated 20.11.2020 stating that as per available records, in the case of Omparkash & others V/s Raman & others in the Hon'ble Court of Sh. Sunil Kumar Dewan, ACJ(SD) Tosham, the Tehsildar Tosham was appointed as Local Commissioner who had mentioned in his report dated 06.01.2016 that from RD 21100 to RD 22800 of Dadam distributary in a length of 1700 ft., the channel was damaged/ not existing since last 10 years. It was further stated that the channel was mostly damaged by earlier mining operations. Copy of letter dated 20.11.2020 of the Executive Engineer, Jui Water Services, Bhiwani is enclosed as **Annexure-R/20**.
13. That minutes of meeting dated 01.12.2020 as referred above is enclosed as **Annexure-R/21**.
14. The Deputy Conservator of Forests, Bhiwani vide letter dated 21.12.2020 stated that illegal mining and illegal ways are created by previous project proponent M/s Sunder Marketing, Dadam and not by M/s Govardhan Mines & Mineral, Village Dadam, Bhiwani. Copy of Deputy Conservator of Forests, Bhiwani letter dated 21.12.2020 is enclosed as (**Annexure-R/22**).
15. The Deputy Commissioner, Hisar requested the Director Mines Safety Ghaziabad to verify whether said project i.e. M/s Govardhan Mines and Mineral, Dadam Stone Mine is doing scientific mining or not. Subsequently the Mining Officer, Bhiwani vide letter memo no 1201 dated 18.12.2020 also requested the Director Mines Safety Ghaziabad to verify the facts and Director Mines Safety Ghaziabad vide its letter dated 28.12.2020 (**Annexure-R/23**) gave observations and conclusion as under:-

Ry

TE

Observations:

- (i) There were 25-30 number of pits dug within the lease hold area. The pit name was locally numbered for identification and convenience. The size of these pit was about 80-200m x100m-200m.
- (ii) The size of pit no. 38 was about 80mx60mx18m. The height of benches were 5-9m and width was about 5-7m. A haul road leading to benches was provided. The Aravali forest land was located on the western part of the excavation. Men and machinery were deployed by contractor. The size of pit no. 35 was about 60-65m(L)x40-45m(W)x8m-9m(D). The height of bench was about 8-9m. Adjoining to this pit, forest land of Aravali was located on western side. The size of pit no. 31 was about 100-110m(L)x80-90m(W)x 16-18m(D). The height of bench was about 8-10m. adjoining to this pit, forest land of Aravali was located on southern side. Loading of stone was being carried on in these pits.
- (iii) The size of pits no. 22 was about 200mx200mx200m(D). The height of benches were about 9-10m. Drilling of holes were being carried on the bottom bench. The drill machine was provided with wet drilling arrangement (Photographs enclosed). Management informed that the drill machines are provided with wet drilling arrangement. Some of the drill machines whose wet drilling mechanism was out of order were under repair.
- (iv) There were three portable fogger machines installed near the pit where loading operation was being carried on to settle the dust being generated during loading. It was informed that these foggers are moved to different pits where loading operations are carried on. Two to three dedicated tractor mounted water wanker was available for supplying water to these fogger machine.
- (v) Three water tanker with water spraying arrangement on the top (whirling type) were provided for wetting the haul roads and benches (Photograph enclosed). Water sparying was being done on the haul roads and benches.

R₃D
K

- (vi) The danger zone was demarcated by means of red flag (photographs enclosed). The lease boundary was fenced by barbed wire. During inspection it was observed that all staffs and work persons were safety gadgets like helmet and shoes.
- (vii) An order under section 22(3) of the mines Act, 1952 was imposed in pit no. 12, vide this directorate's letter No. 2169 dated 28.06.2019. No work was being carried out in this pit. Men and machinery were not found deployed in this pit.
- (viii) The records of attendance in form D were kept maintained. The employment register in Form_B was kept maintained. (Copy enclosed)
- (ix) The deep hole drilling and blasting was carried out under the personnel supervision of assistant manager and foreman. The blasting time was reported to be between 1-4pm. A signage of blasting time was displayed on board at several places (photographs enclosed). Transport of explosive in license van for blasting in the mine was done by the explosive supplier that was in agreement with owner of mine. The records of explosive used and return in RE-13 were being maintained by the explosive supplier (Copy enclosed) and firings of shot were done by statutory persons appointed by the owner of mine.
- (x) An efficient means of signaling by siren within the radius of 300 m from the place of firing was provided and in use (photographs enclosed).
- (xi) High mast tower consisting of cluster of bulb was found installed on the haul roads around the quarry of the mines. (photographs enclosed) for lighting arrangement toward beyond day light hours.
- (xii) There were crushers not belonging to owner of mine within the danger zone in north eastern and north western side. However, the crusher were located outside the danger zone from active working face. The fly rocks generated during the blasting was towards free face. It was informed by the management that the adjoining field the lease were acquired by the lessee on rental basis. No signs of fly rocks were seen near the adjoining field to the lease.

RB

D

Conclusion:

(I). It is to be noted that, Mining lease for Dadam stone mines, Khasra No. 132, Ms Goverdhan Mines & Minerals was granted by department of Mines & Geology, Government of Haryana. Consent to operate, consent to establish and environment clearance was granted by the state authority. Simplified Mining Scheme for working the Mine & Geology, Haryana.

(II). Inspection of Dadam mines, M/s Goverdhan Mines & Minerals was carried out in accordance with mines Act, 1952.

(III). Under constitution of India, safety welfare and health of workers employed in the mines is regulated by the mines Act, 1952 and subordinate legislations framed under it. This Directorate, a subordinate office under Ministry of labour & Employment, Government of India administers and oversees the compliance of the provisions of the mines Act, 1952 & the Rules under certain Regulation for specific mining operations like Deployment of heavy Earth Moving Machinery & Deep hole blasting .

(IV). Inspection are carried out in accordance with Mines Act, 1952 to oversee compliance

(V). Scientific study is not carried out by the this Directorate. However, Department of mines & Geology may engage recognize scientific organisation or institutions to carry out scientific study of the mine.

CO-ORDINATION WITH THE HARYANA SPACE APPLICATION CENTRE (HARSAC) AT HISAR, THE FOREST SURVEY OF INDIA AND CENTRAL GROUND WATER AUTHORITY:

16. The demarcation of adjoining area of M/s Govardhan Mines & Minerals, Village- Dadam, Bhiwani was carried out on 06.11.2020, 30.12.2020 & 29.01.2021 by revenue department in compliance of direction issued by the Deputy Commissioner, Bhiwani. Copy attached as (Annexure-R/24 Colly). Thereafter, Deputy Commissioner, Bhiwani requested the Director of HARSAC, Hisar to

As

DK

provide the satellite images of mining at Village- Dadam from the year 2010 to 2020 by their office vide letter No. 1080 dated 02.02.2021 and subsequent reminder vide letter No. 1847 dated 11.02.2021 (**Annexure-R/25**). The Director, HARSAC has provided the satellite images of mining at Dadam for the year 2010, 2011, 2013, 2016 & 2019. Copy attached as (**Annexure-R/26**).

17. The Deputy Forest officer, Bhiwani has intimated by vide his letter dated 22.02.2021 (**Annexure-R/27**) that they have requested HARSAC to provided the high resolution imaginary of the Aravali plantation area from Hisar to Dadam and HARSAC vide its letter dated 05.11.2020 have informed that the said data is not available with them. Thereafter, DFO, Bhiwani vide letter dated 03.02.2021 has also requested the Director, Forest Survey of India, Dehradun to provide the high resolution imaginary but the same has not been received so far.
18. The Deputy Commissioner has directed that the Assistant Geologist Ground Cell, Bhiwani to get the necessary report from CGWA regarding ground water extraction accordingly. The Asstt. Geologist Ground water cell, Bhiwani vide letter dated 14.12.2020 has requested Regional Director ,CGWA, Chandigarh to investigate matter regarding level of groundwater table and illegal ground water extraction at Dadam Mines, Bhiwani. The Regional Director CGWB vide letter dated 31.12.2020 has nominated Sh. Saquib, HTG to investigate the said matter. The CGWA , Chandigarh has inspected the site on 05.02.2021 & vide letter dated 22.02.2021 (**Annexure-R/28**) concluded that based on field investigation and chemical analysis of collected water sample it is concluded that seepage in mining pit is ground water from quartzite formation . Quartzites are forming low yield aquifer and tubewell constructed in quartzite generally yields 100-150 lpm of water only, thus the seepage found in pit is very minor and during rainy season they may yield good quantity of water resulting in filling of mines pits. As the water in the alluvial formation is 9.41mbgl to 18.52 mbgl in the surrounding alluvial areas of mines, the fracture in quartzite might be hydrologically connected to the water table of the alluvial areas and seepage in

B

E

mine pit are of ground water only.

CONCLUSION:

In view of the reports submitted by the respective departments/authorities, no adverse comment against M/s Govardhan mines & Mineral can be made at this stage.

RECOMMENDATIONS:-

1. The Forest Department may take steps to restore the damage to Forest area done in past. The work of afforestation and strict vigil may be ensured in the forest area.
2. The Department of Irrigation through Jui Water Services, Bhiwani may take steps for restoration of 'Dadam Distrubutory'.
3. The Mining Officer and Regional Officer, HSPCB may ensure that mining activity should be done strictly as per conditions of permissions granted to project proponent. In case of violation, if any appropriate action be taken in accordance with law.



**Regional Officer,
HSPCB,
Bhiwani Region**



**Deputy Commissioner,
Bhiwani**

Item No. 02

Court No. 1

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

(By Video Conferencing)

Original Application No. 132/2020

Rakesh Dalal

Versus

Applicant

State of Haryana

Respondent

Date of hearing: 02.06.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Respondent: Mr. Rahul Khurana, Advocate for HSPCB

ORDER

1. This application has been filed against illegal mining by M/s Goverdhan Mines at Tosham, District Bhiwani, Haryana. It is alleged that mining is done up to 150 meters which is not permissible. The mining company has not given a closure plan. In the progressive closure plan, the depth is shown to be up to 42 meters. Mining is not being done in a scientific manner. Ground water is also being illegally extracted. The applicant has annexed a letter addressed to the Additional Chief Secretary, Mines and Geology Department pointing out illegalities in the process of mining. A copy of order of Punjab and Haryana High Court dated 20.09.2018 in *CWP No. 9002-2018 (O&M), Rakesh Dalal v. State of Haryana & Ors.* has also been filed whereby the Writ Petition was allowed to be withdrawn to move the concerned authorities.

2. Vide order dated 21.07.2020, a factual and action taken report was sought from a joint Committee of District Magistrate, Bhiwani and State PCB.

3. Accordingly, the State PCB has filed its report on 27.03.2021 to the effect that the joint Committee has visited the site on 06.10.2020 and observed illegalities as follows :-

“(i) Ways in the forest area created illegally without having any valid permission. The mining equipment's/machines were found standing in the non-minable forest area. The 'Dadam hills minor' is a protected forest area under IFA, 1927 and same was found illegally mined.

(ii) The mining is done at the site about 200 feet depth. But actual depth of the mining pits will be assured by the inspection of the mining surveyor from Mining Deptt. Head office, Panchkula.

(iii) The concerned mining officer stated that an approved mining plan as well as a progressive closure plan of same is already submitted by the said mining project proponent. The mining project is still in progress and closure plan will be implemented after closure of the mining.

(iv) In the progressive closure plan, the depth is shown to be up to 42 meters.

(v) During the inspection the concerned mining officer stated that the said mining project has given following dimensions of mining pit as per approved mining plan:

(i) Length: 536 meter

(ii) Width: 528 meter

(iii) Depth: 78 meter (from the ground level). But no record provided at the site during inspection in this regard.

(vi) The mining is not done in scientific manner.

(vii) The concerned Assistant Geologist Water Cell reported that no bore well found in the lease mining area. The project is meeting water requirement for plantation, dust suppression & domestic purpose etc. through tankers from outside the mining area and also using the water stored within mining pits and water stored in pits cannot be identified at spot whether it is ground water or rain water and same will be identified within 7 days as assured by the concerned Assistant Geologist Ground Water Cell.”

4. It is further stated that based on the above, a show cause notice was given and action of closure was recommended. Thereafter, remedial steps were taken as per further report of the joint Committee of Mining Department which visited the site on 03.11.2020 and observed:-

“1. Boundary pillars around the mining lease area were found in order with GPS coordinate. Total 32 numbers of pillars were found to be established as per approved Mining plan.

2. The maximum depth of the mining pits was found to be 109 meters from surface level at the time of inspection.

3. Some seepage water was seen in this pit during the inspection. The report of Assistant Geologist Ground water cell Bhiwani is attached herewith.

4. Systematic and scientific Mining is regulated by the office of Director Mines Safety Gaziabad. If any violation is found in method of mining they took the action accordingly and inform to the office of concerned Mining Officer, District Collector, Director General Mines and Geology Haryana. But no such type of information is received from Director Mines Safety Gaziabad as reported by Mining Officer, Bhiwani.

5. Out of lease area in Khatoni No. 67//62min, khasra no. 16//20/1 min, 21/1min, 17111 min, 9min, 10min, 12min, 13min,14min, 16min, 17min, 18//6min, 7min, 14min haul road is being created and used by the contractor having approximate length 460 meters, width 20 meters and depth 0-15 meters and DGPS readings of the Haul Road is N 28° 53' 12.460" E 75°51'24.053, N 28°53' 14.350" E 75°51'28./33", N 28°53' 10.851" E 75°5 / '34.937". But no stone has been extracted from above khasra numbers because the said area is consisting of ordinary clay / earth. Rest of the alleged area is found to be virgin area. It was also confirmed by the local revenue department too. (Copy of the report of revenue department is also attached herewith.)

6. During the inspection it was also found that no illegal Mining was noticed in the Forest area of Aravali Plantation.

Report of team constituted by Director General, Dept. of Mines & Geology was forwarded vide letter dated 02.02.2021 Copy of letter dated 02.02.2021 alongwith report dated 04.11.2020 is annexed as (Annexure-R/17).”

5. Further inspection was taken on 28.12.2020 by the joint Committee and it was found that past violations were required to be

remedied but currently there are no serious violations. Observations and conclusion are quoted below:-

“Observations

(i) *There were 25-30 number of pits dug within the lease hold area. The pit name was locally numbered for identification and convenience. The size of these pit was about 80-200m x100m-200m.*

(ii) *The size of pit no 38 was about 80mx60mx18m. The height of benches were 5-9m and width was about 5-7m. A haul road leading to benches was provided The Aravali forest land was located on the western part of the excavation. Men and machinery were deployed by contractor. The size of pit no. 35 was about 60-65m(L)x40-45m(W)x8m-9m(D). The height of bench was about 8-9m. Adjoining to this pit, forest land of Aravali was located on western side. The size of pit no. 31 was about 100-110m(L)x80-90m(W)x 16-18m(D). The height of bench was about 8-10m adjoining to this pit, forest land of Aravali was located on southern side. Loading of stone was being carried on in these pits.*

(iii)*The size of pits no. 22 was about 200mx200mx200m(D). The height of benches were about 9-10m. Drilling of holes were being carried on the bottom bench. The drill machine was provided with wet drilling arrangement (Photographs enclosed). Management informed that the drill machines are provided with wet drilling arrangement. Some of the drill machines whose wet drilling mechanism was out of order were under repair.*

(iv)*There were three portable fogger machines installed near the pit where loading operation was being carried on the settle the dust being generated during loading. It was informed that these foggers are moved to different pits where loading operations are carried on. Two to three dedicated tractor mounted water tanker was available for supplying water to these fogger machine.*

(v) *Three water tanker with water spraying arrangement on the top (whirling type) were provided for wetting the haul roads and benches (Photograph enclosed). Water spraying was being done on the haul roads and benches.*

(vi) *The danger zone was demarcated by means of red flag (Photographs enclosed). The lease boundary was fenced barbed wire. During inspection it was observed that all staffs by and work persons were safety gadgets like helmet and shoes.*

(vii) *An order under section 22(3) of the mines Act, 1952 was imposed in pit no. 12, vide this directorate's letter No. 2169 dated 28.06.2019. No work was being carried out in this pit. Men and machinery were no found deployed in this pit.*

(viii) *The records of attendance in form D were kept maintained. The employment register in Form_B was kept maintained.(Copy enclosed).*

(ix) The deep hole drilling and blasting was carried out under the personnel supervision of assistant manager and foreman. The blasting time was reported to be between 1-4pm. A signage of blasting time was displayed on board at several places (photographs enclosed). Transport of explosive in license van for blasting in the mine was done by the explosive supplier that was in agreement with owner of mine. The records of explosive used and return in RE-13 were being maintained by the explosive supplier (Copy enclosed) and firings of shot were done by statutory persons appointed by the owner of mine.

(x) An efficient means of signaling by siren within the radius of 300 m from the place of firing was provided and in use (photographs enclosed).

(xi) High mast tower consisting of cluster of bulb was found installed on the haul roads around the quarry of the mines. (photographs enclosed) for lighting arrangement toward beyond day light hours.

(xii) There were crushers not belonging to owner of mine within the danger zone in north eastern and north western side. However, the crusher were located outside the danger zone from active working face. The fly rocks generated during the blasting was towards free face. It was informed by the management that the adjoining field the lease were acquired by the lessee on rental basis. No signs of fly rocks were seen near the adjoining field to the lease.

Conclusion:-

(i) It is to be noted that, Mining lease for Dadam Stono winos, Khasra No. 132, Ms Goverdhan Mines & Minerals was granted by department of Mines & Geology, Government of Haryana, Consent to operate, consent to establish and environment clearance was granted by the state authority. Simplified Mining Scheme for working the Mine & Geology, Haryana.

(ii) Inspection of Dadam mines, M/s Goverdhan Mines & Minerals was carried out in accordance with mines Act, 1952.

(iii) Under constitution of India, safety welfare and health of workers employed in the mines is regulated by the mines Act, 1952 and subordinate legislations framed under it. This Directorate, a subordinate office under Ministry of labour & Employment, Government of India administers and oversees the compliance of the provisions of the mines Act, 1952 & the Rules under certain Regulation for specific mining operations like Deployment of heavy Earth Moving Machinery & Deep hole blasting.

(iv) Inspection are carried out in accordance with Mines Act, 1952 to oversee compliance.

(v) Scientific study is not carried out by this Directorate. However, Department of mines & Geology may engage recognize

scientific organisation or institutions to carry out scientific study of the mine.”

6. It is, thus, suggested that at the moment there are no violations.

However, following recommendations have been made:-

“Recommendations:-

1. *The Forest Department may take steps to restore the damage to Forest area done in past. The work of afforestation and strict vigil may be ensured in the forest area.*
2. *The Department of Irrigation through Jui Water Services, Bhiwani may take steps for restoration of ‘Dadam Distributary’.*
3. *The Mining Officer and Regional Officer, HSPCB may ensure that mining activity should be done strictly as per conditions of permissions granted to project proponent. In case of violation, if any appropriate action be taken in accordance with law.”*

7. In view of the above, let further action be taken in terms of the above recommendations. We also direct that whenever mine is closed on expiry of lease, evaluation of impact on environment must be conducted before commencement of new lease and if there are violations, compensation must be assessed and recovered on ‘Polluter Pays’ principle as well as in accordance with Mining Rules. The Secretary Mining and Secretary Environment, Haryana may hold a joint meeting and prepare appropriate SOP in this regard as far as possible within one month. The Secretary Mining, Haryana will be the nodal agency for coordination and compliance.

The application is disposed of.

A copy of this order be forwarded to the Secretary Mining and Secretary Environment, Haryana by email to facilitate compliance of above order.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

June 02, 2021
Original Application No. 132/2020
A

(To be substituted bearing same number & date)

Speed Post

From

The Director,
Department of Mines & Geology,
Haryana.

To

M/s KJSL-SUNDER (JV),
702, D.T. Pearls Business Park,
Netaji Subhash Place, Pitampura, Delhi - 34

Memo No.DMG/HY/ML/Dadam/2013/161
Dated Chandigarh, the 03.01.2014

Subject: Acceptance of the highest bid in respect of minor mineral mines of "Stone alongwith Associated minor minerals" of "Dadam" over an area of 55.50 hectares in the Tehsil Tosham district Bhiwani offered in the auction held on 30.12.2013 and issuance of Letter of Intent (LoI) - regarding.

You offered the highest bid of Rs. 115,00,00,000/- [Rs. One hundred fifteen crore only] per annum, against the Reserve Price of Rs. 6,25,00,000/- per annum, for obtaining the Mining lease of Minor Mineral Mines namely "Dadam" over an area of 55.50 hectares falling in Khasra numbers 132min,133 of Villages "Dadam" in Tehsil Tosham, District Bhiwani, in the auction held on 30.12.2013 in the office of the Mining Officer, Bhiwani for the grant of mining leases of minor mineral mines of stone alongwith associated minor minerals of the districts of Bhiwani.

2. You are hereby informed that the state government has accepted the highest bid of Rs. 115,00,00,000/- [Rs. One hundred fifteen crore only] per annum, offered by you in respect of the above said minor mineral mines/quarries of "Dadam" under the provisions of the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals & Prevention of Illegal Mining Rules-2012 (State Rules). Accordingly, you have become the successful bidder in respect of "Dadam" quarries of the district Bhiwani.

3. The State Government having accepted the aforementioned highest bid offered by you, the Department is pleased to issue this Letter of Intent (LoI) for grant of mining lease in your favour in respect of the Mines/area namely "Dadam" of stone along with associated minor minerals subject to the following terms and conditions:-

- (i) The period of lease shall be 10 years and the same shall commence with effect from the date of grant of environmental clearance by competent authority or on expiry of a period of 12 months from the date of this communication of acceptance of highest bid/ issuance of "Letter of Intent", which ever is earlier;

- (ii) Though due care had been taken in specifying the details of the area of the mining sites, however, in case of any inadvertent mistake, the same shall be got rectified/corrected before execution of the lease deed/agreement;
- (iii) The amount of the highest bid i.e. Rs. 115,00,00,000/- [Rs. One hundred fifteen crore only] per annum shall be the "Annual dead rent" payable by you in the manner prescribed in the lease deed/agreement to be executed on form ML-1 appended to the State Rules;
- (iv) The above said annual dead rent shall be increased @ 25% on completion of each block of three years. Accordingly, the year-wise amount of the annual lease money shall be as per details given below:

Sr. No.	Year of the lease Period	Annual Dead Rent
1	First Year	Rs. 115,00,00,000
2	Second Year	Rs. 115,00,00,000
3	Third Year	Rs. 115,00,00,000
4	Forth Year	Rs. 143,75,00,000
5	Fifth Year	Rs. 143,75,00,000
6	Sixth Year	Rs. 143,75,00,000
7	Seventh Year	Rs. 179,68,75,000
8	Eighth Year	Rs. 179,68,75,000
9	Ninth Year	Rs. 179,68,75,000
10	Tenth Year	Rs. 224,60,93,750

- (v) As per the terms and conditions of the grant, you are liable to deposit Rs. 28,75,00,000/- i.e. equal to 25% of the annual bid amount as "security deposit" and Rs. 9,58,33,334/- on account of one month's advance dead rent. out of which you have already deposited an amount of Rs. 11,50,00,000/- i.e. equal to 10% of the annual bid amount as 'initial bid security' at the fall of hammer. The balance amount of Rs. 17,25,00,000/- of the bid security i.e. 15% of the annual bid amount along with Rs. 9,58,33,334/- on account of one month's advance dead rent shall be deposited before commencement of the mining operations or before expiry of the period of 12 months, whichever is earlier;
- (vi) You shall have to execute lease deed in Form ML-1 appended to the State Rules within a period of 90 days from the date of issuance of this communication/ grant of Lol. The stamp as applicable at the time of execution/registration of the agreement shall be payable by you.
- (vii) Four copies of draft lease deed/agreement shall be submitted, of which the first copy shall be submitted on stamp paper of Rs. 4,61,97,660/- (Rs. Four crore sixty one lakhs ninety seven thousand six hundred sixty only). This amount is subject to audit and in case of any difference found at a later stage, the difference shall be payable by you on demand;

- (viii) The lease deed would also be required to be got registered on payment of the applicable Registration fee;
- (ix) In case you fail to execute the Lease Deed within the prescribed period of 90 days, this Lol shall be deemed to have been revoked and the amount of initial bid security deposited at the time of auction shall be forfeited. Further, the balance amount of 15% towards the bid security, amounting to Rs. 09,58,33,334/- being the 15% of the annual bid amount, shall be recovered as arrears of land revenue and, you, as the Lol holder/defaulters, shall be debarred from participation in any future auctions for a period of 5 years;
- (x) You shall also furnish a solvent surety for a sum equal to the amount of the annual bid for execution of the lease deed/agreement. In case the surety offered by the lessee during the subsistence of the lease is not found solvent, the lessee shall offer another solvent surety and a supplementary deed shall be executed to this effect;
- (xi) You shall be liable to deposit the Dead Rent in advance at monthly intervals as per provisions of lease deed/agreement i.e. from the date of commencement of the lease deed;
- (xii) You shall be liable to pay dead rent as determined through open auction or shall pay royalty in respect of each of the minor minerals extracted or removed or consumed by you or by your agent, manager, employee etc., whichever is more. The royalty shall be payable at the rates prescribed in the First Schedule appended to the State Rules and as may be revised by the State Government from time to time.
- (xiii) You shall also deposit/pay an additional amount equal to 10% of the due Dead Rent/Royalty, whichever is more, along with the monthly installments towards the 'Mines and Minerals Development, Restoration and Rehabilitation Fund'.
- (xiv) You shall also be liable to pay advance income tax as per provisions of Section 206(c) of income tax act in addition to Dead Rent/Royalty, payable as per terms and conditions of lease deed/agreement.
- (xv) On enhancement of the annual dead rent with the expiry of every three years period, you shall deposit the balance amount of security so as to upscale the security amount equal to 25% of the revised annual dead rent as applicable for one year with respect to the next block of three years. No interest, whatsoever, shall be payable on the security amount deposited under the prescribed security head of the government;
- (xvi) You shall prepare a Mining Plan along with the Mine Closure Plan (Progressive & Final) as per chapter 10 of the State Rules for the "Mining site" and shall not

commence mining operations in any area except in accordance with such Mining Plan duly approved by an officer authorised by the Director, mines & Geology, in this behalf.

- (xvii) Further, the actual mining will be allowed to be commenced only after prior Environmental Clearance is obtained by you as the Lol holder/mining lessee for the Minor Mineral Stone Mines/Quarries from the Competent Authority as required under EIA notification dated 14/9/2006, as amended from time to time by the MoE&F, GoI and guidelines/ circulars issued in this behalf;
- (xviii) The Mining lessee to whom the mining rights have been granted through this lease would also be liable to pay the following to the landowners for undertaking mining operation:-
 - (a) Annual rent in respect of the land area blocked under the concession but not being operated, and
 - (b) Rent plus compensation in respect of the area used for actual mining operations.
- (xix) The amount of annual rent and the compensation shall be settled mutually between the landowner and the lessee. In case of non-settlement of the rent and compensation, the same shall be decided by the District Collector concerned in accordance with the provisions contained in Chapter 9 of the "Haryana Minor Mineral Concession, Stocking, and Transportation of Minerals and Prevention of Illegal Mining Rules, 2012";
- (xx) The total mineral excavated and stacked by the lease holder within the area granted on mining lease shall not exceed two times of the average monthly production as per approved Mining Plan at any point of time;
- (xxi) The lessee shall not stock any mineral outside the concession area granted on mining lease, without obtaining a valid licence as per provisions contained in Chapter 14 of the State Rules;
- (xxii) The lessee shall not carry out any mining operations in any reserved/ protected forest or any area prohibited by any law in force in India, or prohibited by any authority without obtaining prior permission in writing from such authority or officer authorized in this behalf. In case of refusal of permission by such authority or officer authorized in this behalf, lessee(s) shall not be entitled to claim any relief in payment of Dead Rent/Royalty on this account;
- (xxiii) A safety margin of two meters (2m) shall be maintained above the ground water table while undertaking mining and no mining operations shall be permissible

below this level unless a specific permission is obtained from the competent authority in this behalf.

- (xxiv) The lessee shall be under obligation to make available up to 75% of the produced raw material/stone to the downstream industries i.e. stone crushers operating in the area. However, in case lessee is unable to find market for his raw mineral to the extent of 75% of production, he would be required to obtain prior permission of the department to consume raw mineral in excess of 25% of his production but not exceeding 50% of his production for grounds to be recorded in writing;
- (xxv) No transfer of lease shall be permissible for a period of first five years of grant of lease. However, on submission of an application, in accordance with the provisions of the Haryana Minor Mineral Concession, Stocking, Transportation of Mineral & Prevention of Illegal Mining Rule, 2012, and after satisfying itself the state government may allow inducting of other partners/share holders to the extent of forty nine percent of the total shareholding of the original leaseholder;
- (xxvi) The lessee shall be under obligation to carry out mining in accordance with all other provisions as applicable under the Mines Act, 1952, Mines and Minerals (Development and Regulation) Act, 1957, Indian Explosives Act, 1884, Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986 and the rules made thereunder, Wild Life (Protection) Act, 1972, Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981;

4. Accordingly, you are advised to submit the Draft Mining Lease deed/agreement on Form ML-I (in Four copies) appended to the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals & Prevention of Illegal Mining Rules-2012, first copy of which shall be on the stamp paper of Rs. 4,61,97,660/- (Rs. Four crore sixty one lakhs ninety seven thousand six hundred sixty only) along with other requisite documents including a solvent surety(s) for a sum equal to the amount of the annual bid for execution of the agreement, within a period of 90 days from the date of issue of this bid acceptance letter and the Lol.

5. Please note that one Sh. Rajbir Singh had filed a CWP bearing No. 27700 of 2013 before the Hon'ble Punjab & Haryana High Court challenging the conditions of the auction notice and the rules relating to payment of Rent and Compensation to the land owners and the time of 12 months allowed to the highest bidders/Lol holders for obtaining the Environmental Clearance as per EIA notification of the Ministry of Environment & Forests, Government of India. While the Hon'ble High Court did not restrain the auction proceedings and held that the auctions may be held but it has also directed vide its orders dated 17.12.2013 that the same shall be subject to final

outcome of the above said CWP. Accordingly, this acceptance/Lol is being issued subject to the outcome in CWP No. 27700 of 2013 pending before Hon'ble Punjab & Haryana High Court.



State Mining Engineer,
for Director Mines & Geology, Haryana. *24/01/14*

Endst.No. DMG/HY/ML/Dadam/2013/162

Dated: 03.01.2014

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

1. The Chairman Haryana State Pollution Control Board, Sector-6, Panchkula.
2. The Deputy Commissioner, Bhiwani.
3. The Mining Officer, Bhiwani.

- sdt -

State Mining Engineer,
for Director Mines & Geology, Haryana.

Speed Post

No. J-11015/100/2014-IA.II (M)
Government of India
Ministry of Environment, Forest and Climate Change
Impact Assessment Division

Indira Paryavaran Bhavan,
Aliganj, Jor Bagh Road
New Delhi-110 003

Dated: 3rd July, 2015

To,

M/s KJSL -Sunder (JV)
702, D.T. Pearls Business Park
Plot No. D-7, Netaji Subhash Place
Pitampura, New Delhi-110 034

Tel. 011-47012747; Fax: 011-27355818
Email: kjslsunderjv@gmail.com

Sub.: Mining of Stone (Minor Mineral) with proposed production capacity of 15.0 million TPA (ROM) of Stone by M/s KJSL -Sunder (JV), located at village - Dadam, Tehsil-Tosham, District-Bhiwani, Haryana (55.50ha)-Environmental Clearance regarding.

Reference: Online Application IA/HR/MIN/22928/2014

Sir,

This has reference to your online application and subsequent letter dated 15.12.2014 and 13.01.2015 for the above mentioned proposal for Mining of Stone (Minor Mineral) with proposed production capacity of 15.0 million TPA (ROM) of Stone. The Latitudes & Longitudes of the site are 28° 51' 45.00" N to 28° 53' 18.06" N and 75° 50' 28.12" E to 75° 51' 23.08" E respectively on Toposheet No. H43V13 (44P13).

2. The Ministry had prescribed TOR on 11.06.2014. The Proponent after conducting Public Hearing on 01.10.2014 submitted the EIA/EMP report online for seeking environmental clearance. The proposal was appraised before the Expert Appraisal Committee in its Meeting held during December 10-11, 2014 wherein the EAC sought information/clarification. Based on the information submitted by the Proponent, the proposal was reconsidered by the EAC in its meeting held during March 16-18, 2015 wherein the Committee recommended the Proposal for environmental clearance for Mining of Stone (Minor Mineral) with proposed production capacity of 15.0 million TPA (ROM) of Stone.

3. The total mining lease area is 55.50 ha, which is Government Land. Project Proponent reported that there is no forest land involved. LOI was issued by Department of Mines & Geology, Haryana vide Memo No. DMG/HY/ML/Dadam/2013/161 dated 03.01.2014. Mining Plan & Progressive Mine Closure Plan has been approved by the Director of Mines and Geology, Haryana vide letter no DMG/HY/ML/Dadam/MP/2013/4684 dated 28.10.2014. Project Proponent informed that the Department of Mines and Geology, Govt. of Haryana, vide letter dated 14.01.2015 mentioned that the content of these mine plans are

by and large same except estimation of the probable reserve. The other typographical corrections and formatting are also there but no impact on the mining plan.

4. Method of mining will be mechanized opencast for Mining of Stone (Minor Mineral) with production capacity of 15 million TPA (ROM) by digging, sorting, grading of minerals and transportation by trucks/dumpers. The Proponent informed that no crusher will be installed in the MLA. It is proposed to work by forming benches of 9 m height and 9 m width. Project Proponent reported that ground vibration, fly rock, air blast, noise, dust and fumes are the deleterious effects of blasting on environment. Ground vibration from mine blasting is expressed by amplitude, frequency and duration of blast. By adopting controlled blasting, the problems will be greatly minimized and the impacts will also be minimized by choosing proper detonating system, optimizing total charge and charge/delay. Controlled blasting by using slurry explosive along with non- electric nonel delay detonators will be carried out.

5. Proponent reported that total mined out area will be 43.34 ha area out of which, 21.17 ha area will be converted into water reservoir & 25.17 ha area will be used for plantation on benches and 9.16 ha for Greenbelt development / Plantation. Total mineable reserves are 137.45 Million Tonnes. The life of the mine is 10 years. Total water requirement for the project is 100 KLD which will be sourced from Ground water. The ground water drawl permission has been obtained from the Central Ground Water Authority vide letter dated 21st November, 2014. With regard to waste dump management, Project Proponent reported that the waste will comprise of soil and muram. Apart from this some rejects in form of small chips of quartzite will be available from the mining which will have to be removed and stacked separately. Around 18,000 m³ soil and 60,000 m³ of waste will be generated at the end of fifth year which will be dump in 0.63 ha area. At the end of life of mine, it is estimated that about 1,32,000 m³ of OB rejects/ waste would be generated, which will be used for backfilling of the excavated pits to the extent possible.

6. Project Proponent reported that there is no National Park, Wildlife Sanctuary, Biosphere Reserve, Wildlife Corridors, Tiger/Elephant Reserves exists within 10 km radius of the mine site. Project Proponent informed that mining lease does not fall in Aravalli Hill range and submitted a certificate from the Department of Mines & Geology, State Govt. of Haryana vide letter dated 08.11.2014. Project Proponent has submitted Certificate received from DFO, Bhiwani vide letter no 2988 dated 12.01.2015 stating that there is no forest land in the mine lease area.

7. The baseline data was generated for the period during Sumer Season (March-May, 2014) and one month additional monitoring data for post monsoon season (October, 2014). As reported by the Proponent, all the parameters for water & air quality were within permissible limits. Proponent reported that at the conceptual stage, out of the total mining lease area, greenbelt / plantation will be developed on 34.33 ha area, out of which 25.17 ha area on dead benches and 9.16ha area will be on periphery of lease boundary, Road side, along the pits etc. The plantation will be done @ 1,500 trees per ha of land species proposed for greenbelt development are Aam (Magnifera Indica), Jamun (Syzygium cumini), Neem (Azadiracta indica), Pipal (Ficus religiosa), Shesham (Dalbergia sissoo), Ber (Ziziphus mauritiana), Gulmohar (Delonix regia), etc.

8. The Public Hearing for the project was conducted on 1st October, 2014 at Village- Dadam, Tehsil- Tosham, District- Bhiwani (Haryana). Public Hearing was presided over by Shri D.K. Behera, Deputy Commissioner, Bhiwani. The representative of Regional Officer of HSPCB was also present. Major issues raised during Public Hearing were discussed during the meeting, which inter-alia, included, local employment; Environment related issues like vibrations and noise generation due to major blasting, Health and safety facilities, major diseases due to pollution and others. As per the villager's requirements, it was informed by the Project Proponent that they would take care of local employment on the basis of qualification and experience, Blasting will be done with latest technology which will help in reducing noise, vibration & air emission, Medical check-up will be done at regular intervals under a health policy and other Services and Facilities would also be provided. Project Proponent informed that Action Plan for ensuring good occupational environment for mine workers has been prepared and same will be implemented during mining operation.

9. Total cost of the project is Rs. 18 Crores. The Project Proponent has earmarked Rs. 90 Lakhs towards Environmental Protection Measures as capital and Rs. 9.0 Lakhs per annum towards recurring expenses. The Proponent informed that Rs. 92.50 Lakhs have been earmarked towards CSR activities. P

10. Project Proponent reported that there is a Court case in the Hon'ble High Court Punjab & Haryana in the matter of CWP No. 27700 of 2013-Rajbir Singh v/s State and others. The petitioner had challenged the conditions of the auction notice and the rules relating to Payment of Rent and Compensation to the land owners. The Hon'ble High Court did not restrain the auction proceedings and held that the auctions may be held but it has also directed its orders dated 17.12.2013 that the same shall be subject to final outcome of above said CWP. Accordingly, the acceptance /Lol was issued to the outcome of said case. The said case is still pending before Hon'ble Punjab and Haryana High Court for adjudication.

11. The Ministry of Environment, Forest and Climate Change has examined the proposal in accordance with the Environmental Impact Assessment Notification, 2006 and further amendments thereto and hereby accords the environmental clearance under the provisions thereof to the above mentioned proposal of **M/s KJSL –Sunder (JV) for Mining of Stone (Minor Mineral) with proposed production capacity of 15.0 million TPA (ROM) of Stone in the mine lease area of 55.50ha, located at village – Dadam, Tehsil-Tosham, District-Bhiwani, Haryana** subject to compliance of the followings terms and conditions and environmental safeguards mentioned below:-

A. Specific conditions

- (i) Environmental clearance is granted subject to final outcome of Hon'ble Supreme Court of India, Hon'ble High Court of Haryana and any other Court of Law, if any, as may be applicable to this project.
- (ii) Environmental clearance is subject to obtaining clearance, if any, under the Wildlife (Protection) Act, 1972 from the Competent Authority, as may be applicable to this project.
- (iii) The environmental clearance is valid for 10 years as the life of mine is 10

years.

- (iv) No mining activities will be allowed in forest area, if any, for which the Forest Clearance is not available.
- (v) The Project Proponent shall obtain Consent to Operate from the State Pollution Control Board, Haryana and effectively implement all the conditions stipulated therein.
- (vi) Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and maintain records accordingly; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smoking, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. The Recommendations of National Institute for ensuring good occupational environment for mine workers shall be implemented.
- (vii) An independent study be organized during peak activity, to understand how the actuals compare with the carrying capacities and further decisions taken to maintain sustainability of this essential stone extraction and supply activity. Project Proponent shall ensure that the road may not be damaged due to transportation of stone.
- (viii) Implementation of Action Plan on the issues raised during the Public Hearing shall be ensured. The PP shall complete all the tasks as per the Action Plan submitted with budgetary provisions during the Public Hearing held on 01.10.2014.
- (ix) The mining operations shall be restricted to above ground water table and it should not intersect groundwater table. In case of working below ground water table, prior approval of the Ministry of Environment, Forest and Climate Change and Central Ground Water Authority shall be obtained, for which a detailed hydro-geological study shall be carried out; The Report on six monthly basis on changes in Ground water level and quality shall be submitted to the Regional Office of the Ministry.
- (x) The pollution due to transportation load on the environment will be effectively controlled & water sprinkling will also be done regularly. Vehicles with PUC only will be allowed to ply. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Project should obtain 'PUC' certificate for all the vehicles from authorized pollution testing centres.
- (xi) There shall be planning, developing and implementing facility of rainwater harvesting measures on long term basis in consultation with Regional Director, Central Groundwater Board and implementation of conservation measures to augment ground water resources in the area in consultation with Central Ground Water Board.
- (xii) Use of effective sprinkler system to suppress fugitive dust on haul roads and other transport roads shall be ensured.

- (xiii) A comprehensive study for slope stabilization of mine benches and OB dumps shall be undertaken within one year. The Clearance is only for the Stone and not for any associated mineral.
- (xiv) Washing of all transport vehicle should be done inside the mining lease.
- (xv) Native plant species as suggested by villagers/specialist may be planted.
- (xvi) Implementation of Haryana Government Rehabilitation and Resettlement of Land Owners' Policy as per applicability in the area.
- (xvii) Implementation of Environment Management Policy of the Company w.r.t. judicious use of Mineral resources for growth & development synchronizing mining & environment with prosperity.
- (xviii) The Project Proponent shall also take all precautionary measures during mining operation for conservation and protection of endangered flora/fauna, if any, spotted in the study area.
- (xix) The illumination and sound at night at project site, 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. Project Proponent 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 light/night hours.
- (xx) Where ever blasting is undertaken as part of mining activity, the Project Proponent shall carry out vibration studies well before approaching any such habitats or other buildings, to evaluate the zone of influence and impact of blasting on the neighbourhood. Within 500 meters of such sites vulnerable to blasting vibrations, avoidance of use of explosives and adoption of alternative means of mineral extraction, such as ripper/dozer combination/rock breakers/ surface miners etc. should be seriously considered and practiced wherever practicable. A provision for monitoring of each blast should be made so that the impact of blasting on nearby habitation and dwelling units could be ascertained. The covenant of lease deed under Rule 31 of MCR 1960 provides that no mining operations shall be carried out within 50 meters of public works such as public roads and buildings or inhabited sites except with the prior permission from the competent authority.
- (xxi) Main haulage road in the mine should be provided with permanent water sprinklers and other roads should be regularly wetted with water tankers fitted with sprinklers.
- (xxii) Transportation of the minerals by road passing through the village shall not be allowed. A 'bypass' road should be constructed (say, leaving a gap of at least 200 meters) for the purpose of transportation of the minerals so that the impact of sound, dust and accidents could be mitigated. The Project Proponent shall bear the cost towards the widening and strengthening of existing public road network in case the same is proposed to be used for the

Project. No road movement should be allowed on existing village road network without appropriately increasing the carrying capacity of such roads.

- (xxiii) Likewise, Alteration or re-routing of foot paths, pagdandies, cart roads, and village infrastructure/public utilities or roads (for purposes of land acquisition for mining) shall be avoided to the extent possible and in case such acquisition is inevitable, alternative arrangements shall be made first and then only the area acquired. In these types of cases, Inspection Reports by site visit by experts may be insisted upon which should be done through reputed Institutes.
- (xxiv) CSR activities by Companies including the Mining Establishments has become mandatory up to 2% of their financial Turn-over, Socio Economic Development of the neighborhood Habitats could be planned and executed by the Project Proponent more systematically based on the 'Need based door to door survey' by established Social Institutes/Workers. The report shall be submitted to the Ministry of Environment, Forest and Climate Change and its Regional Office located at Chandigarh on six monthly basis.
- (xxv) Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- (xxvi) A Final Mine Closure Plan along with details of Corpus Fund shall be submitted to the Ministry of Environment, Forest & Climate Change 5 years in advance of final mine closure for approval.

B. General conditions

- (i) No change in mining technology and scope of working should be made without prior approval of the Ministry of Environment, Forest & Climate Change.
- (ii) No change in the calendar plan including excavation, quantum of stone and waste should be made.
- (iii) The Project Proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of surface water and ground water for the project.
- (iv) Regular monitoring of ground water table to be carried out at the upstream and depth of water available in the dug well is to be measured. Monitoring to be done by establishing a network of existing wells and constructing new piezometers.
- (v) Monitoring of Ambient Air Quality to be carried out based on the 2009 Notification, as amended from time to time by the Central Pollution Control Board. Water sprinkling should be increased at places loading and unloading points & transfer point to reduce fugitive emissions.

- (vi) The upliftment of scheduled caste/scheduled tribe population, specific programmes have been taken in to consideration specially with respect to education, health care, livelihood generation, infrastructure development & promotion of sports & culture for SC/ST population and that these will be intensified in future.
- (vii) The top soil, if any, shall temporarily be stored at earmarked site(s) only and it should not be kept unutilized for long. The topsoil shall be used for land reclamation and plantation. The over burden (OB) generated during the mining operations shall be stacked at earmarked dump site(s) only and it should not be kept active for a long period of time. The maximum height of the dumps shall not exceed 8m and width 20 m and overall slope of the dumps shall be maintained to 45°. The OB dumps should be scientifically vegetated with suitable native species to prevent erosion and surface run off. In critical areas, use of geo textiles shall be undertaken for stabilization of the dump. The entire excavated area shall be backfilled and afforested. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of Environment, Forest & Climate Change and its Regional Office located at Chandigarh on six monthly basis.
- (viii) Catch drains and siltation ponds of appropriate size shall be constructed around the mine working, mineral and OB dumps to prevent run off of water and flow of sediments directly into the river and other water bodies. The water so collected should be utilized for watering the mine area, roads, green belt development etc. The drains shall be regularly desilted particularly after monsoon and maintained properly. The drains, settling tanks and check dams of appropriate size, gradient and length shall be constructed both around the mine pit and over burden dumps to prevent run off of water and flow of sediments directly into the river and other water bodies and sump capacity should be designed keeping 50% safety margin over and above peak sudden rainfall (based on 50 years data) and maximum discharge in the area adjoining the mine site. Sump capacity should also provide adequate retention period to allow proper settling of silt material. Sedimentation pits shall be constructed at the corners of the garland drains and desilted at regular intervals.
- (ix) Plantation shall be raised in a 7.5m wide green belt in the safety zone around the mining lease, backfilled and reclaimed area, around water body, along the roads etc. by planting the native species in consultation with the local DFO/Agriculture Department. The density of the trees should be around 2500 plants per ha. Greenbelt shall be developed all along the mine lease area in a phased manner and shall be completed within first five years.
- (x) Dimension of the retaining wall at the toe of over burden dumps and OB benches within the mine to check run-off and siltation shall be based on the rain fall data.
- (xi) Effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of PM₁₀ and PM_{2.5} such as haul road, loading and unloading point and transfer points. It shall be ensured that the Ambient Air Quality parameters conform

to the norms prescribed by the Central Pollution Control Board in this regard.

- (xii) 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 maintained. Regular monitoring of water quality upstream and downstream of water bodies shall be carried out and record of monitoring data should be maintained and submitted to the Ministry of Environment, Forest & Climate Change, its Regional Office, Chandigarh, Central Groundwater Authority, Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board.
- (xiii) Regular monitoring of ground water level and quality shall be carried out in and around the mine lease by establishing a network of existing wells and constructing new piezometers during the mining operation. The monitoring shall be carried out four times in a year – pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the data thus collected may be sent regularly to Ministry of Environment, Forest & Climate Change and its Regional Office, Chandigarh, Central Ground Water Authority and Regional Director, Central Ground Water Board.
- (xiv) Blasting operation shall be carried out only during the daytime. Controlled blasting shall be practiced. The mitigative measures for control of ground vibrations and to arrest fly rocks and boulders should be implemented. Drills shall either be operated with dust extractors or equipped with water injection system.
- (xv) The critical parameters such as PM_{10} (size less than 10 micro meter), $PM_{2.5}$ (size less than 2.5 micro meter), NO_x in the ambient air within the impact zone, peak particle velocity at 300m distance or within the nearest habitation, whichever is closer shall be monitored periodically. Further, quality of discharged water shall also be monitored [(TDS, DO, PH and Total Suspended Solids (TSS)]. The monitored data shall be uploaded on the website of the company as well as displayed on a display board at the project site at a suitable location near the main gate of the Company in public domain. The circular No. J-20012/1/2006-IA.II (M) dated 27.05.2009 issued by Ministry of Environment, Forests & Climate Change, which is available on the website of the Ministry www.envfor.nic.in shall also be referred in this regard for its compliance.
- (xvi) Four ambient air quality-monitoring stations should be established in the core zone as well as in the buffer zone for PM_{10} , $PM_{2.5}$, SO_2 & NO_x monitoring. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board. Data on ambient air quality should be regularly submitted to the Ministry including its Regional office located at Chandigarh and the State Pollution Control Board / Central Pollution Control Board once in six months.
- (xvii) Fugitive dust emissions from all the sources should be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points should be provided and properly maintained.

- (xviii) Measures should be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. should be provided with ear plugs / muffs.
- (xix) Industrial waste water (workshop and waste water from the mine) should be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May, 1993 and 31st December, 1993 or as amended from time to time. Oil and grease trap should be installed before discharge of workshop effluents.
- (xx) 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.
- (xxi) Occupational health surveillance program of the workers should be undertaken periodically to observe any contractions due to exposure to dust and take corrective measures, if needed.
- (xxii) A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
- (xxiii) The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry and its Regional Office located at Chandigarh.
- (xxiv) The project authorities should inform to the Regional Office located at Chandigarh regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- (xxv) The Regional Office of this Ministry located at Chandigarh shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information / monitoring reports.
- (xxvi) The Project Proponent shall submit six monthly reports on the status of the implementation of the stipulated environmental safeguards to the Ministry of Environment, Forest & Climate Change, its Regional Office, Chandigarh, Central Pollution Control Board and State Pollution Control Board.
- (xxvii) The project proponent shall submit six monthly report on the status of the implementation of the stipulated environmental safeguards to the Ministry of Environment, Forest and Climate Change, its Regional Office, Chandigarh, Central Pollution Control Board and State Pollution Control Board.
- (xxviii) A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion / representation has been received while processing the proposal.

(xxix) State Pollution Control Board should display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/ Tehsildar's Office for 30 days.

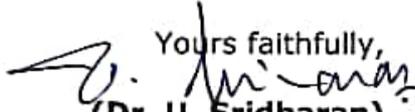
(xxx) The project authorities should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the Ministry of Environment, Forest & Climate Change at <http://envfor.nic.in> and a copy of the same should be forwarded to the Regional Office of this Ministry located Chandigarh.

12. The Ministry or any other Competent Authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.

13. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of the Environment (Protection) Act, 1986.

14. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court of Haryana and any other Court of Law relating to the subject matter.

14. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Yours faithfully,

 (Dr. U. Sridharan)
 Director (S)

Copy to:

- 1). **The Secretary**, Ministry of Mines, Government of India Shastri Bhawan, New Delhi.
- 2). **The Secretary**, Department of Environment, Government of Haryana, Chandigarh.
- 3). **The Secretary**, Department of Forests, Government of Haryana, Chandigarh.
- 4). **The Secretary**, Department of Mines and Geology, Government of Haryana, Chandigarh
- 5). **The Additional Principal Chief Conservator of Forests**, Region Office (Northern Region) Ministry of Environment and Forests, Bays No. 24-25, Dakshin Marg, Sector-31A Chandigarh-160030.

- 6). **The Chairman**, Haryana State Pollution Control Board, Plot No. C-11, Sector-6, Panchkula- 134109, Haryana
- 7). **The Member Secretary**, Central Ground Water Authority, A2, W- 3 Curzon Road Barracks, K.G. Marg, New Delhi-110001.
- 8). **The District Collector, Bhiwani** District, State of Haryana.
- 9). **Guard File.**
- 10). **MoEF &CC website.**


(Dr. U. Sridharan)
Director (S)

L

SPEED POST

Annexure-5

From

The Director General,
Mines and Geology Department, Haryana,
1st Floor, 30-Bays Building, Sector-17, Chandigarh.

To

- ✓ (i) M/s KJSL-Sunder (JV),
702, 7th Floor, Pearls Business Park,
Plot No. D-7, Netaji Subhash Place,
Pitampura, Delhi 110034
- (ii) M/S Karamjeet Singh & Company Ltd.
F-5, Shradha House, Kingsway Nagpur
440001
- (iii) M/S Sunder Marketing Associates,
C-1/28, Parshant Vihar, Rohini,
Delhi-110085.

Memo No. DMG/HY/ML/Dadam/2013/3864
Dated Chandigarh, the 17.06.2015

Subject: Permission to allow transfer of mining lease/ Share of lease of Dadam Stone mine, originally granted in favour of M/s KJSL- Sunder (JV), in favour of one of the partners namely M/S Sunder Marketing Associates along with change in name and to allow surrender of lease share by other partner namely M/S Karamjeet Singh & Company Ltd.- regarding

Kindly refer to representations received from the partners of the M/s KJSL-Sunder (JV) relating mining lease dealt under this letter.

2. You are aware that the mining lease for a period of 10 years over an area of 55.50 hectares in village Dadam, Tehsil Tosham, district Bhiwani was granted in favour of M/s KJSL-Sunder (JV), 702, 7th Floor, Pearls Business Park, Plot No. D-7, Netaji Subhash Place, Pitampura, New Delhi, after accepting the highest bid of Rs. 115 crore per annum offered in the auction held on 30.12.2013 against the reserve price of Rs. 6.25 crore per annum. M/s KJSL-Sunder (JV) is / was a JV/ consortium between M/S Karamjeet Singh & Company Ltd. and M/S Sunder Marketing Associates who participated in the auction dated 30.12.2013 being pre-qualified mining agency.

3. The bid offered in the auction held on 320.12.2013 was accepted and the acceptance/Letter of Intent (LoI) was issued in favour of M/s KJSL-Sunder (JV) on 03.01.2014. The period of the lease as per terms and conditions of grant /auction was to

RKSham

commence from the date of grant of Environmental Clearance by the MoEF, GoI or after expiry of a period of 12 months from the date of issuance of Lol whichever is earlier.

4. The State Government separately granted a mining lease in favour of HSIIDC over an area of 258.30 hectare in village Khanak, Tehsil Tosham, district Bhiwani in accordance with powers vesting in it under Rule 118 of the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals & Prevention of Illegal Mining Rules-2012. However, M/s KJSL Sunder(JV), challenged the grant of mining lease in favour of HSIIDC by way of a CWP No. 2599 of 2014 before the Hon'ble Punjab and Haryana High Court. The grant of mining lease in favour of HSIIDC was challenged mainly on the plea that lease in favour of HSIIDC may harm the business interest of private mine lease holders including M/S KJSL-Sunder(JV) and that the lease in favour of HSIIDC was granted by the State Government without having approval of the Central Government as per requirement of Section 17A (2) of the Mines & Mineral (D&R) Act,1957.
5. The Hon'ble Punjab & Haryana High Court vide order dated **04.03.2015** dismissed the Writ Petition filed by M/S KJSL-Sunder (JV). The Hon'ble High Court however, directed the State Government to obtain the approval of the Central Government as per requirement of Section 17A (2) of the MMDR, Act 1957 before commencement of mining by the HSIIDC. In addition to above, you were allowed to exercise the option either to continue with the lease or rescind the same by 30.04.2015. In this behalf the orders of Hon'ble High Court was also challenged by way of a SLP (c) No. 12623 -12624 of 2015 filed by M/s KJSL-Sunder(JV) before Hon'ble Supreme Court. The said SLP was also dismissed by Hon'ble Supreme Court on 01.05.2015, however, the time granted by Hon'ble High Court up to 30.04.2015 was extended up to 10.05.2015.
6. Shri Akbal Singh Bhullar, Director, M/s Karamjeet Singh & Company Ltd. (one of the partners of the consortium holding 51% share) vide letter dated **07.05.2015**, informed this office that all authorisation given in their previous correspondences in respect of Dadam mine stands cancelled. Shri Akbal Singh Bhullar further stated that henceforth only he is authorised to sign all documents, agreements and other necessary documents relating to refund of initial auction amount and interest for above said work.
7. Shri Akbal Singh Bhullar vide another representation [as partner of M/s KJSL-Sunder (JV)] vide separate letter 07.05.2015, also stated that as per orders dated 04.03.2015 of the Hon'ble High Court, M/s KJSL-Sunder (JV) have already had rescinded the

RKSharma

contract of Dadam mine the same was claimed to have been made by way of another/ separate representation. The claim in this behalf were factually wrong as no such representation was received in this office by that time or even after that i.e till date. Notwithstanding the same through letter dated 07.05.2015 he demanded interest of 18% on the amount deposited and keeping the rights reserved to claim damages through separate representation.

8. At the outset it needs to be clarified here itself that contentions of **Sh. Akbal Singh Bhullar**, Director, M/s Karamjeet Singh & Company Ltd., relating to sole authorisation of the consortium was not legally tenable because he at the most could have withdrawn his authorisation given to any other person but he can not claim that he became sole authorised person of the JV/ consortium. It needs to be pointed out here that he even not submitted any resolution on behalf of company (M/s Karamjeet Singh & Company Ltd) authorising him to make such representation.

9. It may be pointed out here that for completion of formalities for execution of lease deed a communication dated **13.05.2015**, was received through authorised signatory of the consortium along with requisite documents as were sought by the department. The balance amount of **1.75 crore** on account of security amount was also submitted, with request to inform date and time for execution of mining lease. In this way it was clear that the consortium was otherwise ready to execute the lease deed. This further makes it clear that any claim to have sought to rescind from lease as stated by Sh. Bhullar under his letter dated 07.05.2015 were factually wrong.

10. It is further pointed out that after submission of letter/ request to rescind the lease by one of your partners namely M/S Karamjeet Singh & Company Ltd., Sh. Naveen Goel for M/s Sunder Marketing Associates (the partner of JV/ Consortium) vide letter dated 14.05.2015 submitted that the request for rescinding from the lease of Dadam by other partner M/s Karamjeet Singh & Company Ltd is not on behalf of consortium/JV, however, even if the other partner intends to go out of lease, he would continue with the lease. He also undertook that in case the other partner is not interested, he may be allowed to go out of the JV and he would continue with whole of the lease. The joint reading of letters dated **13.05.2015** and **14.05.2015** of Sh. Naveen Goel for M/s Sunder Marketing Associates made it amply clear that there was no request by JV to rescind from lease.

RKSham

11. Sh Karamjeet Singh Bhullar, Director, M/s Karamjeet Singh & Co. Ltd. again vide letter dated 02.06.2015 (received on 08.06.2015) requested for refund of amount deposited at the time of auction and thereafter. He further, informed about the receipt of the copy of letter dated 13.05.2015 submitted by Sh. Naveen Goel, relating to execution of lease deed. Sh. Bhullar claimed that nobody has been authorised by M/s Karamjit Singh and Co. Ltd. to execute the mining lease deed on its behalf and requested not to execute the lease deed with other partner M/s Sunder Marketing Associates..

12. In view of peculiar facts and circumstances of the case it was observed that as per orders of Hon'ble High Court/Supreme Court the original lessee M/s KJSL-Sunder(JV) could have opted to rescind from the lease maximum by 10.05.2015. However, in view of the facts stated above there was no such request from authorised person or a joint request by both the partners. As such the opportunity in this behalf after 10.05.2015 was not available to them which otherwise had not been sought. The facts of the case otherwise became peculiar when one partner strongly seeks to continue with the lease despite the fact that state has granted mining lease of adjoining stone mine of village Khanak in favour of HSIIDC, a State PSU. The said partner namely M/s Sunder Marketing Associates even undertook to own whole of the responsibility of the lease even if the other partner M/s Karamjeet Singh and Company Ltd. is allow to go out of the lease.

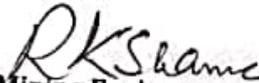
13. Keeping in view of over all facts and circumstances of the case as well as in the interest of state revenue it has been considered and found appropriate to allow one of the partners M/s Sunder Marketing Associates to continue with the lease of Dadam Stone mine and allow other partner M/s Karamjeet Singh & Co. to go out of the present lease. However, in order to avoid any complication it has been decided that lease may be allowed to be transferred/changed in the name of **M/s Sunder Marketing Associates, C-1/28, Prashant Vihar, Delhi 110085** subject to conditions that:

- (i) M/s Sunder Marketing Associates shall execute the lease deed with the department/State;
- (ii) M/s Sunder Marketing Associates shall furnish fresh affidavits of all the existing Sureties (in place of existing affidavits) to the effect that they stand surety for **M/s Sunder marketing Associates in place of M/s KJSL Sunder (JV)** and in case any of the existing Sureties do not furnish such affidavit, the firm shall be liable to furnish new surety for such amount;

RKSharma

- (iii) M/s Sunder Marketing Associates shall also furnish an **Indemnity Bond** to the department that "the firm will fulfil all the obligations arising from the existing lease and notwithstanding of the withdrawal of one of the partner/ firm would honour stipulated conditions therein and firm alone shall be liable for running of the lease himself and shall at no stage seek any modification, or change in the conditions thereof/ lease".
- (iv) M/s Sunder Marketing Associates will also be responsible to settle all accounts/ issues with outgoing partner M/S Karamjeet Singh & Co. Ltd., and state shall not be responsible for claims, if any made by M/s Karamjeet Singh & Co. Ltd.

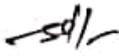
The decision to transfer the lease/share in favour of M/s Sunder Marketing Associates is further subject to condition that in case, at any stage M/s Sunder Marketing Associates fails to settle all issues with M/s Karmjeet Singh & Co. Ltd. and any claims with regards to refund of amount qua above said lease, if any, paid by M/s Karamjeet Singh & Co. Ltd. to the consortium are not refunded, appropriate action including cancellation of lease would be initiated against the them.


Mining Engineer,
for Director General, Mines & Geology,
Haryana.

Endst. No. DMG/HY/ML/Dadam/2013/3865

Dated: 17.06.2015

A copy is forwarded to Mining Officer, Mines and Geology Department, Bhiwani for information and further necessary action.


Mining Engineer,
for Director General, Mines & Geology,
Haryana.



**HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA**

*Website – www.hspcb.gov.in E-Mail - hspcb.pkl@sifymail.com
Telephone No. – 0172-2577870-73*

No. HSPCB/Consent/ : 2811915BHICTE2179882

Dated:24/07/2015

To

**M/s : M/s Sunder Marketing Associates
khasra No. 132(Min) & 133 at village Dadam
BHIWANI
127040**

Sub. : Issue of Consent to Establish from pollution angle .

Please refer to your Consent to Establish application received in this office on the subject noted above. Under the Authority of the Haryana State Pollution Control Board vide its agenda Item No. 47.8 dated 28.04.83 sanction to the issue of "Consent to Establish" with respect to pollution control of Water and Air is hereby accorded to the unit M/s Sunder Marketing Associates, for manufacturing of **Masonry Stone**, with the following terms and conditions:-

1. The industry has declared that the quantity of effluent shall be 90 KL/Day i.e 0KL/Day for Trade Effluent, 60 KL/Day for Cooling, 30 KL/Day for Domestic and the same should not exceed .
2. The above "Consent to Establish" is valid for 9 months from the date of its issue to be extended for another one year at the discretion of the Board or till the time the unit starts its trial production whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
3. The officer/official of the Board shall have the right to access and inspection of the industry in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery. The effluent should conform the effluent standards as applicable
4. That necessary arrangement shall be made by the industry for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
5. The applicant will obtain consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 as amended to-date-even before starting trial production
6. The above Consent to Establish is further subject to the conditions that the unit complies with all the laws/rules/decisions and competent directions of the Board/Government and its functionaries in all respects before commissioning of the operation and during its actual working strictly.
7. No in-process or post-process objectionable emission or the effluent will be allowed, if the scheme furnished by the unit turns out to be defective in any actual experience
8. The Electricity Department will give only temporary connection and permanent connection to the unit will be given after verifying the consent granted by the Board, both under Water Act and Air Act.
9. Unit will raise the stack height of DG Set/Boiler as per Board's norms.
10. Unit will maintain proper logbook of Water meter/sub meter before/after commissioning.

11. That in the case of an industry or any other process the activity is located in an area approved and that in case the activity is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such industry and process in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws CLU or Municipal laws has to be obtained from the competent Authority in law permitting this deviation and be submitted in original with the request for consent to operate.
12. That there is no discharge directly or indirectly from the unit or the process into any interstate river or Yamuna River or River Ghaggar.
13. That the industry or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution control Board and Haryana State Pollution Control Board.
14. That of the unit is discharging its sewage or trade effluent into the public sewer meant to receive trade effluent from industries etc. then the permission of the Competent Authority owing and operating such public sewer giving permission letter to his unit shall be submitted at time of consent to operate.
15. That if at any time, there is adverse report from any adjoining neighbor or any other aggrieved party or Municipal Committee or Zila Parishad or any other public body against the unit's pollution; the Consent to Establish so granted shall be revoked.
16. That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this Consent to Establish.
17. In case of change of name from previous Consent to Establish granted, fresh Consent to Establish fee shall be levied.
18. Industry should adopt water conservation measures to ensure minimum consumption of water in their Process. Ground water based proposals of new industries should get clearance from Central Ground Water Authority for scientific development of previous resource.
19. That the unit will take all other clearances from concerned agencies, whenever required.
20. That the unit will not change its process without the prior permission of the Board.
21. That the Consent to Establish so granted will be invalid, if the unit falls in Aravali Area or non conforming area.
22. That the unit will comply with the Hazardous Waste Management Rules and will also make the non-leachate pit for storage of Hazardous waste and will undertake not to dispose off the same except for pit in their own premises or with the authorized disposal authority.
23. That the unit will submit an undertaking that it will comply with all the specific and general conditions as imposed in the above Consent to Establish within 30 days failing which Consent to Establish will be revoked.
24. That unit will obtain EIA from MoEF, if required at any stage.
25. In case of unit does not comply with the above conditions within the stipulated period, Consent to Establish will be revoked.

Specific Conditions

Other Conditions :

- 1. unit will comply with the conditions of the environmental clearance issued from MOEF and will submit the compliance of the same**
- 2. unit will implement the EMP plan and will submit the compliance of the same**
- 3. unit will get the name modify in the environmental clearance issued and will submit the same at the earliest.**

Regional Officer, HQ

*For and on behalf of chairman
Haryana State Pollution Control Board*

---It is system generated certificate no signature is required---



HARYANA STATE POLLUTION CONTROL BOARD



**SCO-21, 1st floor, Improvement Trust
near Hansi Gate Bhiwani Ph. 01664-240259
E-mail: hspcb.pkl@sify.com**

No. HSPCB/Consent/ : 313100417BHICTO4578505

Dated:28/11/2017

To.

M/s :M/s Sunder Marketing Associates
khasra No. 132(Min) & 133 at village Dadam

Subject: Grant of consent to operate to M/s M/s Sunder Marketing Associates.

Please refer to your application no. 4578505 received on dated 2017-11-09 in regional office Jind. With reference to your above application for consent to operate, M/s M/s Sunder Marketing Associates is here by granted consent as per following specification/Terms and conditions.

Consent Under	BOTH
Period of consent	01/10/2017 - 30/11/2017
Industry Type	Mining and ore beneficiation
Category	RED
Investment(In Lakh)	1800.0
Total Land Area(Sq. meter)	555000.0
Total Builtup Area(Sq. meter)	555000.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	7.0 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	septic Tank with soak pit
2. Trade	
Domestic Effluent Parameters	
1. NA	
Trade Effluent Parameters	
1. NA	
Number of stacks	1
Height of stack	
1. DG Set	5 Meter
Emission parameters	
1. SPM	100 micro gm/m ³
Product Details	
1. Rock Stone	50000 Metric Tonnes/day
Capacity of boiler	

1. NA	Ton/hr
Type of Furnace	
1. NA	
Type of Fuel	
1. Diesel	0.050 KL/day
Raw Material Details	
Masonry Stone	50000 Metric Tonnes/Day

*Regional Officer, Jind
Haryana State Pollution Control Board.*

Terms and conditions

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.
3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time the concentration of any characteristics should exceed these limits for discharge.
10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any account and that shall be paid by the industry and the industry would immediately submit the consent application to the Board in the event of any change during the year in the raw material, quantity, quality of the effluent, mode of discharge, treatment facilities etc.

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
SPECIAL LEAVE TO APPEAL (C) NO. 19166 OF 2017

M/s. Sunder Marketing Associates

....Petitioner

versus

State of Haryana & Ors.

...Respondents

JUDGMENT

Madan B. Lokur, J.

1. This is a classic case of someone (the petitioner in this case) apparently having influence in high places, using that influence to violate the law and get a benefit that would ordinarily not be granted to anybody else. We cannot say with any degree of certainty how high is the reach of the petitioner but it is quite apparent from the facts of the case, that the reach is pretty high.

2. The only real issue before us arising out of the judgment and order dated 1st June, 2017 passed by the High Court of Punjab and Haryana in a writ petition filed by the petitioner is whether the petitioner should be

Signature Not Verified
Digitally signed by
Sudhakar N. Jagan
Date: 2018.06.11
17:04:21 +05'
PKCS#10

allowed to surrender the mining lease granted to it and if so, under what conditions, if any.

3. The facts of the case reveal that a joint venture (for short JV) was formed between the petitioner and Karamjeet Singh and Co. Ltd. (for short KJSL). The JV was formed on or about 18th September, 2012 but the terms of the arrangement or partnership are not available on the record of the case.

4. Be that as it may, it transpires that on 30th November, 2013 the Mines and Geology Department of the Government of Haryana issued an auction notice for the grant of several mining leases. One of the quarries sought to be auctioned for mining purposes was the Dadam quarry in District Bhiwani from which stone could be extracted. The reserve price (or dead rent or royalty) mentioned for this quarry in the auction notice was Rs. 6.25 crores per annum and the lease period was for 10 years. The JV of the petitioner and KJSL gave the highest bid for this quarry in the auction conducted on 30th December, 2013. Some of the terms and conditions of the auction need mention.

5. Condition No. 4 provided that the period of the lease shall commence with effect from the date of environmental clearance by the competent authority as required under the EIA notification dated 14th September, 2006 issued by the Ministry of Environment and Forests of the Government of India as amended from time to time or on expiry of a period of 12 months

from the date of acceptance of the highest bid or the issuance of a letter of intent, whichever is earlier.

6. Condition No. 7 provided that all prospective bidders were expected and presumed to have surveyed the areas to make their own assessment for the potential of the areas for which bids are to be offered.

7. Condition No. 19 provided that after acceptance of the highest bid by the State Government and on the issuance of a letter of intent, its holder shall execute an agreement in form ML-1 appended to the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rules, 2012 (for short the Rules) within a period of 90 days of the grant of a letter of intent.

8. Condition No. 36 provided that no transfer of the lease shall be permissible for the first 5 years of the grant. However, on submission of an application, in accordance with the provisions of the Rules and after satisfying itself, the State Government may allow inducting other partners or shareholders to the extent of 49% of the total shareholding of the original lease holder. It may be mentioned that the petitioner had a 49% share while KJSL had a 51% share in the JV.

9. As mentioned above, the auction was held on 30th December, 2013 and the JV was the highest bidder for the Dadam quarry in District Bhiwani with a bid of Rs. 115 crores per annum towards dead rent or royalty

whichever is higher. At this stage, it may also be mentioned that the admitted position is that the JV was qualified to participate in the auction, but the petitioner by itself was not qualified to participate in the auction. The relevance of this will become apparent at a later stage.

10. As required by Rule 55(3)(iii) of the Rules, the JV deposited Rs. 28.75 crores with the State Government towards 25% of the annual bid amount as security deposit.

11. On 3rd January, 2014 the JV received a letter of intent from the Director, Department of Mines and Geology of the Government of Haryana to the effect that its bid was the highest for the Dadam quarry and had been accepted by the State Government. The letter of intent laid down certain terms and conditions which were not at variance with the terms mentioned in the auction notice. In any event, there is no dispute in this regard.

12. Surprisingly, a short while after having received the letter of intent, the JV filed a writ petition in the High Court of Punjab and Haryana seeking an order quashing the grant of a mining lease in favour of the Haryana State Industrial, and Infrastructure Development Corporation (a public sector undertaking under the control and management of the State of Haryana – for short HSIIDC). The grievance of the JV was that while it had given a bid of Rs. 115 crores per annum as the dead rent, the HSIIDC had been granted a mining lease in a different area at a negligible amount. According to the JV

this was not disclosed to it and the grant of the lease in favour of HSIIDC and the failure of the State Government to disclose this to the JV had seriously prejudiced their commercial interests since it would give HSIIDC an unfair advantage because of the low dead rent payable by it. The writ petition came to be dismissed by the High Court on 4th March, 2015.

13. An alternative submission was made by the JV in the writ petition to the effect that the JV desired the cancellation of its contract in view of the grant of a mining lease to HSIIDC. In this regard, it was stated by learned counsel appearing on behalf of the Government of Haryana that it would refund the amount paid by the JV and that no penalty would be imposed if it wanted the contract to be cancelled and if the proposal was accepted by the State Government. The High Court granted time to the JV to exercise the option to either continue with the contract or rescind it by 30th April, 2015. It was made clear that if the JV chooses to rescind the contract, the State Government shall refund all the amounts paid within 8 weeks of the demand. The JV was entitled to take appropriate proceedings for recovery of compensation or damages on its own merits.

14. Feeling aggrieved, the JV preferred a petition for special leave to appeal in this Court and on 1st May, 2015 the following order was passed:

"Dr. A.M.Singhvi, learned senior counsel, on instructions, would submit that the petitioner(s) is/are not carrying on with the mining activities.

We take on record the statement so made by learned senior counsel.

The Division Bench of the High Court of Punjab & Haryana while dismissing the writ petition filed by the petitioners had granted time to the petitioners till 30.04.2015 to exercise their option either to continue with the contract or to rescind the same.

The time has expired and therefore, the learned senior counsel requests us to grant ten days more to exercise the aforesaid option.

In our opinion, if such permission is granted, it may not cause any prejudice to either of the parties. Therefore, we extend the time that was granted to the petitioners for exercising its option till 10.05.2015.

Accordingly, the special leave petitions are disposed of."

15. On 7th May, 2015 the State Government was informed of its decision by KJSL to rescind the contract and it also sought a refund of the deposit of Rs. 28.75 crores with interest thereon. On the other hand on 14th May, 2015 the petitioner wrote to the Chief Minister of the State of Haryana to the effect that it would have no objection if the other partner in the JV that is KJSL surrenders its share. In such an eventuality, the State Government may consider the transfer of 51% share of KJSL in favour of the petitioner or permit any other mining agency to replace KJSL. It is not clear why the petitioner chose to write to the Chief Minister of the State but the fact is that it did.

16. Acting on the communication sent by the petitioner as well as the

decision of KJSL to rescind the contract, a detailed note was prepared by the concerned Mining Engineer on 25th May, 2015. The note drew attention to the anomalous situation where one partner in the JV was desirous of rescinding the contract while the other partner was desirous of continuing with the contract. The note also drew attention to Condition No. 36 of the auction notice and recorded that the request of one partner in the JV to rescind the contract does not qualify to be accepted as such but at the same time it might be better to allow KJSL to withdraw its share. Accordingly, it was proposed that the State Government may consider allowing the petitioner to continue with the lease and allowing KJSL to surrender its share. It was also proposed that the surrendered 51% share of KJSL could either be allowed retention by the petitioner or the petitioner may induct a new partner. It was suggested that before a final decision is taken, it would be appropriate to take the opinion of the Advocate General of the State of Haryana. This proposal was accepted by the next superior authority and eventually the opinion of the Advocate General of the State of Haryana was obtained.

17. On the basis of the opinion given as well as on the basis of official notings, it was proposed by the concerned Mining Engineer on 10th June, 2015 to allow the transfer of the entire share of KJSL in favour of the

petitioner subject to certain conditions. This was approved by the superior authorities including the Chief Minister of the State of Haryana.

18. At this stage, it is useful to recall that the petitioner by itself was not qualified to participate in the auction and this is the admitted position. Only the JV was qualified to bid in the auction. Therefore, it is not clear how and why the petitioner alone was allowed to take over the share of KJSL and be the sole beneficiary of the dissolution of the JV and to acquire the mining rights when it was originally not even qualified to participate in the auction.

19. Be that as it may, on 17th June, 2015 the Director General of the Mines and Geology Department of the Government of Haryana wrote to both the partners in the JV that the mining lease would continue with the petitioner and that KJSL could walk out of the contract. It was also stated that to avoid any complication it had been decided that the contract may be transferred or changed in the name of the petitioner subject to certain conditions. The decision to transfer the contract in favour of the petitioner was challenged by some persons by filing Writ Petition No. 9419 of 2016 in the High Court the writ petition having been filed on 22nd April, 2016. We shall refer to this a little later.

20. Subsequent to the above decision taken and communicated on 17th June, 2015 the Ministry of Environment, Forests and Climate Change in the Government of India issued an Environment Clearance to the JV on 3rd July,

2015 with a proposed production capacity of 15.0 million tonnes per annum (RoM) of stone. It is quite clear that the Government of India was not kept informed of the developments that had taken place including the decision of the State Government to hand over the quarry to the petitioner alone.

21. On the basis of the decisions taken as well as the Environment Clearance, the State of Haryana granted a mining lease to the petitioner on 5th August, 2015 (actually signed on 19th August, 2015). The dead rent was fixed at Rs. 115 crores per annum or royalty whichever is higher. There were certain other terms and conditions of the mining lease but we are not presently concerned with them.

22. Thereafter on the application of the petitioner, the Ministry of Environment, Forests and Climate Change of the Government of India transferred the Environment Clearance granted to the JV in favour of the petitioner on 28th October, 2015. On the basis of the mining lease granted to the petitioner as well as the Environment Clearance, the petitioner started mining operations on 1st November, 2015 and began paying the dead rent or royalty from that date onwards.

23. As mentioned above, the permission granted to the petitioner on 17th June, 2015 by the Director General of the Mines and Geology Department of the Government of Haryana was challenged by some persons by filing Writ Petition No. 9419 of 2016. These persons had, prior to filing the writ

SLP (C) No. 19166 of 2017

petition, made a query under the Right to Information Act on 12th of January, 2016 with regard to the transfer of the contract in favour of the petitioner. A response was received by these persons on 10th March, 2016 from the Government of Haryana to the effect that the file dealing with the subject was not available! The High Court has mentioned in its judgment and order that till the date of delivery of the judgment and order, the file was not made available even to the High Court. This is surprising indeed.

24. Be that as it may, perhaps as a result of all these developments, a notice was issued to the petitioner on 9th August, 2016 by the Director General of the Mines and Geology Department of the Government of Haryana to show cause why the permission granted to transfer the mining lease or the share of 51% of KJSL in favour of the petitioner as communicated on 17th June, 2015 should not be withdrawn with immediate effect.

25. The show cause notice was challenged by the petitioner by filing Writ Petition No. 16735 of 2016 in the High Court and that was disposed of on 27th August, 2016. It was directed by the High Court that the petitioner may file a supplementary response to the show cause notice (it had already filed a response on 23rd August, 2016). The persons who had filed Writ Petition No. 9419 of 2016 were also given an option to be heard by the Director General of the Mines and Geology Department before a final decision is taken on the

show cause notice.

26. The petitioner then filed a supplementary response to the show cause notice on 2nd September, 2016 and since the Writ Petition No. 9419 of 2016 had become more or less infructuous, it was disposed of on 14th September, 2016.

27. On 29th September, 2016 a detailed order was passed by the Director General of the Mines and Geology Department of the Government of Haryana withdrawing the permission granted to transfer the mining lease or the share of 51% of KJSL in favour of the petitioner as communicated on 17th June, 2015. Consequently, the lease deed executed on 5th August, 2015 with the petitioner on the basis of the letter dated 17th June, 2015 was declared void being not maintainable. However, it was made clear that any action taken by the petitioner and the State Government in terms of the letter dated 17th June, 2015 and in terms of the lease deed shall remain valid and shall not have any adverse implication for any of the parties. It was also directed that the order dated 29th September, 2016 will not be given effect to for a period of two weeks after which the petitioner will immediately stop its mining operations.

28. Feeling aggrieved by the order of 29th September, 2016 the petitioner filed Writ Petition No. 20986 of 2016 in the High Court which came to be dismissed by the impugned judgment and order dated 1st June, 2017.

29. At the outset, we must mention that the High Court dealt with every submission raised by learned counsel for the petitioner in a lucid and well reasoned judgment. We really have nothing to add to the decision rendered by the High Court. Perhaps that is the reason why detailed submissions on the merits of the case were not made before us and the only issue agitated was the desire of the petitioner to walk out of the contract without having to pay any penalty or suffer any other adverse consequence. It was generally submitted by learned counsel for the petitioner that the cancellation of the mining lease granted to the petitioner was illegal but that contention was not pressed beyond a point particularly because it was very clear that the petitioner alone or by itself was not a qualified bidder and that it was the JV between the petitioner and KJSL that was qualified to bid at the auction. That being the position, it was appreciated that under no circumstance could the letter of intent or the mining lease have been transferred from the JV in favour of the petitioner. It is this totally illegal transfer carried out within 5 years of the execution of the mining lease that has prompted us to believe that the petitioner could exercise influence in high places.

30. The surrender of a mining contract is dealt with in Rule 25 and Rule 41(v) of the Rules. These rules read as follows:-

“25. The Government may accept the contractor’s request for surrender of a contract or part thereof in cases where it is established

that it has not been found feasible to operate the contract grant for whatsoever reasons subject to the condition that the contractor:-

- (i) has been regular in furnishing the production returns as required in terms of the contract agreement;
- (ii) has been taking the requisite steps for the progressive mine closure plan as per the conditions of the contract grant;
- (iii) is not in default of payment of any dues of the Government as on the date of making such application and undertakes to pay all such dues till the date of expiry of the notice period either in cash in advance or by way of adjustment of the security or both;

Provided that in case the contractor makes an application for surrender of part of the contract area, it shall not result in any prorated reduction of the contract money and the rate of contract amount payable and applicable for the entire area at the time of making such application shall remain intact."

"41 (v) The lessee may surrender the lease at any time by giving not less than three calendar months notice in writing to the lessor after paying all outstanding dues to the lessor."

31. In view of the peculiar facts of the case and the offer of surrender or rescission of the contract having been accepted by the State Government, we would not like to place any hurdle in the 'agreement' but the provisions of Rule 25 and Rule 41(v) of the Rules must be complied with by the petitioner and the State Government.

32. Learned counsel for the petitioner had made a prayer to the effect that the petitioner may be permitted to continue its mining operations till 30th November, 2017 so that it could wind up its activities and put its mine closure plan into operation. We had passed orders on 31st July, 2017 and 3rd August, 2017 permitting the petitioner to continue its mining activities till

judgment is delivered.

33. Keeping in view the prayer made:

- (i) We permit the petitioner to continue its mining operations till 30th November, 2017 in accordance with the Mining Plan. On or before that date, it shall ensure implementation of the mine closure plan to the satisfaction of the concerned authorities in the State of Haryana.
- (ii) The petitioner will be under an obligation to continue paying the dead rent or royalty whichever is higher till 30th November, 2017 regardless of whether it ceases its mining operations before that date or not.
- (iii) The petitioner shall ensure that all the dues (including wages etc.) of all the persons (including labour) employed in the mining operations in terms of Rule 56(10) of the Rules are paid to the satisfaction of the concerned authorities in the State of Haryana. To ensure that the employees and labour (casual or otherwise) are not left in the lurch, the petitioner is restrained from alienating or transferring or otherwise creating any charge or encumbrance on the equipment and machinery and all other moveable property in the lease area and connected with the mining operations (such as trucks, excavators etc.) so that there is no difficulty in recovery of dues.
- (iv) All the laws applicable to the petitioner shall be strictly enforced by the State Government regardless of its apparent influence in high

places. We make it clear that we will hold the Chief Secretary of the State of Haryana responsible for any lapse in this regard.

- (v) It is not clear whether or not the security deposit of Rs. 28.75 crores has been refunded to KJSL or the petitioner. If the refund has not been made, it is deemed to have been forfeited to the State and is not adjustable against any dues of the petitioner.

34. The petition for special leave filed by the petitioner is disposed of on the above terms and the judgment and order of the High Court is modified to the above extent. No costs.

.....J
(Madan B. Lokur)

.....J
(Deepak Gupta)

New Delhi;
August 11, 2017

Registered/Speed Post

From

The Director
Mines and Geology, Haryana,
30-Bays, Sector-17, Chandigarh.

To

M/s Govardhan Mines and Minerals,
House No. 51, Urban Estate-2,
Hisar.

Memo No. DMG/HY/ML/Dadam/2018/5062
Dated Chandigarh, the 11.10.2018

Subject: Acceptance of the highest bid / issuance of Letter of Intent (LoI) in respect of minor mineral mines of "Stone alongwith Associated minor minerals" of "Dadam" having tentative area of 48.87 hectares in district Bhiwani, offered in e-Auction held on 04.01.2018 & 05.01.2018 and in compliance with orders dated 14.08.2018 of the Hon'ble High Court passed in CWP no. 18712 of 2018 - regarding.

Kindly refer to the subject cited above

You participated in the in the e- Auction held on 04.01.2018 & 05.01.2018 on the State Government web portal <https://haryanaeprocurement.gov.in> after accepting the terms and conditions of the auction notice bearing No DMG/HY/e-Auction/Stone/2017/Dadam/7362 dated 08.12.2017 in order to obtain mining lease of minor mineral mine in village "Dadam", District Bhiwani. You offered the highest bid of Rs. 92,12,00,000/- [Rupees Ninety Two Crores Twelve Lacs only] per annum, against the Reserve Price of Rs. 92,00,00,000/- per annum, for obtaining the Mining Lease of Minor Mineral mine namely "Dadam" for extraction of "Stone alongwith Associated minor minerals" having tentative area of 48.87 hectares falling in khasra nos. 132 min. You also deposited an amount of Rs. 9,21,20,000/- towards initial bid security at the time of auction.

2. However, the bid offered by you was refused by the state government as the same was decided to be granted in public interest to the HSHDC the State PSU. The decision as per above was communicated to you vide this office memo no. DMG/HY/E-auction/stone/2016/3697 dated 25.07.2018.

3. You challenged the decision dated 25.07.2018 by way of CWP No. 18712 of 2018 filed before the Hon'ble Punjab and Haryana High Court. The Hon'ble High Court vide orders dated 14.08.2018 set aside the orders dated 25.07.2018 and allowed the writ

petition filed by you. The state was directed to award the mining lease in your favor as expeditiously as possible.

4. In the light of above orders of the Hon'ble High Court the State Government has decided to award the mining lease by accepting the highest bid of Rs. 92,12,00,000/- [Rupees Ninety Two Crores Twelve Lacs only] per annum, offered by you in the e-Auction held on 4th -5th January, 2018 in respect of minor mineral mine of Village Dadam tehsil Tosham district Bhiwani having tentative area of 48.87 hectares falling in khasra nos. 132 min for extraction of "Stone along with Associated minor minerals".

5. In the light of above that state government has accepted your bid offered in the auction dated 4-5th January, 2018, as per condition no. 12 of the auction notice dated 08.12.2017 you have become the successful bidder in respect of "Dadam" mine of the district Bhiwani.

6. The State Government having accepted the aforementioned highest bid offered by you, the Department is pleased to issue this Letter of Intent (LoI) in your favour being successful bidder in respect of the Mine/area namely "Dadam" of "Stone along with Associated Minor Minerals" subject to the following terms and conditions:-

- (i) The period of lease shall be **10 years** and the same shall commence with effect from the date of grant of environmental clearance by competent authority as required under EIA notification dated 14.09.2006 and as amended from time to time by the MoEF, GoI or on expiry of a period of 12 months from the date of this communication of acceptance of highest bid/ issuance of "Letter of Intent", whichever is earlier;
- (ii) You may note that the area of the mining lease is tentative and was notified on "as is where is" basis (**refer condition no. 4 of the notice**). In case of any inadvertent mistake, if any, the same would be rectified/ corrected before execution of the lease deed/agreement (**refer condition no. 3 of the notice**);
- (iii) No request regarding reduction in bid amount on account of reduction in land/area of the Mining lease, on any account including that of change in description of khasra numbers / location etc. at any stage will be entertained. This shall also include any loss/reduction of area for actual mining for want of compliance of applicable laws/restrictions for mining or part of the leased area had already been operated in the past. Needless to state that this also includes the changes, if any, as per condition no. (3) of auction notice;
- (iv) The amount of the highest bid i.e. Rs. 92,12,00,000/- [Rupees Ninety Two Crores Twelve Lacs only] per annum shall be the "Annual dead rent" payable by

you in the manner prescribed in the lease deed/agreement to be executed on form ML-1 appended to the State Rules;

- (v) The above said annual dead rent shall be increased @ 25% on completion of each block of three years. Accordingly, the year-wise amount of the annual dead rent/ lease money shall be as per details given below:-

Sr. No.	Year of the Lease Period	Annual Dead Rent (In INR)
1	First Year	Rs. 92,12,00,000/-
2	Second Year	Rs. 92,12,00,000/-
3	Third Year	Rs. 92,12,00,000/-
4	Forth Year	Rs. 115,15,00,000/-
5	Fifth Year	Rs. 115,15,00,000/-
6	Sixth Year	Rs. 115,15,00,000/-
7	Seventh Year	Rs. 143,93,75,000/-
8	Eighth Year	Rs. 143,93,75,000/-
9	Ninth Year	Rs. 143,93,75,000/-
10	Tenth Year	Rs. 179,92,18,750/-

- (vi) As per the terms and conditions of the grant, you are liable to deposit **Rs. 23,03,00,000/-** i.e. equal to 25% of the annual bid amount as "security deposit" and **Rs. 7,67,66,667/-** on account of one month's advance dead rent. Out of which you have already deposited an amount of **Rs. 9,21,20,000/-** i.e. equal to 10% of the annual bid amount as 'initial bid security' after the conclusion of e-Auction. The balance amount of **Rs. 13,81,80,000/-** of the bid security i.e. 15% of the annual bid amount along with **Rs. 7,67,66,667/-** on account of one month's advance dead rent shall be deposited before commencement of the mining operations or before expiry of the period of 12 months, whichever is earlier;
- (vii) You shall have to execute Lease Deed in Form ML-1 appended to the Haryana Minor Mineral Concession, Stocking, Transportation of Mineral & Prevention of Illegal Mining Rules-2012 (the State Rules 2012) within a period of 90 days from the date of issuance of this communication/ grant of Lol;
- (viii) The agreement/ lease deed executed shall be duly registered under relevant law with concerned Registering Authority and you shall be liable to pay applicable stamp duty and registration fee etc. as per the applicable rates and as demanded by the Registering Authority/ Revenue Department at the time of registration;

- (j) In case you fail to execute the Lease Deed within the prescribed period of 90 days, this Lol shall be deemed to have been revoked and the amount of initial bid security deposited at the time of auction shall be forfeited. Further, the balance amount of 15% towards the bid security, amounting to Rs. 13,81,80,000/- being the 15% of the annual bid amount, shall be recovered as arrears of land revenue and, you, as the Lol holder/defaulters, shall be debarred from participation in any future auctions for a period of 5 years;
- (x) You shall also furnish a solvent surety for a sum equal to the amount of the annual bid for execution of the lease deed/agreement. In case the surety offered by the lessee during the subsistence of the lease is not found solvent, the lessee shall offer another solvent surety and a supplementary deed shall be executed to this effect;
- (xi) After execution of Lease Deed, either before commencement of the mining operation or before expiry of the period of 12 months from the date of issuance of this Lol, whichever is earlier, in case of failure to deposit the balance 15% amount towards security [as required under clause (vi) above] the acceptance of bid/issuance of Lol/execution of agreement shall be deemed to have been revoked and 10% amount deposited towards as initial bid security at the time of auction shall stand forfeited. Further, un-paid 15% amount towards security shall be recovered as arrears of land revenue and you shall be debarred from participation in any subsequent bids for a period of 5 years;
- (xii) You shall be liable to deposit the Dead Rent in advance at monthly intervals as per provisions of lease deed/agreement i.e. from the date of commencement of the lease deed;
- (xiii) You shall be liable to pay dead rent as determined through open auction or shall pay royalty in respect of each of the minor minerals extracted or removed or consumed by you or by your agent, manager, employee etc., whichever is more. The royalty shall be payable at the rates prescribed in the First Schedule appended to the State Rules and as may be revised by the State Government from time to time.
- (xiv) You shall also deposit/pay an additional amount equal to 10% of the due Dead Rent/Royalty, along with along with the monthly instalments towards the '**Mines and Minerals Development, Restoration and Rehabilitation Fund**'.
- (xv) You shall also be liable to pay advance income tax as per provisions of Section 206(c) of income tax act in addition to contract money, payable as per terms and conditions of the Lease Deed.
- (xvi) On enhancement of the annual dead rent with the expiry of every three years period,

amount equal to 25% of the revised annual dead rent as applicable for one year with respect to the next block of three years. No interest, whatsoever, shall be payable on the security amount deposited under the prescribed security head of the government;

- (xvii) You shall prepare a Mining Plan along with the Mine Closure Plan (Progressive & Final) as per Chapter 10 of the State Rules for the "Mining site" and shall not commence mining operations in any area except in accordance with such Mining Plan duly approved by an officer authorised by the Director, mines & Geology, in this behalf.
- (xviii) Further, the actual mining will be allowed to be commenced only after prior Environmental Clearance is obtained by you as the Ld holder/lessee for the mining lease area from the Competent Authority as required under EIA notification dated 14/9/2006 as amended from time to time by the Ministry of Environment, Forest & Climate Change, Govt. of India and guidelines/ circulars issued in this behalf;
- (xix) The Mining lessee to whom the mining rights have been granted through this lease would also be liable to pay the following to the landowners for undertaking mining operation:-
 - (a) Annual rent in respect of the land area blocked under the concession but not being operated, and
 - (b) Rent plus compensation in respect of the area used for actual mining operations.
- (xx) The amount of annual rent and the compensation shall be settled mutually between the landowner and the lessee. In case of non-settlement of the rent and compensation, the same shall be decided by the District Collector concerned in accordance with the provisions contained in Chapter 9 of the State Rules;
- (xxi) The total mineral excavated and stacked by the lease holder within the area granted on mining lease shall not exceed two times of the average monthly production as per approved Mining Plan at any point of time;
- (xxii) The lessee shall not stack any mineral outside the concession area granted on mining lease, without obtaining a valid mineral dealer license as per provisions contained in Chapter 14 of the State Rules;
- (xxiii) The lessee shall not carry out any mining operations in any reserved/ protected forest or any area prohibited by any law in force in India, or prohibited by any authority without obtaining prior permission in writing from such authority or officer authorized in this behalf. In case of refusal of permission by such authority or

officer authorized in this behalf, lessee(s) shall not be entitled to claim any relief in payment of contract money on this account;

- f) A safety margin of two meters (2m) shall be maintained above the ground water table while undertaking mining and no mining operations shall be permissible below this level unless a specific permission is obtained from the competent authority in this behalf;
- (xxv) The lessee shall not undertake any mining operations in the area granted on mining lease without obtaining requisite permission from the competent authority as required for undertaking mining operations under relevant laws;
- (xxvi) The lessee shall be under obligation to carry out mining in accordance with all other provisions as applicable under the Mines Act, 1952, Mines and Minerals (Development and Regulation) Act, 1957, Indian Explosives Act, 1884, Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986 and the rules made thereunder, Wild Life (Protection) Act, 1972, Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

7. Accordingly, you are advised to submit the Draft Mining Lease Deed/Agreement on Form ML-1 (in Five copies), appended to the State Rules, 2012, along with other requisite documents including a solvent security for a sum equal to the amount of the annual bid for execution of the agreement, within a period of 90 days from the date of issue of this bid acceptance letter and the bid.

The same is being issued with the approval of competent authority.

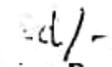

State Mining Engineer,
for Director, Mines & Geology,
Haryana

Endst.No. DMG/HY/ML/Dadam/2018/5063

Date: 11.10.2018

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

1. The Chairman Haryana State Pollution Control Board, Sector-6, Panchkula.
2. The Deputy Commissioner, Bhiwani.
3. The Mining Officer, Mines and Geology Department, Bhiwani.


State Mining Engineer,
for Director, Mines & Geology,
Haryana

248

CWP-28378-2018(O&M)

M/S GOVERDHAN MINES & MINERALS
VS
STATE OF HARYANA & ORS

Present: Mr. Girish Agnihotri, Senior Advocate with
Mr. Vijay Pal, Advocate
for the petitioner.

Mr. Ankur Mittal, Additional A.G., Haryana.

On 02.11.2018 we had passed an order noticing the contention of the petitioner and his grievance. Pursuant to an e-auction notice dated 24.07.2017, the present mine was set up for auction with a reserve price of Rs.115 crores, and three times over, an attempt was made to auction this mine on the very same reserve price but with no success. Finally, on a bid of Rs.92 crores 12 lacs, the mine was granted to the petitioner. It is pertinent to mention here that the petitioner deposited a sum of Rs.9 crores 20 lacs and an additional sum of Rs.1,20,000/-. The respondents, however, did not grant the necessary permission required but rather kept quiet over the issue despite the petitioner's best efforts to get the mine operational. Finally, the petitioner filed a petition bearing CWP No.17829 of 2018 and while issuing notice on 26.07.2018, an order was passed informing the petitioner that his bid had been refused and given to HSIIDC. The petitioner then filed Civil Writ petition No.18712 of 2018, where the grant of mine to the HSIIDC was set aside. Thereafter, the petitioner has struggled to get the mine operational as the respondents were not granting him environmental clearance. Neither any reason was assigned nor a

CWP-28378-2018

:2:

proper decision was taken. It is, at this stage, the petitioner has approached this Court by way of the present petition, where we initially thought it prudent to seek a report as to why the State Environment Impact assessment Committee is not in place.

Learned State counsel on instructions from Basu Dev, Geologist (Jr.) has pointed out that the State Environment Impact Assessment Committee was constituted on 24.08.2015 for a period of three years which stood to expire on 23.08.2018. On 07.07.2018 recommendations were sent returnable for 23.08.2018 whereafter the proposal was sent on 16.11.2018 which is still under consideration. The petitioner was granted the mine in open auction on 04.01.2018 and substantial amount of almost Rs. 10 crores is lying with the respondents while he continues to await the clearance so as to enable him to start the mining. This situation, to our minds, is neither beneficial to the petitioner nor to the respondents-State. The petitioner loses his money to the State which retains it unethically without discharging its obligation in time. In the process, it not only hurts the interest of the petitioner financially but also deprives the State of the returns that a mining activity would fetch.

Learned counsel for the petitioner contends that regarding this very mine, to an area confined to 55 hectares, the Union of India had granted the environment clearance to operate the mine but since the area now stands reduced to 48 hectares, it is the State which has to grant the environment clearance and not the Union of India. He further contends that the clearance granted by the Union of India was for a period of ten years

and since these 48 hectares formed a part of 55 hectares. The clearance granted by the Union of India should be good enough to permit him mining till the time the State decide the issue.

We would be reluctant to accept this argument (ipso facto as Union of India may have considered certain other issues that are an accompaniment to the grant of such clearance but drawing sustenance from the orders of Supreme Court where in somewhat similar circumstances mining was allowed, we would persuade ourselves to permit the petitioner to commence mining, particularly when serious defaults have been committed by the State itself, initially, by granting the mine to HSIIDC clandestinely, which action we have negated in other proceedings and thereafter, not acceding to the petitioner's request for grant of clearance to enable him to mining activity.

Indeed, the petitioner is bound by the contract to pay what is due to the State in terms thereof as also by statutory liabilities that may flow from the mining activity, which would safeguard the interest of the State.

We bind the petitioner to such an undertaking that he shall furnish to the respondents-State and become compliant with regard to the monetary liabilities and its discharge without any default. Since an environment clearance has indeed been granted by the Union of India for a period of ten years qua this mine, it would be safe to permit the petitioner to commence mining but subject to the final appraisal by the State in this regard, which they shall conclude within a period of two months.

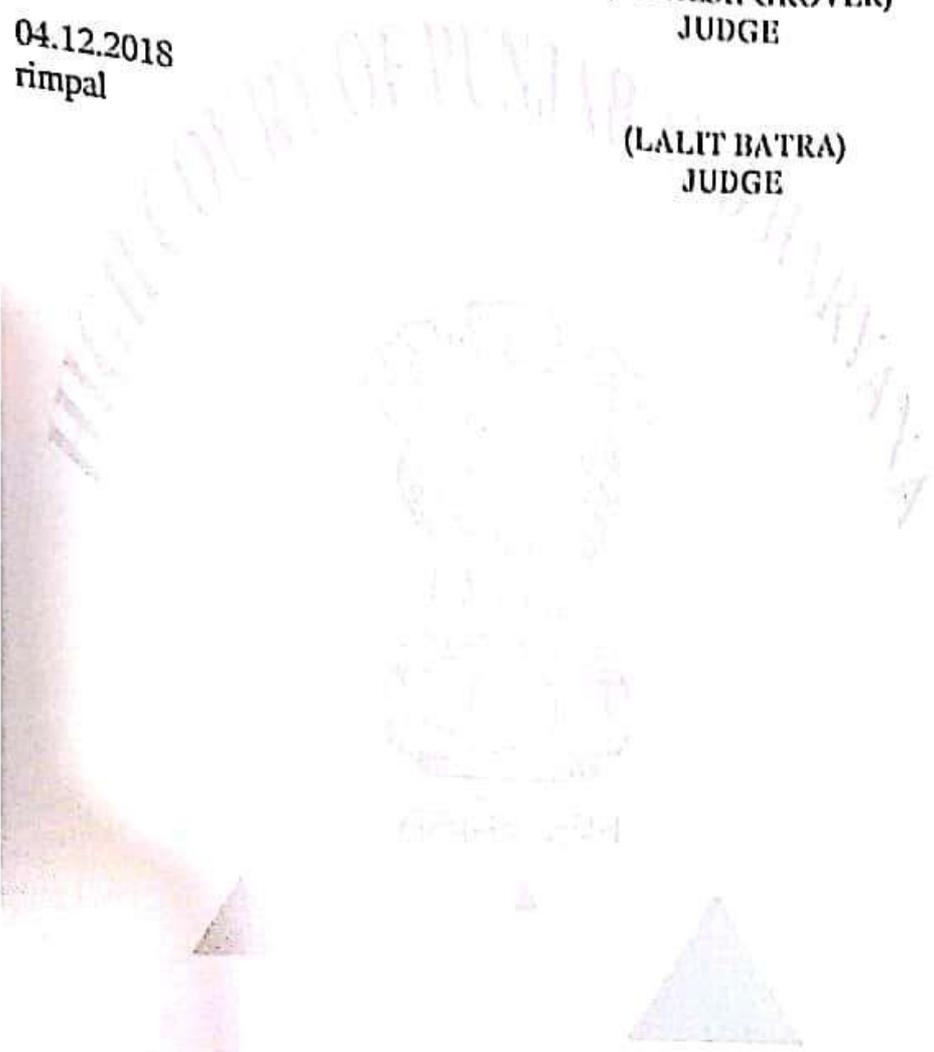
List on 20.03.2019.

In the meantime, the State may file its detailed response.

(MAHESH GROVER)
JUDGE

04.12.2018
rimpal

(LALIT BATRA)
JUDGE



Registered/Speed Post

From

The Director,
Mines and Geology, Haryana,
30-Bays, Sector-17, Chandigarh.

To

M/s Govardhan Mines and Minerals,
House No. 51, Urban Estate-2,
Hisar.

Memo No. DMG/HY/ML/Dadam/2018/6009
Dated Chandigarh, the 21.12.2018

Subject: Letter of compliance of orders dated 04.12.2018 passed by the
Hon'ble Punjab and Haryana High Court in CWP No. 28378 of 2018.

Reference this office memo no. DMG/HY/ML/Dadam/2018/5062 dated
11.10.2018 and your letter dated 13.12.2018 received in this office on 14.12.2018
through your advocate on the above noted subject.

2. You (M/s Govardhan Mines and Minerals) participated in the in the e- Auction
held on 04.01.2018 & 05.01.2018 and after accepting the terms and conditions of the
auction notice dated 08.12.2017 in order to obtain mining lease of minor mineral mine in
village "Dadam", District Bhiwani, offered the highest bid of Rs. 92,12,00,000/- per
annum, against the Reserve Price of Rs. 92,00,00,000/- per annum for obtaining the
Mining Lease of Minor Mineral mine namely "Dadam" for extraction of "Stone alongwith
Associated minor minerals" having tentative area of 48.87 hectares falling in khasra
nos. 132 min.

3. You are aware that the auction was conducted subject to condition that actual
mining would be allowed to be undertaken only after prior Environmental clearance is
obtained by the lease holder from the competent authority as per requirement of EIA
Notification dated 14.09.2006 issued by the MoEF&CC, GoI. Further, the period of lease

In the instant case is/was 10 years which had to reckon from the date of grant of EC by the competent authority or on expiry of the period of 12 months from the date of issuance of Lol, whichever is earlier. As per above the Issue relating to time taken by the State Government for acceptance of the bid got settled and not remained.

4. You participated in the e-auction process after having accepted the terms and conditions of the auction and offered bid without any objection, hence were fully aware the prior Environmental clearance was required as per provisions of EIA notification dated 14.09.2006 issued by the MoEF & CC Govt. The highest bid was finally accepted by the State government and this office issued Letter of Intent (Lol) in favour of M/s Govardhan Mines and Minerals on 11.10.2018.

6. You after having obtained the Lol holder submitted an application dated 13.12.2018 to the Department (received on 14.12.2018) stating that mining lease of Dadam Stone Mine earlier granted was prematurely cancelled by the State. Even before the application could have been decided on its merit, you filed a Civil Writ Petition No. 28378 of 2018 before the Hon'ble Punjab and Haryana High Court seeking permission for mining in Dadam stone mine on the basis of Environmental Clearance earlier granted in favour of ex-lease holder on 03.07.2015.

7. The Hon'ble High Court in its interim order dated 04.12.2018 permitted you to commence mining, subject to condition that you shall be bound by the contract to pay what is due to the State in terms thereof as also by statutory liabilities that may flow from the mining activity, to safeguard the interest of the State. However, the Hon'ble High Court has permitted the same subject to the final appraisal by the State in this regard, which they shall conclude within a period of two months.

8. In view of above you are permitted to undertake mining on the basis of EC already obtained by the former lease holder for Dadam stone Mine, till they are granted fresh EC for your own project/ lease. The permission granted / relaxation as per earlier EC, hence you shall ensure to undertake all environmental safeguards and precautions and paying required dues to the government before and after commencement of mining

without any default. However, before commencement of mining operations, you are shall fulfil the following requirements:-

- (i) Execute lease deed with the Government/ Department by furnishing surety equal to the annual dead rent without any delay;
- (ii) Deposit amount totalling to Rs. 22,41,58,667/- on account of following dues as per terms and conditions of grant/auction qua monetary liabilities:-
 - (a) Rs. 13,81,80,000/- i.e. 15% of the highest bid towards remaining amount of security to make it equal to 25% of annual dead rent;
 - (b) Rs. 7,67,66,667/- as one month advance dead;
 - (c) Deposit Rs. 76,76,667/- i.e. 10% of the monthly instalment towards 'Mines & Mineral Development, Restoration & Rehabilitation Fund'; and
 - (d) Rs. 15,35,333/- for TCS on monthly instalment @2%.
- (iii) Obtain the Consent to Establish /Consent to Operate of Haryana State Pollution Control Board, or obtain permission to run on the basis of earlier CTE/CTO granted to the earlier leaseholder, as may be permitted by the HSPCB
- (iv) An undertaking to the effect that you shall fulfil all the terms and conditions of the Environmental Clearance granted by the MoEF&CC, GoI on 03.07.2015 to the earlier leaseholder M/s KJSL-Sunder (JV) and was transferred by the MoEF&CC, GoI on 28.10.2015 in favour of M/s Sunder Marketing Associates. Further, you shall undertake mining as per Mining Plan already approved in favour of the earlier lessee M/s KJSL-Sunder-(JV)/ M/s Sunder Marketing Associates. You shall also procure the copies of all related documents of the earlier leaseholder and submit a copy of the same dully attested by you representative to the office of Mining Officer, Bhiwani and this office so that it could be ensured that

you are having knowledge of related permissions which you undertook to follow. However, your operation shall restrict within the area of 48.87 hectares, the area granted under present auction/ lease grant.

- (v) You shall take required actions for getting prepared and approved their own Mining Plan and for obtaining EC for their own lease grant/project. You shall also give status of your application if already submitted to the competent authority under EIA Notification dated 14.09.2006.

P Singh
State Mining Engineer
For Director, Mines and Geology,
Haryana, Chandigarh

Endst. No. DMG/HY/ML/Dadam/2018/6010

Dated: 21.12.2018

A copy along with orders dated 04.12.2018 of the Hon'ble Punjab and Haryana High Court passed in CWP No. 28378 of 2018 M/s Govardhan Mines and Minerals v/s State of Haryana and others is forwarded to the Secretary, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi for information and necessary action.

P Singh
State Mining Engineer
For Director, Mines and Geology,
Haryana, Chandigarh

Endst. No. DMG/HY/ML/Dadam/2018/6011

Dated: 21.12.2018

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

1. The Director, Environment Department, Haryana.
2. The Chairman, Haryana State Pollution Control Board, Panchkula.
3. Mining Officer, Bhiwani

P Singh
State Mining Engineer
For Director, Mines and Geology,
Haryana, Chandigarh



HARYANA STATE POLLUTION CONTROL BOARD

SCF-32, sector 13, HUDA, Bhiwani Ph. 01664-240259

Website: www.hspcb.gov.in E-Mail - hspcb.pkl@sifymail.com

Telephone No.: 0172-2577870-73



P-94

Annexure-12

No. HSPCB/Consent/ : 313100419BHICTE6267995

Dated:10/02/2019

To.

M/s : Govardhan Mines And Minerals
Dadam
BHIWANI
127040

Sub. : Grant of consent to Establish to M/s Govardhan Mines And Minerals

Please refer to your application no. 6267995 received on dated 2019-01-21 in regional office Jind.

With reference to your above application for consent to establish, M/s Govardhan Mines And Minerals is here by granted consent as per following specification/Terms and conditions.

Consent Under	AIR/WATER
Period of consent	10/02/2019 - 09/02/2024
Industry Type	Mining and ore beneficiation
Category	RED
Investment(In Lakh)	1245.0
Total Land Area (Sq. meter)	488700.0
Total Builtup Area (Sq. meter)	500.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	2.0 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	septic tank with soak pit
2. Trade	
Permissible Domestic Effluent Parameters	
1. NA	
Permissible Trade Effluent Parameters	
1. NA	mg/l
Number of stacks	1
Height of stack	
1. NA	
Permissible Emission parameters	
1. PM10	100 Microgram/meter cube

Capacity of boiler	
1. NA	Ton/hr
Type of Furnace	
1. NA	
Type of Fuel	
1. Diesel	20 KL/day

Regional Officer, Jind
Haryana State Pollution Control Board.

Terms and conditions

1. The industry has declared that the quantity of effluent shall be 2 KL/Day i.e 0KL/Day for Trade Effluent, 0 KL/Day for Cooling, 2 KL/Day for Domestic and the same should not exceed .
2. The above 'Consent to Establish' is valid for 60 months from the date of its issue to be extended for another one year at the discretion of the Board or till the time the unit starts its trial production whichever is earlier. The unit will have to set up the plant and obtain consent during this period.
3. The officer/official of the Board shall have the right to access and inspection of the industry in connection with the various processes and the treatment facilities being provided simultaneously with the construction of building/machinery. The effluent should conform the effluent standards as applicable
4. That necessary arrangement shall be made by the industry for the control of Air Pollution before commissioning the plant. The emitted pollutants will meet the emission and other standards as laid/will be prescribed by the Board from time to time.
5. The applicant will obtain consent under section 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and under section 21/22 of the Air (Prevention & Control of Pollution) Act, 1981 as amended to-date-even before starting trial production
6. The above Consent to Establish is further subject to the conditions that the unit complies with all the laws/rules/decisions and competent directions of the Board/Government and its functionaries in all respects before commissioning of the operation and during its actual working strictly.
7. No in-process or post-process objectionable emission or the effluent will be allowed, if the scheme furnished by the unit turns out to be defective in any actual experience
8. The Electricity Department will give only temporary connection and permanent connection to the unit will be given after verifying the consent granted by the Board, both under Water Act and Air Act.
9. Unit will raise the stack height of DG Set/Boiler as per Board's norms.
10. Unit will maintain proper logbook of Water meter/sub meter before/after commissioning.
11. That in the case of an industry or any other process the activity is located in an area approved and that in case the activity is sited in an residential or institutional or commercial or agricultural area, the necessary permission for siting such industry and process in an residential or institutional or commercial or agricultural area or controlled area under Town and Country Planning laws CLU or Municipal laws has to be obtained from the competent Authority in law permitting this deviation and be submitted in original with the request for consent to operate.
12. That there is no discharge directly or indirectly from the unit or the process into any interstate river or Yamuna River or River Ghaggar.

13. That the industry or the unit concerned is not sited within any prohibited distances according to the Environmental Laws and Rules, Notification, Orders and Policies of Central Pollution control Board and Haryana State Pollution Control Board.
14. That of the unit is discharging its sewage or trade effluent into the public sewer meant to receive trade effluent from industries etc. then the permission of the Competent Authority owing and operating such public sewer giving permission letter to his unit shall be submitted at time of consent to operate.
15. That if at any time, there is adverse report from any adjoining neighbor or any other aggrieved party or Municipal Committee or Zila Parishad or any other public body against the unit's pollution; the Consent to Establish so granted shall be revoked.
16. That all the financial dues required under the rules and policies of the Board have been deposited in full by the unit for this Consent to Establish.
17. In case of change of name from previous Consent to Establish granted, fresh Consent to Establish fee shall be levied.
18. Industry should adopt water conservation measures to ensure minimum consumption of water in their Process. Ground water based proposals of new industries should get clearance from Central Ground Water Authority for scientific development of previous resource.
19. That the unit will take all other clearances from concerned agencies, whenever required.
20. That the unit will not change its process without the prior permission of the Board.
21. That the Consent to Establish so granted will be invalid, if the unit falls in Aravali Area or non conforming area.
22. That the unit will comply with the Hazardous Waste Management Rules and will also make the non-leachate pit for storage of Hazardous waste and will undertake not to dispose off the same except for pit in their own premises or with the authorized disposal authority.
23. That the unit will submit an undertaking that it will comply with all the specific and general conditions as imposed in the above Consent to Establish within 30 days failing which Consent to Establish will be revoked.
24. That unit will obtain EIA from MoEF, if required at any stage.
25. In case of unit does not comply with the above conditions within the stipulated period, Consent to Establish will be revoked.
26. That unit will obtain consent to operate from the board before the start of product activity.

Specific Conditions

That if at any stage the unit will found non complying with the provision of Environment Laws at any stage the CTE granted will be revoked by the Board.

That the unit will not add any air polluting process/ machinery and also not to add any process which increases water pollution load without prior permission of the Board.

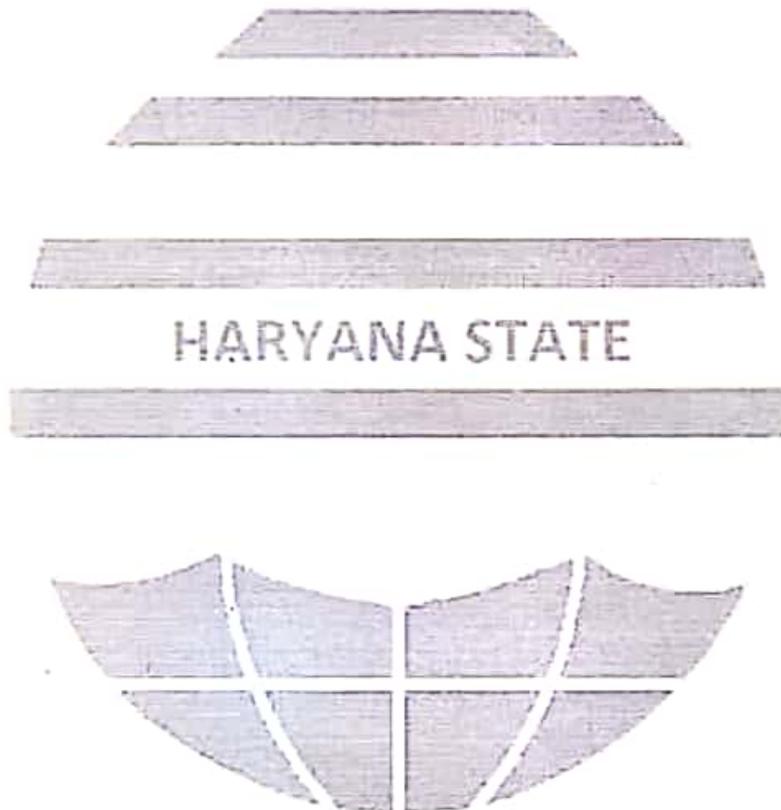
That the unit shall keep all the parameters within the prescribed limits and shall comply with all the Norms and Rules as prescribed in the Act

That the unit will provide separate energy meter on their ETP/APCM and maintain the Log Book for energy consumption of ETP/APCM and chemicals used daily for the ETP/APCM .

Other Conditions :

(I)The previous unit EC is consider temporary for this unit ,the said project will apply for fresh EC when SEIAA constituted and then submit fresh EC in the said firm name as soon as possible . (II)The unit will apply for consent to operate before starting production activity and will comply with each condition of EC obtained by previous firm from MOEF(III)Unit will apply for HW authorization & make agreement with board authorized agency for safe disposal of Hazardous waste as per HOWM Rules,2016. (IV) The said unit will make Dust Suppression and wet drilling by using 65 KLD water through sprinklers etc.(V)Unit will obtain necessary permission from Mines and Geology Department in compliance of Hon'ble Punjab & Haryana High court Chandigarh order dt.21.12.2018.

*Regional Officer, Jind
Haryana State Pollution Control Board.*

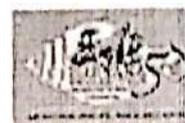




HARYANA STATE POLLUTION CONTROL BOARD

SCF-32, sector 13, HUDA, Bhiwani Ph. 01664-240259

E-mail: hspcb.pkl@sify.com



P-98

Annexure-13

No. HSPCB/Consent/ : 313100419BHICTO6356744

Dated:25/02/2019

To.

M/s :Govardhan Mines And Minerals
Dadam

Subject: Grant of consent to operate to M/s Govardhan Mines And Minerals.

Please refer to your application no. 6356744 received on dated 2019-02-25 in regional office Jind. With reference to your above application for consent to operate, M/s Govardhan Mines And Minerals is here by granted consent as per following specification/Terms and conditions.

Consent Under	BOTH
Period of consent	23/02/2019 - 30/09/2020
Industry Type	Mining and ore beneficiation
Category	RED
Investment(In Lakh)	1245.0
Total Land Area(Sq. meter)	488700.0
Total Builtup Area(Sq. meter)	488700.0
Quantity of effluent	
1. Trade	0.0 KL/Day
2. Domestic	2.0 KL/Day
Number of outlets	1.0
Mode of discharge	
1. Domestic	septic tank with soak pit
2. Trade	
Domestic Effluent Parameters	
1. NA	
Trade Effluent Parameters	
1. NA	
Number of stacks	1
Height of stack	
1. NA	
Emission parameters	
1. PM10	100 mg/m3
Product Details	
1. Stone associated with minor minerals	50000 Metric Tonnes/day

Capacity of boiler	
1. NA	Ton/hr
Type of Furnace	
1. NA	
Type of Fuel	
1. Diesel	20 KL/day
Raw Material Details	
Stone associated with minor minerals	50000 Metric Tonnes/Day

*Regional Officer, Jind
Haryana State Pollution Control Board.*

Terms and conditions

1. The applicants shall maintain good house keeping both within factory and in the premises. All hose pipelines valves, storage tanks etc. shall be leak proof. In plant allowable pollutants levels, if specified by State Board should be met strictly.
2. The applicant/company shall comply with and carry out directive/orders issued by the Board in this consent order at all subsequent times without negligence of his /its part. The applicant/company shall be liable for such legal action against him as per provision of the law/act in case of violation of any order/directives. Issued at any time and or non compliance of the terms and conditions of his consent order.
3. The applicant shall make an application for grant of consent at least 90 days before the date of expiry of this consent.
4. Necessary fee as prescribed for obtaining renewal consent shall be paid by the applicant alongwith the consent application.
5. If due to any technological improvement or otherwise this Board is of opinion that all or any of the conditions referred to above required variation (including the change of any control equipment either in whole or in part) this Board shall after giving the applicant an opportunity of being heard vary all or such condition and there upon the applicant shall be bound to comply with the conditions so varied.
6. The industry shall provide adequate arrangement for fighting the accidental leakages, discharge of any pollutants gas/liquids from the vessels, mechanical equipment etc. which are likely to cause environment pollution.
7. The industry shall comply noise pollution (Regulation and control) Rules, 2000.
8. The industry shall comply all the direction/Rules/Instructions as may be issued by the MOEF/CPCB/HSPCB from time to time.
9. The industry shall ensure that various characteristics of the effluents remain within the tolerance limits as specified in EPA Standard and as amended from time to time and at no time the concentration of any characteristics should exceed these limits for discharge.
10. The industry would immediately submit the revised application to the Board in the event of any change in the raw material in process, mode of treatment/discharge of effluent. In case of change of process at any stage during the consent period, the industry shall submit fresh consent application alongwith the consent to operate fee, if found due, which may be on any account and that shall be paid by the industry and the industry would immediately submit the

consent application to the Board in the event of any change during the year in the raw material, quantity, quality of the effluent, mode of discharge, treatment facilities etc.

11. The officer/official of the Board shall reserve the right to access for the inspection of the industry in connection with the various process and the treatment facilities. The consent to operate is subject to review by the Board at any time.
12. Permissible limits for any pollutants mentioned in the consent to operate order should not exceed the concentration permitted in the effluent by the Board.
13. The industry shall pay the balance fee, in case it is found due from the industry at any time later on.
14. If the industry fails to adhere to any of the conditions of this consent to operate order, the consent to operate so granted shall automatically lapse.
15. If the industry is closed temporarily at its own, they shall inform the Board and obtain permission before restart of the unit.
16. The industry shall comply all the Directions/ Rules/Instructions issued from time to time by the Board.
19. The industry shall obtain Environmental Clearance, if applicable as per MOEF Notification.
20. The industry shall comply the Public Liability Insurance Rules, 1991, as amended to date.
21. The industry shall submit Environmental Audit report once in a year.
22. The industry shall submit on site/off site emergency plan, if required.
23. The industry shall provide acoustic chambers on DG sets to control noise pollution and ensure noise level within the permissible limit.
24. The applicant shall ensure that the emission of the air pollutants shall remain within emission standards as approved by the State Board from time to time.
25. The existing air pollution control equipment if required shall be alerted or replaced in accordance with the direction of the Board.

Specific Conditions :

- (i). That the unit will submit the analysis report from the Board lab within three month from the date of issue of first consent to operate.
- (ii). That the unit will run and maintain the APCM & green belt.
- (iii). That the unit will apply for renewal of consent to operate before 90 days from the expiry of this CTO.
- (iv). The said mining project will make strict compliance of EC granted by MOEF/SEIAA.
- (v). The said unit will submit half yearly Environment management report as per EC condition & board policy for mining projects.
- (vi). The previous unit EC is consider temporary for this unit ,the said project will obtain fresh EC from SEIAA and then submit fresh EC in the said firm name as soon as possible .
- (vii). Unit will apply for HW authorization & make agreement with board authorized agency for safe disposal of Hazardous waste as per HOWM Rules,2016.
- (viii). The said unit will make Dust Suppression and wet drilling by using 65 KLD water through sprinklers etc.
- (ix) unit will install AAQMS at three locations within mining lease area for EC compliance.

**Sanjeev
Kumar**

Digital signed officer, Jind
Sanjeev Kumar
Haryana State Pollution Control Board.
Date: 2019.02.25
18:43:03 +05'30'

1

STATE ENVIRONMENT IMPACT ASSESSMENT AUTHORITY HARYANA
 Bay No. 55-58, Prayatan Bhawan, Sector-2, PANCHKULA.

Annexure-14

Tel: 0172-2565232

E-mail Id: selaa.hry@gmail.com

No. SEIAA(126)HR/2020/638

Dated: 21/12/2020

To

✓ M/s Govardhan Mines & Minerals,
 House No. 51, Urban Estate-2, Hisar, Haryana-125005
 E-mail Id: wazirsinghkuhar@gmail.com

Subject: Environment Clearance for Proposed Mining Project "Stone along with associated Minor Mineral Mine, Projection capacity (ROM) 15307992.7 TPA at Khasra No. 132 Min, Mine Area 48.87 Ha Near Village Dadam, Tehsil Tosham, District Bhiwani, Haryana.

This letter is in reference to your application dated 18.06.2019 addressed to M.S. SEIAA, Haryana received on 20.06.2019 and subsequent letters dated 25.07.2019, 02.11.2020 & 12.11.2020 seeking prior Environmental Clearance of the above project under the EIA Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., Form-1, Pre-feasibility report, copy of approved Mining Plan, EIA/EMP on the basis of approved TOR and the additional clarifications furnished in response to the observations of the State Expert Appraisal Committee (SEAC) constituted by MoEF & CC, GoI vide their Notification dated 30.01.2019, in its meeting held on 28.02.2019, 25.07.2019 & 10.11.2020.

[2] The SEAC has examined the application for Mining Project "Stone along with associated Minor Mineral Mine, Projection capacity (ROM) 15307992.7 TPA at Khasra No. 132 Min, Mine Area 48.87 Ha near Village Dadam, Tehsil Tosham, District Bhiwani, Haryana. The detail of the project is as under:

Sr. No.	Particulars			
	1.	Online Proposal Number	SIA/HR/MIN/56009/2018	
2.	Latitude	Pillar No.	Latitude	Longitude
3.	Longitude	P-1	28°53' 14.7375"N	75°50' 40.0167"E
		P-2	28°53' 12.2466"N	75°50' 52.8342"E
		P-3	28°53' 17.4676"N	75°50' 54.0918"E
		P-4	28°53' 16.8270"N	75°50' 57.3155"E
		P-5	28°53' 12.6596"N	75°50' 56.968"E
		P-6	28°53' 11.4548"N	75°51' 01.0161"E
		P-7	28°53' 13.2672"N	75°51' 03.964"E
		P-8	28°53' 13.2686"N	75°51' 04.9481"E

		28°53'	75°51'
P-9	10.6602"N	28°53'	06.5519"E
		28°53'	75°51'
P-10	08.9869"N	28°53'	13.1325"E
		28°53'	75°51'
P-11	09.1481"N	28°53'	15.5943"E
		28°53'	75°51'
P-12	11.7797"N	28°53'	18.1465"E
		28°53'	75°51'
P-13	12.9145"N	28°53'	21.3148"E
		28°53'	75°51'
P-14	11.7833"N	28°53'	22.2179"E
		28°53'	75°51'
P-15	01.9383"N	28°53'	22.4746"E
		28°53'	75°51'
P-16	01.9450"N	28°53'	21.5245"E
		28°52'	75°51' 18.453"E
P-17	56.9241"N	28°52'	75°51'
		28°52'	16.6778"E
P-18	55.6067"N	28°52'	75°51'
		28°52'	12.6869"E
P-19	55.4439"N	28°52'	75°51'
		28°52'	11.5553"E
P-20	58.0181"N	28°52'	75°51' 8.0164"E
		28°52'	75°51' 4.4678"E
P-21	59.1414"N	28°52'	75°51' 2.2339"E
		28°52'	75°50' 59.455"E
P-22	58.4532"N	28°52'	75°50'
		28°52'	58.1109"E
P-23	56.3512"N	28°52'	75°50'
		28°52'	55.4144"E
P-24	54.9888"N	28°52'	75°50'
		28°52'	51.3455"E
P-25	51.9484"N	28°52'	75°50'
		28°52'	46.0144"E
P-26	52.0634"N	28°52'	75°50'
		28°52'	41.8626"E
P-27	50.2454"N	28°52'	75°50'
		28°52'	38.7877"E
P-28	51.8567"N	28°52'	75°50'
		28°52'	36.9323"E
P-29	55.8663"N	28°52'	75°50'
		28°53'	37.8223"E
P-30	01.6066"N	28°53'	75°50'
		28°53'	42.3651"E
P-31	06.4183"N	28°53'	75°50'
		28°53'	39.9908"E
P-32	12.6679"N	28°53'	75°50'
		28°53'	43.0553"E
P-33	11.3924"N	28°53'	75°50'
		28°52'	75°50'
P-34	07.3594"N	28°52'	75°50'
		28°52'	75°50'
P-35	58.8510"N	28°52'	75°50'

		P-36	28°52' 55.5215"N	75°50' 45.0233"E
		P-37	28°52' 53.9391"N	75°50' 47.2003"E
		P-38	28°52' 53.8676"N	75°50' 51.1492"E
		P-39	28°53' 05.3629"N	75°50' 55.1028"E
		P-40	28°53' 08.9423"N	75°50' 52.0524"E
4.	Plot Area /Lease Area	48.87 Ha		
5.	Total Green Area with %	16.1 ha (33%)		
6.	Total Water Requirement	55.78 KLD		
7.	Domestic Water Requirement	9.0 KLD		
8.	Fresh Water Requirement	55.78 KLD		
9.	Waste Water Generated	6.3 KLD (Domestic waste)		
10.	Solid Waste Generated	45 kg (Municipal waste)		
11.	Total Cost of the project:	Govt. land . Expected Project cost: Rs. 25 Crore /-		
12.	Incremental Load in respect of:	PM ₁₀	21.8µg/m ³	

EMP BUDGET

S. No.	Description of Item	Budgetary Calculation	Capital Cost (in Lac)	Recurring Cost (Rs/Lac) Per Annum
1	Air Pollution Control	Water Sprinkling (300 days x 2 times x 1200 Rs./day) =7,20,000 Rs./-	--	7.20
2	Environmental Monitoring and Management	Air quality Monitoring (location x Monitoring Frequencies x Cost) (7x2x5000) =70000 Rs./- Ground Water sampling analysis (7x2x5000) = 70,000 Rs./- Surface Water sampling analysis (2x2x5000) = 20,000 Rs./- Soil Sampling Analysis (7x2x5000)= 70,000 Rs./- Noise Sampling (7x2x3000)=42,000 Rs./-	----	7.72
3	Green Belt Development	(200 Rs./plant) 200 X 2013= 4,02,600 Rs./- Water and maintenance cost for Plant (500 Rs/plant) 500 X 2013 =10,00,650 Rs./-	4.02 Lac	10.0
4	Schedule – I conservation plan cost (Indian Peafowl)	Funds to be submitted by the user agency to Divisional Wild Life Officer	50 (For 10 Years)	---

5	Education	Scholarship to Meritorious Student of Nearby School (2 Lac/ year for 10 Years)	20 Lac	----
6	Education	Scholarship to Handicapped Students of Nearby School (50,000/ Student for 10 Years)	10.0 Lac	
7	For EMP Budget	Rs. 51.0 Lac for EMP purpose will be given to Gram Panchayat	51.0	
8	Social Welfare	Health check-up Camp, Sanitation facility, Infrastructure Development in nearby school, Education facility such as Books, Uniforms, Organizing Sports Day and Plantation in community areas.	---	36.49
		Awareness programme on cancer and AIDS, Rain Water Harvesting structure in Panchayat, Repairing of school and Panchayat Bhawan as required, Help in Sanitation development in Dadam village	29.0	---
Total			164.02	61.41

Land use pattern of Mining lease Area

S.no	Particulars	Existing Area in Ha	In 5 years Area in Ha	At the end of life of mine in Ha
1.	Area Excavated due to Mining	34.6672	44.1807	45.7033(water reservoir)
2.	Dump or waste overburden	-	-	-
3.	Area under plantation	-	2.7827	2.7827
4.	Infrastructure Road, electric line etc.	1.5863	1.9066	0.3840
5.	Undisturbed area	12.6165		
	Total area	48.87	48.87	48.87

Ultimate Pit Limits

It is proposed to work the deposit from the top to bottom of the top surface level. Accordingly, the Ultimate Pit Limit has been drawn up to the 150MRL (refer conceptual plate),

Proposed ultimate pit angle 70 degree as the rock is competent enough to make the slope stable. Excavated part will be developed a water reservoir for water recharge and will be properly fenced and secured to stop the inadvertent entry. Also proposed to reuse rainwater for nearby villages for agriculture purposes.

Ultimate size of the pit:

Block:-

Sr.No	Length(in m)	Width(in m)	Depth(in m)
1	536	528	78(from ground level)

Table 5: Year wise production details

Sr.no.	mRL	Stone (tone)	Mineral Rejects	Total Mineral (tone)
1.	330-250	15001832.85	306159	15307992.7
2.	250-220	14616034.97	298286.428	14914321.4
3.	300-210	14666250.	37294808.63	14961059
4	230-200	14683239.65	299657.952	14982897.6
5	200-190	14524920.256	296426.944	14821347.2
Total		73492278.096	1495339.804	74987617.9

Table 6:- Mineral waste generation

Year	Mineral Reject(tone)
1 st year	306159.85
2 nd year	298286.428
3 rd year	294808.63
4 th year	299657.952
5 th year	296426.944
Total	1495339.804

Table 6: List of Machinery

Sr. No.	Type of Machine	Class/ Capacity of machine	Number of machine
1.	Hydraulic Excavators	480 class Bucket Capacity 1.85 m ³	19+5
2.	Drill machine	Hydraulic DTH 102- 115mm dia	3+1
3.	Hydraulic rock breaks	Fitted on 210 class excavator	1
4.	Dumpers	25MT	56=14
5.	Explosive Van		1
6.	Ambulance		1
7.	Service Vehicle for Maintenance		1
8.	Transport Vehicle for Manager and staff		2
9.	Disel tanker		1

Table 7: Details of blasting parameters

Total quantity of explosive required per day= 4878 kg/day

Depth of diameter of hole	11 m depth; 100 mm dia
Blasting pattern	2 row blasting

Space between holes	4 meter
Burden spacing	3.5 meter
Charge per hole	40kg
Yield per hole	410MT
Powder factor	10.25 tonne per kg of explosive.

Powder Factor in Ore:

10. 25 tones per kg of explosives. Blasting will be done for heavy purpose only.

Yearly (Mineral+Reject) Production	:	150.0 lakh tonnes
Average daily excavation	:	15000000/300=50000 tonnes
No. of holes drilled per day	:	150
Main charge per hole	:	40kg
Total main charge per day	:	6000kg
Explosive in each round	:	840kg. (As taken seven rounds)
Yield/Hole	:	410MT
Powder Factor	:	10.25MT/kg

The SEIAA in its 126th meeting held on 11.12.2020 decided to agree with the recommendations of SEAC to accord Environment Clearance to this project by imposing the following conditions:

A: Specific conditions:-

1. The Environmental clearance is valid for 10 years from the start of mining as the life of mine is 10 years. The period of mining as per Hon'ble H'court order for which mining has been carried on earlier Environment clearance granted to the project. The Mining is in progress as per Hon'ble High Court orders.
2. The Environmental clearance is subject to obtaining clearance, if any, under the wild life (protection) Act,1972 from the competent Authority, as applicable to the project
3. The Environmental clearance is granted subject to the Final outcome of Hon'ble Supreme Court of India, Hon'ble High Court of India and any other court of law, if any as applicable to this project.
4. The PP shall not carry mining in the Aravalli plantation of Khasra no 132 and also get demarcated from forest department and also not to carry out any mining in the demarcated area by DFO.
5. The PP shall construct the pucca link roads to the mining site before the start of mining.
6. The PP shall prepare the Mine safety plan and get it approved from the competent authority before the start of mining
7. Main haulage road in the mine should be provided with permanent water sprinklers and other roads should be regularly wetted with water tankers fitted with sprinklers.
8. Transportation of the minerals by road passing through the village shall not be allowed. A 'bypass' road should be constructed (say, leaving a gap of at least 200 meters) for the purpose of transportation of the minerals so that the impact of sound, dust and accidents could be mitigated. The Project Proponent shall bear the cost towards the widening and strengthening of existing public road network in case the same is proposed to be used for the Project. No road movement should be allowed on existing village road network without appropriately increasing the carrying capacity of such roads.
9. Likewise, Alteration or re-routing of foot paths, pagdandies, cart roads, and village infrastructure public utilities or roads (for purposes of land acquisition for mining) shall be avoided to the extent possible and in case such acquisition is inevitable, alternative arrangements shall be made first and then only the area acquired. In these types of cases, inspection Reports by site visit by experts may be insisted upon which should be done through reputed institutes.
10. The PP shall ensure that total 2% of the cost of project shall be spent on EMP Budget. However, the amount and component shown in EMP table above shall also be included for the purpose of 2% amount. The EMP cost on Socio Economic activities shall be

- used before the commencement of the project & EMP recurring inside the project shall be implemented throughout the operation of the project.
11. Socio Economic Development of the neighborhood Habitats could be planned and executed by the Project Proponent more systematically based on the 'Need based door to door survey' by established Social Institutes/Workers. The report shall be submitted to the SEIAA located at Chandigarh on six monthly basis.
 12. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. the housing may be in the form of temporary structures to be removed after the completion of the project.
 13. Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and maintain records accordingly; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smoking, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. The Recommendations of National Institute for ensuring good occupational environment for mine workers shall be implemented
 14. An independent study be organized during peak activity, to understand how the actual compare with the carrying capacities and further decisions taken to maintain sustainability of this essential stone extraction and supply activity. Project Proponent shall ensure that the road may not be damaged due to transportation of stone.
 15. Traffic management plan as submitted shall be implemented in letter and spirit. Apart, a detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is marinated and improved upon after the implementation of the project.
 16. No tree cutting has been proposed in the instant project. A minimum of 1 tree for every 80sqm of land should be planted and maintained. The Existing trees will be counted for this purpose. The landscape planning should include plantation of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. As proposed the plantation in 13.40 hectares area will be carried out including statutory boundary barrier, Gram Panchayat, nearby schools, hospitals and along the road in consultation with local authority or Govt. Body. Native plant species as suggested by villagers/specialist may be planted
 17. Implementation of Action Plan on the issues raised during the Public Hearing shall be ensured. The pp shall complete all the tasks as per the Action Plan submitted with budgetary provisions during the Public Hearing held on 28.07.2020. The PP shall spent total Rs. 20 lakhs in ten years (2 lakhs per year) to award scholarship to students who secured merits in dadam and nearby villages. The PP shall give financial help of Rs. 50000 per handicapped person and total of Rs. 10 lakhs in ten years in dadam and nearby villages. The PP shall give Rs. 51 lakhs to Gram Panchayat Dadam as announced in Public Hearing.
 18. The mining operations shall be restricted to above ground water table and it should not intersect groundwater table. In case of working below ground water table, prior approval of the Ministry of Environment, forest and Climate Change and Central Ground Water Authority shall be obtained, for which a detailed hydro-geological study shall be carried out; The Report on six monthly basis on changes in Ground water level and quality shall be submitted to the Regional Office of the Ministry.
 19. The pollution due to transportation load on the environment will be effectively controlled & water sprinkling will also be done regularly Vehicles with PUC only will be allowed to ply. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Project should obtain 'PUC' certificate for all the vehicles from authorized pollution testing centres.
 20. There shall be planning, developing and implementing facility of rainwater harvesting measures on long terms basis in consultation with Regional Director, Central Groundwater Board and implementation of conservation measures to augment ground water resources in the area in consultation with Central Ground Water Board.
 21. Where ever blasting is undertaken as part of mining activity, the Project Proponent shall carry out vibration studies well before approaching any such habitats or other buildings, to evaluate the zone of influence and impact of blasting on the neighbourhood. Within 500 meters of such sites vulnerable to blasting vibrations avoidance of use of explosives and adoption of alternative means of mineral extraction,

such as ripper/dozer combination/rock breakers/surface miners etc. should be seriously considered and practiced wherever practicable. A provision for monitoring of each blast should be made so that the impact of blasting on nearby habitation and dwelling units could be ascertained. The covenant of lease deed under Rule 31 of MCR 1960 provides that no mining operations shall be carried out within 50 meters of public works such as public roads and buildings or inhabited sites except with the prior permission from the competent authority

22. The Project Proponent shall obtain all necessary clearance/permission from all relevant agencies before commencement of work.
23. Consent to establish/operate for the project shall be obtained from the State Pollution Control Board as required under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
24. The pp shall take precautions to suppress the dust in and around the mining site. Use of effective sprinkler system to suppress fugitive dust on haul roads and other transport roads shall be ensured.
25. Implementation of Haryana Government Rehabilitation and Resettlement of Land Owners' Policy as per applicability in the area.
26. Implementation of Environment Management Policy of the Company w.r.t. judicious use of Mineral resources for growth & development synchronizing mining & environment with prosperity.
27. The Project Proponent shall also take all precautionary measures during mining operation for conservation and protection of endangered flora/fauna, if any, spotted in the study area.
28. The illumination and sound at night at project site, 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. Project Proponent 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 light/night hours.
29. A comprehensive study for slope stabilization of mine benches and OB dumps shall be undertaken within one year.
30. The PP shall manage the overburden at the mining site if left after sale.
31. Washing of all transport vehicle should be done inside the mining lease.
32. The PP shall create environment division unit in the project for implementing the conditions of Environment clearance.
33. The PP shall obtain the permission regarding withdrawal of ground water from CGWA before the start of the project if any and also obtained the CTO from HSPCB after the approval from CGWA
34. Any change in stipulations of EC of the approved mining plan will lead to Environment Clearance void-ab-initio and PP will have to seek fresh Environment Clearance
35. The PP shall adhere to the approved mining plan and approved closure plan by the competent authority.
36. No mining activity is being carried out within the 500 meter of the radius by the Project Proponent itself and or by anybody else.
37. No intention to expand the mining activity beyond the stated/ approved area.
38. Sprinkler would be deployed to curb fugitive emission by using treated water.
39. Area concerned would be reclaimed as per the norms and orders of Hon'ble Courts there upon.
40. Reclamation status would be submitted along with the six monthly compliance reports.
41. Trees would be planted as per the submitted plantation plan.
42. Water trough would be provided for incoming/ outgoing water to wash the wheels.
43. No natural water course/ water body would be obstructed due to any mining activity or due to the dumping of the material.
44. Smog Gun/Dust Suppression system of sufficient would be installed at the project site.
45. That they will develop & maintain 33% Green Area of the above said project.

B: Statutory 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 2nd 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 2nd 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), Mines & Geology Department, Haryana and Indian Bureau of Mines from time to time.. Also adhere to Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rules, 2012.
8. The Project Proponent shall obtain consents from all the concerned land owners, 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 wherein 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 about 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). 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 MoEF&CC 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.

I. Air quality monitoring and preservation

- i. 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, PM_{2.5}, NO₂, CO and SO₂ 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.
- ii. 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 PM_{10} and $PM_{2.5}$ 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 equipments/ 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.

II. Water quality Monitoring and Preservation

- i. 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 MoEF & CC 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.
- ii. 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.
- iii. 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.
- iv. 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 MoEF&CC. 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 Ministry of Environment, Forest and Climate Change and its Regional Office, 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.

- v. Quality of polluted water generated from mining operations which include Chemical Oxygen Demand (COD) in mines run-off; 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.
- vi. 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 MoEF &CC annually.
- vii. 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.
- viii. 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 and State Pollution Control Board/Committee.

III. Noise and vibration Monitoring and Prevention

- i. The peak particle velocity at 500m distance or within the nearest habitation, whichever is closer shall be monitored periodically as per applicable DGMS guidelines.
- ii. 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.
- iii. 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.

IV. Mining Plan

- i. 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 Ministry of Environment, Forest and Climate Change, 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 to Short Term Permit (STP), Query license or any other name.
- ii. The Project Proponent shall get the Final Mine Closure Plan along with Financial Assurance approved from Indian Bureau of Mines/Department of Mining & Geology 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 and SEIAA for record and verification.

- iii. 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 MoEF&CC and its concerned Regional Office.

V. Land reclamation

- i. 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.
- ii. 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.
- iii. The reclamation of waste dump sites shall be done in scientific manner as per the Approved Mining Plan cum Progressive Mine Closure Plan.
- iv. 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.
- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.

VI. Transportation

- i. 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.
- ii. 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.

VII. Green Belt

- i. The Project Proponent shall develop greenbelt in 7.5m 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 Ministry irrespective of the stipulation made in approved mine plan.
- ii. 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.
- iii. 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.
- iv. 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.
- v. 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.

VIII. Public Hearing and Human Health Issues

- i. 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 MoEF&CC Regional Office and DGMS on half-yearly basis.
- ii. 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 neighborhood 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.
- iii. 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, Aluminum, 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 x14 inches and of good quality).
- iv. 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, MoEF&CC annually along with details of the relief and compensation paid to workers having above indications.

- v. 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.
- vi. Project Proponent shall make provision for the housing for workers/labors or shall construct labor 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.
- vii. 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 along with District Administration.

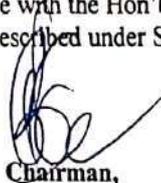
IX. Corporate Environment Responsibility (CER)

- i. 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 annually along with audited statement.
- ii. 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 MoEF & CC and its concerned Regional Office.

X. Miscellaneous

- i. 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.
- ii. 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 MoEF & CC.
- iii. The Project Authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- iv. The Project Proponent shall submit six monthly compliance reports on the status of the implementation of the stipulated environmental safeguards to the MOEF&CC & its concerned Regional Office, Central Pollution Control Board and State Pollution Control Board.
- v. 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, MoEF & CC.
- vi. The concerned Regional Office of the MoEF&CC including other authorized organization shall randomly monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the MoEF&CC officer(s) including other authorized officer by furnishing the requisite data/information
- vii. The SEIAA, Haryana reserves the right to add new conditions, modify/annual any of the stipulated conditions and/or to revoke the Clearance if implementation of any of the condition stipulated by SEIAA, Haryana or any other competent authorities is not satisfactory.

- viii. Failure to comply with any of the conditions mentioned above may result in withdrawal of this Clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- ix. All the other statutory Clearances such as the approvals for storage of diesel from the Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (protection) Act, 1972 etc. shall be obtained, as may be applicable, by Project proponent from the competent authority before the start of mining operation.
- x. That the grant of this Environment Clearance (EC) is issued from the environmental angle only and does not absolve the Project Proponent from the other Statutory Obligations prescribed under any other Law or any other instrument in force. The sole and complete responsibility, to comply with the conditions laid down in all other laws for the time being in force, rests with the Industry/Unit/Project Proponent. Any appeal against this Environmental Clearance shall lie with the Hon'ble National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of National Green Tribunal Act, 2010.



Chairman,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.

Endst. No. SEIAA/HR/2020/

Dated: /12/2020

A copy of the above is forwarded to the following:

1. Director (IA Division), MoEF & CC, GoI, Indra Paryavaran Bhavan, Zor bagh Road- New Delhi-110003.
2. Regional office, Ministry of Environment, Forests & Climate Change, Govt. of India, Bay's no. 24-25, Sector 31-A, Dakshin Marg, Chandigarh-160018.
3. Chairman, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula.
4. Director General, Mines & Geology Department Haryana, Chandigarh.
5. Concerned File/ Office Copy

-sd-
Chairman,
State Level Environment Impact
Assessment Authority, Haryana, Panchkula.

inspection report Dated - 06-10-2020

JOINT INSPECTION REPORT OF OA No. 132/2020 IN THE MATTER OF RAKESH DALAL VS. STATE OF HARYANA

1. Regarding illegal mining by M/s Govardhan Mines at Dadam, Tosham, Bhiwani Haryana.

Observation - During the inspection it is observed that the said mining project has illegally created ways in the forest area without having any valid permission. At the time of inspection, the mining equipment's/machines are also found standing in the non-minable forest area. The Dadam Hill Minor is a protected forest area under IFA, 1927 and same is found illegally mined at the time of the inspection.

2. It is alleged that mining is done upto 150 meters which is not permissible.

Observation - During the inspection, the concerned mining officer stated that the mining is done at the site about 200 feet depth. But actual depth of the mining pits will be assured by the inspection of the mining surveyor from Mining Dept., Head Office, Panchkula within 7 days as mentioned by concerned mining officer.

3. The Mining Company has not given a closure plan.

Observation - During the inspection the concerned mining officer stated that an approved mining plan as well as a progressive closure plan of same is already submitted by the said mining project and the mining project is still in progress and closure plan will be implemented after closure of the mining.

4. In the progressive closure plan, the depth is shown to be up to 42 meters.

Observation - During the inspection the concerned mining officer stated that the said mining project has given following dimensions of mining pit as per approved mining plan:
(i) Length: 536 meter (ii) Width: 528 meter (iii) Depth: 78 meter (from ground level). But no record provided at the site during inspection in this regard.

5. Mining is not being done in a scientific manner.

Observation - During the inspection the concerned mining officer stated that the mining is not done in scientific manner i.e. benches of 9-meter height and 9-meter width are not properly formed.

6. Ground water is also being illegally extracted.

Observation - During the inspection the concerned Assistant Geologist, Ground Water Cell reported that no bore well found in the lease mining area. The project is meeting water requirement for plantation, dust suppression & domestic etc. through tankers from outside the mining area and also using the water stored within mining pits and water stored in pits cannot be identified at spot whether it is groundwater or rain water and same will be identified within 7 days as assured by the concerned Assistant Geologist, Ground Water Cell.

7. The applicant has annexed a letter addressed to the Additional Chief Secretary, Mines and Geology Department pointing out illegalities in the process of mining.

Observation - During the inspection the concerned mining officer stated that he is not aware about the said communication because the letter number & date are not mentioned. During the inspection the concerned SDO, Irrigation Department stated that the said mining project is using the land of Dadam distributary illegally for mining purpose.

Dr. Sumit Sheoran
Scientist B, HSFCB, Bhiwani Region

Veel Prakash H.F.S.
Add. D.F.O. Bhiwani

(Anshul Kalin)
SDO, Nigam w.s. S/Dr
Bhiwani

Chander Prakash
(Chander Prakash)
Asst Geologist
Ground Water cell, Bhiwani

Dinesh Kumar
R-0 - HSFCB
Bhiwani

6/10/2020
(RANV NARWAL)
ADC, Bhiwani

Inspection report dated - 06-10-2020

JOINT INSPECTION REPORT OF OA No. 169/2020 IN THE MATTER OF KULDEEP SINGH VS. STATE OF HARYANA

Point: Grievance in this application is against alleged illegal mining in forest area by M/s Govardhan Mines and Minerals, Hisar at Dadam Hills, Tosham, District Bhiwani. The applicant has relied upon FIR, complaints and letters in support of the allegation.

Observation – During the inspection it is observed that the said mining project has illegally created ways in the forest area without having any valid permission. At the time of inspection, the mining equipment's/machines are also found standing in the non-minable forest area. The Dadam Hill Minor is a protected forest area under IFA, 1927 and same is found illegally mined at the time of the inspection.

At the time of inspection, the team has also reported following observations:

During the inspection, the concerned mining officer stated that the mining is done at the site about 200 feet depth. But actual depth of the mining pits will be assured by the inspection of the mining surveyor from Mining Dept., Head Office, Panchkula within 7 days as mentioned by concerned mining officer. At the time of inspection the concerned mining officer also stated that an approved mining plan as well as a progressive closure plan of same is already submitted by the said mining project and the mining project is still in progress and closure plan will be implemented after closure of the mining.

During the inspection the concerned mining officer stated that the said mining project has given following dimensions of mining pit as per approved mining plan:

(i) Length: 536 meter (ii) Width: 528 meter (iii) Depth: 78 meter (from ground level).

At the time of inspection, the concerned mining officer mentioned that the mining is not done in scientific manner i.e. benches of 9-meter height and 9-meter width are not properly formed.

During the inspection the concerned Assistant Geologist, Ground Water Cell reported that no bore well found in the lease mining area. The project is meeting water requirement for plantation, dust suppression & domestic etc. through tankers from outside the mining area and also using the water stored within mining pits and water stored in pits cannot be identified at spot whether it is groundwater or rain water and same will be identified within 7 days as assured by the concerned Assistant Geologist, Ground Water Cell.

The concerned SDO, Irrigation Department at time of inspection stated that the said mining project is using the land of Dadam distributary illegally for mining purpose.

S. Sheoran
10.10.2020
Dr. Sunil Sheoran
Scientist B, Bhiwani Region

Prakash
(Chander Prakash)
Asstt. Geologist
Ground water cell, Bhiwani

An
Veet Prakash H.F.S
Addl. D.F.O Bhiwani

Dinesh Kumar
DINESH KUMAR
R.O. HSPCB,
Bhiwani

M.
(Anshul Kadian)
SDO, Nigera w/s S/O
Bhiwani

6/10/2020
(RAHUL NARWAL)
ADC, Bhiwani



Regional Office

Haryana State Pollution Control Board,

SCF-32, Opp. Community Centre, Sector-13, HSVP, Bhiwani

Email-hspcbrojr@gmail.com



No. HSPCB/BHI/2020/ 2633

To

Dated: 08-10-2020

M/s. Govardhan Mines & Mineral,
Village Dadam, Bhiwani

Sub: Show cause notice for closure under section 5 & 15 of EP Act, 1986 for violation of Env. Clearance & revocation consent to operation granted under Air Act, 1981 & water Act, 1974.

Whereas an NGT order dated 21.07.2020 OA No. 169/2020 titled as Kuldeep Versus State of Haryana and order dated 20.08.2020 OA No. 132/2020 titled as Rakesh Dalal Versus State of Haryana

Whereas a joint team constituted by Worthy Deputy Commissioner, Bhiwani and headed by Addl. Deputy Commissioner, Bhiwani including Mining Officer, Bhiwani, Assistant Geology, Ground Water Cell, Bhiwani, Addl. District Forest Office, Bhiwani, and SDO Nigana, Water Service, Sub Div. Bhiwani visited the site of mining project on 06.10.2020 Whereas during inspection, following deficiencies are observed by the joint team :-

1. You have created illegal ways in the forest area without having any valid permission.
2. The mining equipments/machines are also found standing in the non-minable forest area.
3. The Dada Hill Minor is a protected forest area under IFA, 1927 and same is found illegally mined at the time of inspection.
4. During the inspection the concerned mining officer stated that the mining is not done in scientific manner i.e. benches of 9-meter height and 9-meter width are not properly formed.
5. During inspection water found standing in mining pits clarify your position whether it is ground water or rain water.
6. Your project is found using land of Dadam Distributary illegally for mining purpose.

Whereas unit will be liable to pay the environmental compensation in the terms of direction of the Board issued by order no. HSPCB/PLG/2019/6043-75 dated 29.04.2019 as assessed by the Board as per methodology defined

Whereas you are not complying with the conditions of Env. Clearance issued by Competent Authority i.e. MoEF & CC, New Delhi.

In view of the above, you are hereby directed to show cause for 15 days, as to why closure/legal action may not be taken under Section 5 of 15 of EP Act, 1986 taken against your unit besides disconnection of electric supply and captive powers for non compliance of the provisions of the said Acts and CTO granted previously vide No. 7841923 dated 08.08.2020 for the period 01.10.2020 to 30.09.222 may not be withdrawl.

Section 5 of 1986 notwithstanding anything contained in any other law, But subject to the provision of this Act. The Central Government may, in the exercise of its powers and performance of its function shall be bound to comply with such directions.

Explanations: For the avoidance of doubts, It is hereby declared that the power to Issue directions under this section includes the power to direct:-

- (a) The Closure, prohibition or regulation of any industry operation or process or**
- (b) The stoppage or regulation of supply of electricity, water or any other service.**

Endst. No. HSPCB/BHI/2020/2684

A copy of above is forwarded to the Chairman, Haryana State Pollution Control Board, Panchkula for information please.


**Regional Officer,
Bhiwani Region**
Dated 08-10-2020

Endst. No. HSPCB/BHI/2020/2685

A copy of above is forwarded to the Worthy Deputy Commissioner, Bhiwani for Information please.


**Regional Officer,
Bhiwani Region**
Dated 08-10-2020

Endst. No. HSPCB/BHI/2020/2686

A copy of above is forwarded to the Additional Deputy Commissioner, Bhiwani for information please.


**Regional Officer,
Bhiwani Region**
Dated 08-10-2020


**Regional Officer,
Bhiwani Region**

PUC Puton at 26/10-20
Pun cur
SCB

Annexure-17

P-121

624
26/10-20

GOVARDHAN MINES & MINERALS, VILLAGE, DADAM.

REGISTERED OFFICE:- KHANAK POLICE CHECK POST, HISAR TOSHAM ROAD,
KHANAK.

Dated 22.10.2020

F.R.
AEE-I, AEE-II, SC'B'
CLERK-I, CLERK-II


E.E.
23/10/2020

To
Regional Officer,
Haryana State Pollution Control Board, SCF no. 32,
Community Centre, Sector-13, Bhiwani.

Sir,
Sub:- Show cause notice for closure under section 5 & 15 of EP Act 1986 for violation of Env. Clearance & revocation of consent to operation granted under Air Act 1981 & water Act 1974 -reg-

Kindly refer to your office show cause notice issued vide No. HSPCB/BHI/2020/2633 dated 8-10-2020 on the above cited subject.

Vide above mentioned show cause notice you have observed following deficiencies:-

- a) Created illegal ways in the forest area without having any valid permission.
- b) Mining machines/equipment's were found standing in non-minable forest area.
- c) Dadam hill minor is a protected forest area under IFA 1927 and same found illegally mined at the time of inspection.
- d) Mining officer stated that mining is not done scientifically i.e. benches of 9 meter height and 9 m. width are not properly formed.
- e) Water was found standing in pits to clarify whether ground water or rain water.
- f) Project is found to using land of Dadam Distributary illegally for mining.

2. In this regard it is submitted before you that the said Inspection of Dadam Stone Mines was conducted in compliance of the order of Hon'ble National Green Tribunal order in OA no. 132/2020 titled as Rakesh dalal Versus state of Haryana and second that of Sh. Kuldeep Versus State of Haryana. It is very much relevant to mention here the few facts. M/s Govardhan Mines & Minerals was allotted lease of Dadam Stone Mines vide Letter of Intent Memo No. DMG/HY/ML/Dadam/2018/5062 dated 11-10-2018. The Hon'ble High Court of Punjab & Haryana in its judgement in CWP 28378 of 2018 allowed us to commence mining operations on the basis of Environmental Clearance of previous lease holder i.e. M/s Sunder Marketing Associate. New Delhi. The Director Mines & Geology Haryana vide Memo DMG/HY/ML/Dadam/2018/6009 Dated 21-12-2018 allowed us to start mining operations after complying certain conditions. The firm started mining operations on 25-2-2019 after obtaining permission from Haryana State Pollution Control Board regarding Consent to

Establish and Consent to operate. The necessary permissions from DGMS, Ghaziabad was also obtained. The firm is successfully doing mining operation from Feb 2019 to till dated. On 6-10-2020, the team under leadership of ADC, Bhiwani, RO & SDO Pollution Control Board, Mining Officer Bhiwani, Range Forest Officer, Tosham, Distt. Hydrologist Officer Bhiwani conducted inspection of mining area falling in our lease allotted to us. The said inspection was carried out on the basis of application moved by one Sh. Rakesh Dalal before The National Green Tribunal, Principal Bench, New Delhi. The ground taken by applicant is regarding alleged mining up to 150 meter, non-submission of closure plan, unscientific mining etc. The petitioner Sh. Rakesh Dalal has filed writ petition against state of Haryana and others in CWP 9002-2018(O&M). The said petition was dismissed as withdrawn and petitioner was allowed to move the respondent authorities and files representation, the same shall be considered in accordance with law.

b) At the time of filing of petition and above order, M/s Govardhan Mines & Minerals was even not allotted Letter of Intent in spite of being highest bidder. Before us the mining was being done by M/s Sunder Marketing Associate, New Delhi. The said lease of M/s Sunder Marketing was terminated prematurely on certain grounds. The applicant has pointed irregularities in petition in the time of mining being done by that firm. However he with a motive of extortion of money filed the same against M/s Govardhan Mines & Minerals. However the alleged violations if any has occurred in the time of old lease holder. Thus the petitioner has misled the Hon'ble NGT that the violations are being done by us. In fact the inspection team itself failed to take note of this fact.

With this background we submit point wise reply to shortcomings pointed out in Inspection:-

Point 1. :- We have not created illegal ways in the forest areas. These ways have been created in the time of previous leaseholder. Old maps showing these ways (Annexure "A") is enclosed herewith which substantiate our claims. This Map shows the position of mining area between May 2016 to Jan 2019 i.e. before commencement of Mining by M/s Govardhan Mines and Minerals. We have already obtained permission from Forest department for making ways to enter into mining areas. The permission was sought vide F.No. 9-HRB)^/2019-CHA dated 25 th September 2019 by DDG(Forest) Central, MOEF N. Region office Chandigarh (Copy Enclosed Annexure "A1"). For this we have deposited more than Rs. 17 lakhs with department. However the same is not started yet. Again we have sought permission for two more passages (Copy Enclosed Annexure "A2 & A3"). Evidence of same is enclosed. However the same are pending with department. It is further submitted that Officials of Mining and Forest department have regularly conducted inspections of the lease areas in one or two times in a month. They have regularly checked the lease area with coordinates used by both the departments and if there was a slightest shortcomings, that was removed at the spot. Proof of inspection by said officials is enclosed (Annexure "A4").

Point 2. It is submitted that a copy of reply filed by us to Range Forest Officer Tosham is enclosed. The Reply filed by us satisfactory explains the deficiency pointed by you (Annexure "B").

Point 3:- No mining work has been done by us. The same have occurred during the time of previous leaseholder. A copy of judgment of Court dated 07.01.2016 is enclosed showing the same facts (Annexure "C"). In this judgment at page 2 it is clearly mentioned that the Minor is in broken condition for the last 10 years. A copy of report of SDO (Irrigation) Nigana is enclosed.

Point 4:- It is submitted that the issue regarding scientific mining etc. are dealt with department of Director General of Mines safety Ghaziabad. They have visited the mining site a number of times. Further the making and breaking of benches is a continuous process in mining. Height and width of benches also depend upon the available area of mines. So they are only the fit persons who can say that the mining is scientific or not. A simple word of MO cannot allege this irregularity. We do our mining in a complete and safe scientific way.

Point 5:- It is submitted that the water in the pit was that of rain water. As the pit is surrounded by stones on all the sides and there is no point of water coming from underground. Few of our partners have experience in mining in Khanak/ Dadam and their practical experience in this area state that there is no water in these hill areas as there is stone all around.

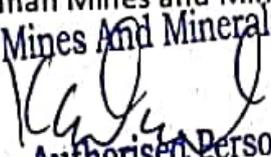
Point 6:- As pointed above in point 3, we have never done mining in the area of Distributary. The proof of court judgement proves this crystal clear.

3. In view of above explanations with evidence we submit that there is no violation of conditions of Environment Clearance issued by competent authority. If there are any small shortcomings on the issue discussed above then also we have made no default as these are very minor. We request your honour to make another visit to mining area for re-inspection of the alleged shortcomings.

We further assure that we will do the mining work with complying with all the rules and regulations.

For M/s Govardhan Mines and Minerals

Goverdhan Mines And Minerals


Authorized Person
(Authorized Signatory)



Regional Office

Annexure-18

Haryana State Pollution Control Board,

SCF-32, Opp. Community Centre, Sector-13, HSVP, Bhiwani

Email-hspcbrojr@gmail.com

P-124

No. HSPCB/BHI/2020/ 5235

FTM/53731

Dated:- 06/11/2020

To

The Chairman,
Haryana State Pollution Control Board,
Panchkula.

Sub: Recommendation for closure action against - M/s Govardhan Mines & Mineral, Village- Dadam, Bhiwani under section 5 of EP Act, 1986 for violation of Env. Clearance & revocation of consent to operate granted under Air Act, 1981 & water Act, 1974.

In this connection, it is submitted that recommendation for closure order of the above said unit for violation is given as under:-

1	Name of the unit with address		M/s Govardhan Mines & Mineral, Village- Dadam, Bhiwani			
2	Category & Product		Category		Red	
			Product		Mining & Ore beneficiation	
3	Status of CTE & CTO		Status		Letter No.	Dated
			CTE	Granted	6267995	10.02.2019
*			CTO	Granted	7841923	08.08.2020
4	Sr. No.	Detail of violation:				
	A	Operating without CTE /CTO of the Board	NA			
	B	ETP not installed	Not applicable			
	C	APCM not installed	Installed			
	D	Sample exceeding the norms	Not applicable			
	E	Complaint / Court case, if any.	Hon'ble NGT order dated 21.07.2020 in the matter of OA No. 169/2020 titled as Kuldeep Veruse State of Haryana and order dated 20.08.2020 in the matter of OA No. 132/2020 titled as Rakesh Dalal Versus State of Haryana.			
F	Any other	NA				
5	Detail of violation made as above		<p>Whereas a joint team constituted by Worthy Deputy Commissioner, Bhiwani and headed by Addl. Deputy Commissioner, Bhiwani including Mining Officer, Bhiwani, Assistant Geology, Ground Water Cell, Bhiwani, Addl. District Forest Office, Bhiwani, and SDO Nigana, Water Service, Sub Div. Bhiwani visited the site of mining project on 06.10.2020</p> <p>Whereas during inspection, following deficiencies are observed by the joint team :-</p> <ol style="list-style-type: none"> 1. Unit has created illegal ways in the forest area without having any valid permission. 2. The mining equipments/machines are also found standing in the non-minable forest area. 3. The Dada Hill Minor is a protected forest area under IFA, 1927 and same is found illegally mined at the time of inspection. 4. During the inspection the concerned mining officer stated that the mining is not done in scientific manner i.e. benches of 9-meter height and 9-meter width are not properly formed. 5. During inspection water found standing in mining pits clarify your position whether it is ground water or rain water. 			

		b. your project is found using land or Dadam Distributary illegally for mining purpose. P-125
6	Detail of Section and Act for Show Cause Notice issued with date	The show cause notice for closure under section 5 of EP Act, 1986 for violation of Env. Clearance & revocation consent to operation granted under Air Act, 1981 & water Act, 1974 was issued to the unit vide this office letter no. 2633 dated 08.10.2020. (Copy enclosed)
7	Reply of Show Cause Notice, if any	Reply of SCN submitted by the unit vide their letter dated 22.10.2020. But same is not found satisfactory because as per DFO, Bhiwani letter dated: 05-11-2020 The said mining project proponent has created illegal ways in Aarawali plantation and also made illegal mining.
8	Present status of the unit compliance made, if any	No compliance has been made by the unit.
9	Recommendations as per provisions of the Act / Rules.	It is therefore recommended that closure order may be issued to the unit under section 5 of EP Act, 1986 besides issuing directions to XEN DHBVN, Bhiwani for disconnection of the electricity power as per Board policy of the unit as per Board policy & previous consent to operate granted vide letter No. 7841923 dated 08.08.2020. Consent may be revoked.

It is submitted for your information and necessary action please.

DA/Copy of Show cause notice
Copy of inspection report
Report of DFO, Bhiwani


AEE/SC-B
Bhiwani Region


Regional Officer
Bhiwani Region

I/8469/2020

Annexure-19

HARYANA STATE POLLUTION CONTROL BOARD
C-11, SECTOR-6, PANCHKULA
Ph-2577870-73 E-mail: see2hspcb@gmail.com

Date:18/11/2020

To

The Regional Officer,
Bhiwani Region.

Sub:- Regarding representation given by - M/s Govardhan Mines & Mineral, Village- Dadam, Bhiwani against recommendation for closure u/s 5 of EP Act, 1986 for violation of Env. Clearance & revocation of consent to operate granted under Air Act, 1981 & water Act, 1974.

Kindly refer to your letter no. 5235 dated 06.11.2020 on the subject noted above.

In this connection, please find enclosed herewith a copy of representation received from M/s Govardhan Mines & Minerals on 17.11.2020.

I have been directed to ask you to get the representation dated 17.11.2020, examined by officers of all the departments who inspected the site and to submit comprehensive report within one week positively.

DA/- As Above

**SENIOR ENVIRONMENTAL
ENGINEER PUBLICITY CELL
For
Chairman**

GOVARDHAN MINES AND MINERALS, HISAR TOSHAM ROAD, KHANAK, NEAR
POLICE CHECK POST, KHANAK (BHIWANI)

To

Chairman,
Haryana state Pollution Control Board,
Panchkula.

Sir,

Sub:- Show cause notice for closure under section 5[&] 15 of EP Act 1986 for violation of E.C & revocation of consent to operate granted under Air Act 1981 & water Act 1974.

Kindly refer to notice no. HSPCB/BHI?2020/2633 dated 8-10-2020 of Regional Officer, HSPCB, Bhiwani and copy endorsed to your office.

2. In this respect we submit following points for your kind considerations:-

a) we have filed a complete reply to the alleged minor discrepancies pointed out by the team. A copy of reply filed is enclosed herewith for reference. All the alleged discrepancies have been properly explained with documentray evidence . The Annexure is marked as Annexure " X-1"

b) During the inspection it was observed that there was water in the pits. The same was explained that it was rain water and not ground water. Photographs of the pit is enclosed showing that there was no water after few days of inspection. These are enclosed as Annexure " X-2"

3. In addition to above we bring to your kind notice following points:-

i) Inspection was conducted on the complaint of Rakesh Dadal in NGT. A copy of complaint filed by Rakesh Dalal in NGT is enclosed. A perusal of

complaint show that this complaint was pertains to illegal mining conducted by previous lease holder i.e M/S Sunder Marketing Associate. All the allegations levelled are against previous leaseholder. A copy of same is enclosed as Annexure "X-3". Even the judgement of Hon'ble High court in CWP 9002 of 2018 dated 20-9-2018 itself explains the state of affairs. It is enclosed as Annexure " x-4 ". Sh. Rakesh Dalal has named M/S Govardhan Mines and Minerals with ulterior motive of extortion of money. No illegal mining has been done by us. Even the Hon'ble Bench of NGT failed to take note of the fact that allegations levelled against are 3 years old. As no irregularities have been done by us so it will be unjustice if the departments takes any action against us as all the allegations are against previous leaseholder.

A copy of order of Hon'ble Punjab & Haryana High court in CWP 26694 of 2017 in which Hon'ble Court fined Sh. Rakesh Dadal fine of Rs. 50000/- for his conduct. A copy of same enclosed as annexure " X-4A ". The Hon'ble court observed on page 2 in 3rd para " we are of the opinion that the petitioner tried to suppress the material facts from the Court and has rather adopted a dubious way to cover up his tracks and petition deserved dismissal on this sole ground alone."

4. Inspection also covered the allegations levelled in complaint of Sh. Kuldeep Singh vs State of Haryana in OA no 169/2020. The various points are explained as under:-

- i) Applicant has made grievances about the damage done in the area due to mining operations being carried out in village Dadam, Tehsil Tosham, district Bhiwani, illegally. The Applicant belongs to village Mirzapur, in district Hisar, and he alleges to have taken on lease 1 ½ Kanals of land in village Dadam, Tehsil Tosham, District Bhiwani. When he was aware about the alleged mining operations, as to why he purchased the land in village Dadam, Tehsil Tosham, district Bhiwani. In fact, it looks to be proxy litigation, filed with the only object of extorting money under the threat of stopping the mining operations being carried
- ii) There has been no encroachment upon forest area falling in the sensitive Aravali Hills, i.e. without any sanction and permit, in flagrant violation of the Mines and Minerals (Development and Regulations) Act, 1057, Forest

Conservation Act, 1980 and various other Air and Water Pollution norms, has been done by us, as alleged. Further, no mining is done in forest land and the mining has been carried out in the leased out area.

iii) The complainant has made reference to FIR No.387 dated 23.12.2019 registered at PS Tosham regarding act of illegal mining in Dadam, Bhiwani. It is submitted that no allegations has been made against the leaseholder. We have nothing to do with the aforesaid FIR, in as much that we are carrying out mining operations in the lease area, as per rules and regulations.

v) Applicant has made reference to inter-departmental letters/communications. In this regard, it is submitted that no such letter etc. has been written to the answering respondent by the Forest Officer or any other department. If any notice is received the same is replied. The answering respondent has not done any mining in forest area and has carried out mining in the leased out area and never used forest land.

iv) The other alleged discrepancies have already been explained in reply submitted to HSPCB.

5. The Court of Hon'ble Addl. Civil Judge Tosham in its judgement have directed the defendants i.e. Mining Officer Bhiwani not to cause illegal and unlawful interference in the functioning of plaintiff firm and mining activities as provided by lease agreement or as authorized by Govt and authorities concerned. It is also made clear that defendants are at liberty to take any action against plaintiff firm which is warranted by law and rules and to proceed by following due process of law. Copy of same is enclosed as Annexure " x-5 " (5 pages).

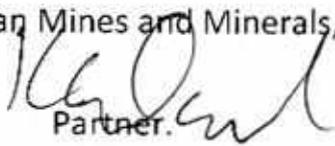
In view of above points mentioned above we request your kind honour to consider our following prayers:-

- a) As we have already explained irregularities pointed out during inspection in both the cases and we are doing mining as per rules and regulations.

- b) The irregularities pointed out in fact finding inspection are very minor and that too has already been rectified as these were occurred during previous leaseholder.
- c) We have taken all the necessary steps as per conditions of EC i.e. for effective control of air, water pollution , planting trees, sprinkling water on roads, permanent sprinkler system on roads , use of anti smog guns and other welfare measures.
- d) The conduct of both the complainants show their tendency to make complaints for extortion of money. Why a person i.e Kuldeep Singh will earn by taking around 1.5 canal of land for agricultural purpose at meager sum of Rs. 5000/- per annum when he has residence around 40-50 km away from Dadam.
- e) Therefore , the proceedings issued vide above show cause notice may kindly be dropped . At the most , If the HSPCB finds any shortcomings then we may be given an opportunity to explain the same i.e we may kindly be provided an opportunity of being heard.
Hoping that our prayer will be dealt with positively.

Enc :- as above

Govardhan Mines and Minerals,


Partner.

Receipt last page
Annexure X-I

GOVARDHAN MINES & MINERALS, VILLAGE, DADAM.
REGISTERED OFFICE:- KHANAK POLICE CHECK POST, HISAR TOSHAM ROAD,
KHANAK.

Dated 22.10.2020

To

Regional Officer,
Haryana State Pollution Control Board, SCF no. 32,
Community Centre, Sector-13, Bhiwani.

Sir,

Sub:- Show cause notice for closure under section 5 & 15 of EP Act 1986 for violation of Env. Clearance & revocation of consent to operation granted under Air Act 1981 & water Act 1974 -reg-

Kindly refer to your office show cause notice issued vide No. HSPCB/BHI/2020/2633 dated 8-10-2020 on the above cited subject.

Vide above mentioned show cause notice you have observed following deficiencies:-

- Created illegal ways in the forest area without having any valid permission.
- Mining machines/equipment's were found standing in non-minable forest area.
- Dadam hill minor is a protected forest area under IFA 1927 and same found illegally mined at the time of inspection.
- Mining officer stated that mining is not done scientifically i.e. benches of 9 meter height and 9 m. width are not properly formed.
- Water was found standing in pits to clarify whether ground water or rain water.
- Project is found to using land of Dadam Distributary illegally for mining.

2. In this regard it is submitted before you that the said inspection of Dadam Stone Mines was conducted in compliance of the order of Hon'ble National Green Tribunal order in DA no. 132/2020 titled as Rakesh dalal Versus state of Haryana and second that of Sh. Kuldeep Versus State of Haryana. It is very much relevant to mention here the few facts. M/s Govardhan Mines & Minerals was allotted lease of Dadam Stone Mines vide Letter of Intent Memo No. DMG/HY/ML/Dadam/2018/5062 dated 11-10-2018. The Hon'ble High Court of Punjab & Haryana in its judgement in CWP 28378 of 2018 allowed us to commence mining operations on the basis of Environmental Clearance of previous lease holder i.e. M/s Sunder Marketing Associate. New Delhi. The Director Mines & Geology Haryana vide Memo DMG/HY/ML/Dadam/2018/6009 Dated 21-12-2018 allowed us to start mining operations after complying certain conditions. The firm started mining operations on 25-2-2019 after obtaining permission from Haryana State Pollution Control Board regarding Consent to

Establish and Consent to operate. The necessary permissions from DGMS, Ghazlabad was also obtained. The firm is successfully doing mining operation from Feb 2019 to till dated. On 6-10-2020, the team under leadership of ADC, Bhiwani, RO & SDO Pollution Control Board, Mining Officer Bhiwani, Range Forest Officer, Tosham, Distt. Hydrologist Officer Bhiwani conducted inspection of mining area falling in our lease allotted to us. The said inspection was carried out on the basis of application moved by one Sh. Rakesh Dalal before The National Green Tribunal, Principal Bench, New Delhi. The ground taken by applicant is regarding alleged mining up to 150 meter, non-submission of closure plan, unscientific mining etc. The petitioner Sh. Rakesh Dalal has filed writ petition against state of Haryana and others in CWP 9002-2018(O&M). The said petition was dismissed as withdrawn and petitioner was allowed to move the respondent authorities and files representation, the same shall be considered in accordance with law.

b) At the time of filing of petition and above order, M/s Govardhan Mines & Minerals was even not allotted Letter of Intent in spite of being highest bidder. Before us the mining was being done by M/s Sunder Marketing Associate, New Delhi. The said lease of M/s Sunder Marketing was terminated prematurely on certain grounds. The applicant has pointed irregularities in petition in the time of mining being done by that firm. However he with a motive of extortion of money filed the same against M/s Govardhan Mines & Minerals. However the alleged violations if any has occurred in the time of old lease holder. Thus the petitioner has misled the Hon'ble NGT that the violations are being done by us. In fact the inspection team itself failed to take note of this fact.

With this background we submit point wise reply to shortcomings pointed out in Inspection:-

Point 1. :- We have not created illegal ways in the forest areas. These ways have been created in the time of previous leaseholder. Old maps showing these ways (Annexure "A") is enclosed herewith which substantiate our claims. This Map shows the position of mining area between May 2016 to Jan 2019 i.e. before commencement of Mining by M/s Govardhan Mines and Minerals. We have already obtained permission from Forest department for making ways to enter into mining areas. The permission was sought vide F.No. 9-HRB)/2019-CHA dated 25 th September 2019 by DDG(Forest) Central, MOEF N. Region office Chandigarh (Copy Enclosed Annexure "A1"). For this we have deposited more than Rs. 17 lakhs with department. However the same is not started yet. Again we have sought permission for two more passages (Copy Enclosed Annexure "A2 & A3"). Evidence of same is enclosed. However the same are pending with department. It is further submitted that Officials of Mining and Forest department have regularly conducted inspections of the lease areas in one or two times in a month. They have regularly checked the lease area with coordinates used by both the departments and if there was a slightest shortcomings, that was removed at the spot. Proof of inspection by said officials is enclosed (Annexure "A4").

Point 2. It is submitted that a copy of reply filed by us to Range Forest Officer Tosham is enclosed. The Reply filed by us satisfactory explains the deficiency pointed by you (Annexure "B").

Point 3:- No mining work has been done by us. The same have occurred during the time of previous leaseholder. A copy of judgment of Court dated 07.01.2016 is enclosed showing the same facts (Annexure "C"). In this judgment at page 2 it is clearly mentioned that the Minor is in broken condition for the last 10 years. A copy of report of SDO (Irrigation) Nigana is enclosed.

Point 4:- It is submitted that the issue regarding scientific mining etc. are dealt with department of Director General of Mines safety Gwazabad. They have visited the mining site a number of times. Further the making and breaking of benches is a continuous process in mining. Height and width of benches also depend upon the available area of mines. So they are only the fit persons who can say that the mining is scientific or not. A simple word of MO cannot allege this irregularity. We do our mining in a complete and safe scientific way.

Point 5:- It is submitted that the water in the pit was that of rain water. As the pit is surrounded by stones on all the sides and there is no point of water coming from underground. Few of our partners have experience in mining in Khanak/ Dadam and their practical experience in this area state that there is no water in these hill areas as there is stone all around.

Point 6:- As pointed above in point 3, we have never done mining in the area of Distributary. The proof of court judgement proves this crystal clear.

3. In view of above explanations with evidence we submit that there is no violations of conditions of Environment Clearance issued by competent authority. If there is any small shortcomings on the issue discussed above then also we have made no default as these are very minor. We request your honour to make another visit to mining area for re-inspection of the alleged shortcomings.

We further assure that we will do the mining work with complying with all the rules and regulations.



For M/s Govardhan Mines and Minerals

Govardhan Mines And Minerals

(Handwritten Signature)
 (Authorized Signatory)

प्रेषक,

Annexure-20

खनन अधिकारी,
खान एवं भूविज्ञान विभाग,
भिवानी।

सेवा में,

क्षेत्रीय अधिकारी,
हरियाणा प्रदूषण नियंत्रण बोर्ड,
भिवानी।

यादि क्रमांक खनन/ 1402

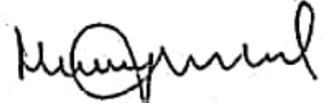
दिनांक:- 02-02-2021

विषय :-

Regarding representation given by M/s Govardhan Mines and Minerals, village-Dadam, Bhiwani against recommendation for closure under section 5 of EP Act, 1986 for violation of Env. Clearance & revocation of consent to operate grant under Air Act, 1981 & Water Act, 1974

उपरोक्त विषय के अन्तर्गत आपको कार्यालय के पत्र क्रमांक नं० HSPCB/BHI/2021/8321-25 दिनांक 25.01.2021 व इस कार्यालय के पत्र क्रमांक नं० 1244 दिनांक 29.12.2020 के सन्दर्भ में।

उपरोक्त विषय में आपको सूचित किया जाता है कि इस सन्दर्भ में आपको पहले भी इस कार्यालय के पत्र क्रमांक नं 1244 दिनांक 29.12.2020 के तहत सूचित कर दिया गया था। अतः आपको पुनः अवगत करवाया जाता है कि दिनांक 03.11.2020 को इस विभाग के उच्च अधिकारियों द्वारा डाडम पहाड़ी का निरीक्षण किया गया था, जिसमें पिलर अपने स्थान पर सही पाए गए थे तथा कोई भी अवैध खनन नहीं पाया गया, रिपोर्ट की प्रति आपको पहले भी भेज दी गई थी। अतः इस रिपोर्ट को ही इस कार्यालय का जवाब समझा जाए। यह आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।



खनन अधिकारी,
खान एवं भूविज्ञान विभाग,
भिवानी।

१८

INSPECTION REPORT OF DADAM MINES IN RESPECT OF OA NO.132/2020 IN THE MATTER OF RAKESH DALAL V/S STATE OF HARYANA AND CWP NO. 15753 OF 2020 - RAM RATI V/S STATE OF HARYANA & OTHERS BEFORE HON'BLE PUNJAB AND HARYANA HIGH COURT CHANDIGARH

A Stone mines of Village Dadam having an area of 48.87 hect. Bearing khashra no. 132 min is being undertaken for mining operation by M/s Goverdhan Mines and Minerals since 25/02/2019. An OA No. 132/2020 in the matter of Rakesh Dalal V/s State of Haryana has been filed before Hon'ble National Green Tribunal New Delhi and CWP No. 15753 of 2020 - Ram Rati V/s State Of Haryana and others before Hon'ble Punjab and Haryana High Court Chandigarh. Similarly two complaints Sh. Jaipal s/o Sh. Ram Kumar and Sh. Vijay Pal Singh s/o Jile Singh R/o Village Dadam Teh. Tosam Distt. Bhiwani are also received in the office of Director General Mines and Geology Haryana Panchkula. In the complaint it alleged that four or five path are being created and used by the contractor of the Stone Mines through Aravalli Forest Area and illegal Mining too. Complainant further alleged that mining is being undertaken beyond the depth of 300 to 400 fits below ground water table and unscientific mining too. The complainant further alleged that illegal encroachment out of lease area is also carried out by the mining lease holder. In Khwat No.67//62 min, Katori No. 99 owned by Ram Rati as co share and Kasra No 37//5,36//1,2,36//2,29//4,7,18,18//7,8,11,12,14,17,20,24

Worthy Director General Mines and Geology, Haryana, Panchkula has ordered to inspect the area and report there to. In this regard a team consisting of Sr. Geologist Head office Panchkula, Mining Officer, Bhiwani, Sr. Surveyors, surveyor and officials of HARSAC inspected the area on dated 3.11.2020. The Detail Survey of the mines area was carried out with the help of DGPS instrument in the presence of concerned revenue officials i.e. Halka Girdayer and patwari. Revenue officials gave the reference point as red stone of chakbandi for detail survey. There after the detail survey was carried out with the help of DGPS for confirming the boundary coordinates of the mining lease area.

Observations:-

During the inspection and survey the following observation were made.

- 1 Boundary pillars around the mining lease area were found in order with GPS coordinate. Total 32 numbers of pillars were found to be established as per approved Mining plan.
- 2 The maximum depth of the mining pits was found to be 109 meters from surface level at the time of inspection.
- 3 Some seepage water was seen in this pit during the inspection. The report of Assistant Geologist Ground water cell Bhiwani is attached herewith.
- 4 Systematic and scientific Mining is regulated by the office of Director Mines Safety Gaziabad. If any violation is found in method of mining they took the action

accordingly and inform to the office of concerned Mining Officer, District Collector, Director General Mines and Geology Haryana. But no such type of information is received from Director Mines Safety Gaziabad as reported by Mining Officer, Bhiwani.

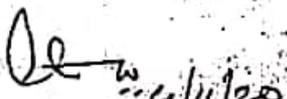
5 Out of lease area in Khatoni No. 67//62min, khasra no. 16//20/1 min, 21/1min, 17//1min, 9min, 10min, 12min, 13min, 14min, 16min, 17min, 18//6min, 7min, 14min haul road is being created and used by the contractor having approximate length 460 meters, width 20 mtr and depth 0 - 15 mtr. and DGPS readings of the Haul Road is N 28° 53' 12.460" E 75° 51' 24.053", N 28° 53' 14.350" E 75° 51' 28.133", N 28° 53' 10.851" E 75° 51' 34.937" But no stone has been extracted from above khasra numbers because the said area is consisting of ordinary clay/earth. Rest of the alleged area is found to be virgin area. It was also confirmed by the local revenue department too. (Copy of the report of revenue department is also attached herewith.)

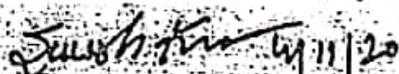
6 During the inspection it was also found that no illegal mining was noticed in the forest area of Aravalli Plantation. However, a separate report is being asked by the ADC, Bhiwani from DFO/Range Officer in this regard. As soon as it will be received, it will be submitted separately through Mining Officer, Bhiwani.

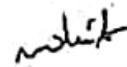
Some photographs of the mines area taken at the time of inspection are also attached herewith for ready reference.


Mining Officer, Bhiwani


Sr. Geologist, HO Panchkula


Sr. Surveyor-II, HO Panchkula


Sr. Surveyor-I, HO Panchkula


Surveyor

वन विभाग, हरियाणा सरकार
कार्यालय उप वन संरक्षक, भिवानी

महम रोड़, विद्या नगर, भिवानी दूरगाण नं० 01664-242430, ई-मेल : dfo.bhiwani@yahoo.com

क्रमांक/ 1860

दिनांक/17/11/2020

सेवा में

अतिरिक्त उपायुक्त,
भिवानी।

विषय : O.A. No. 169/2020 – Kuldeep Singh Vs. State of Haryana and others.

.....

जैसा कि माननीय नैशनल ग्रीन ट्रिब्यूनल, नई दिल्ली ने अपने आदेश दिनांक 20-08-2020 द्वारा निर्देश दिये हैं कि केस की वास्तविक तथा एक्शन टेकन रिपोर्ट प्रस्तुत की जाये। O.A. No. 169/2020 में अनैक्चर ए-3 तथा अनैक्चर ए-8 जो इस कार्यालय से सम्बन्धित है, जिस बारे विस्तृत रिपोर्ट निम्न प्रकार से है:-

1- प्रार्थी ने O.A. No. 169 of 2020 के अनैक्चर ए-3 जो पत्र क्रमांक 2171 दिनांक 1-1-2020 का हवाला दिया है, वन मण्डल अधिकारी, भिवानी द्वारा जिला खनन अधिकारी, भिवानी को मैं 0 गोवर्धन माईन्स एण्ड मिनरल्ज द्वारा अरावली पौधारोपण क्षेत्र में अवैध खनन का अन्देशा तथा अरावली पौधारोपण में अवैध रास्तों के बारे में सूचित किया गया है। माननीय नैशनल ग्रीन ट्रिब्यूनल, नई दिल्ली के आदेश दिनांक 20-08-2020 की पालना में दिनांक 06-10-2020 को अतिरिक्त उपायुक्त, भिवानी, जिला खनन अधिकारी, क्षेत्रीय अधिकारी, हरियाणा प्रदूषण नियंत्रण बोर्ड, उप मण्डल अधिकारी (नागरिक), तोशाम, अतिरिक्त वन मण्डल अधिकारी, भिवानी तथा वन राजिक अधिकारी, तोशाम द्वारा संयुक्त निरीक्षण किया गया। उक्त पत्र क्रमांक 2171 दिनांक 1-1-2020 में अंकित संदर्भांकित पत्रों का विवरण तथा मौके की वास्तविक स्थिति निम्न प्रकार से है :-

अनैक्चर ए-3 में पत्र क्रमांक 1019 दिनांक 14-08-2019 :-

यह पत्र तत्कालीन वन मण्डल अधिकारी, भिवानी द्वारा जिला खनन अधिकारी, भिवानी को लिखा गया है, जिसमें बाऊण्डरी पिल्लर लगाने बारे लिखा गया ताकि यह पता चल सके कि कोई अवैध खनन है अथवा नहीं। जैसा कि प्रार्थी द्वारा शिकायत की है कि वन मण्डल अधिकारी द्वारा अवैध खनन की रिपोर्ट की गई है, ऐसा इस पत्र में यह कहीं नहीं लिखा गया कि अरावली पौधारोपण क्षेत्र में कोई खनन हुआ है अथवा नहीं और पत्र क्रमांक 1470 दिनांक 07-10-2019 तत्कालीन वन मण्डल अधिकारी, भिवानी द्वारा जिला खनन अधिकारी, भिवानी को लिखा गया है, जिसमें पिल्लर आई0 तथा जे0 (GPS Co-ordinates सहित फोटो संलग्न) की रिडिंग में भिन्नता

तथा पिल्लर नं० ए०, बी० व सी० के मध्य अवैध खनन पाया गया है, के बारे सूचित किया गया। परन्तु मई, 2016 से जनवरी, 2019 की उपलब्ध सैटेलाइट ईमेजरी देखने से पता चलता है कि यह अवैध खनन फरवरी, 2019 से पहले का ही दिखाई दे रहा है, जिससे यह पता चलता है कि पिल्लर ए०, बी० व सी० के मध्य जो अवैध खनन है, वह फरवरी, 2019 से पहले का ही दिखाई दे रहा है, जिसकी प्रति साथ संलग्न है। पत्र क्रमांक 1811 दिनांक 20-11-2019 द्वारा वन मण्डल अधिकारी, भिवानी ने उक्त पत्रों का स्मरण पत्र जिला खनन अधिकारी को भेजा है। पत्र क्रमांक 2055 दिनांक 23-12-2019 द्वारा तत्कालीन वन मण्डल अधिकारी, भिवानी ने जिला खनन अधिकारी, भिवानी को यह सूचित किया गया है कि पिल्लर सही न होने के कारण अवैध खनन का अन्देशा है। जहां तक 20-25 फुट के अवैध खनन की रिपोर्ट की गई है, वह मई, 2016 से जनवरी, 2019 की सैटेलाइट ईमेजरी (प्रति संलग्न) अनुसार मै० गोवर्धन माईन्स एण्ड मिनरल्ज की लीज से पहले की है।

पत्र क्रमांक 2171 दिनांक 1-1-2020 (अनैक्चर ए-3) :-

यह पत्र उपरोक्त सभी पत्रों का स्मरण पत्र जारी करते हुए अरावली पौधारोपण क्षेत्र के बाऊण्डरी पिल्लर फिक्स करने हेतु जिला खनन अधिकारी, भिवानी को लिखा गया है।

मौका निरीक्षण तथा मौजूदा वन राजिक अधिकारी, तोशाम की रिपोर्ट अनुसार अरावली पौधारोपण क्षेत्र के पिल्लर ए० से आई० तथा पिल्लर जे० से पी० के जी०पी०एस० को-ऑर्डिनेट्स मौके पर सही लगे हुए हैं, जिसकी पुष्टि अतिरिक्त उपायुक्त, भिवानी, HARSAC, जिला खनन अधिकारी, क्षेत्रीय अधिकारी, हरियाणा प्रदूषण नियंत्रण बोर्ड तथा उप मण्डल अधिकारी (नागरिक), तोशाम द्वारा भी मौके पर दिनांक 06-10-2020 को निरीक्षण के दौरान की गई और जी०पी०एस० रिडिंग तथा पिल्लर में कोई अन्तर नहीं पाया गया, जिससे स्पष्ट है कि अरावली पौधारोपण क्षेत्र में जनवरी, 2019 के बाद कोई अवैध खनन नहीं है।

अवैध रास्तों बारे रिपोर्ट निम्न प्रकार है :-

मै० गोवर्धन माईन्स एण्ड मिनरल्ज द्वारा वन संरक्षण अधिनियम, 1980 के अन्तर्गत प्रस्ताव संख्या FP/HR/Approach/39072/2019 द्वारा 0.504 हैक्टेयर वन भूमि का रास्ते के प्रयोग हेतु प्रस्ताव प्रस्तुत किया था, जिसकी अनुमति पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार, उत्तरी क्षेत्रीय कार्यालय, चण्डीगढ़ के पत्र दिनांक 25-09-2019 द्वारा प्रदान की गई है। इस रास्ते के साथ अरावली पौधारोपण क्षेत्र के कुछ क्षेत्र में अवैध खनन पाया गया, जिसकी एफ०आई०आर० नं० 587 दिनांक 23-12-2019 को थाना, तोशाम में दर्ज है। उसके पश्चात् खनन कम्पनी द्वारा ना तो अनुमोदित रास्ते का प्रयोग किया जा रहा है और ना ही कोई अवैध खनन किया गया है। मौजूदा वन राजिक अधिकारी, तोशाम द्वारा भी बताया गया है कि खनन कम्पनी द्वारा अपने रास्तों के ईलावा कोई अवैध रास्ता प्रयोग नहीं किया जा रहा है।

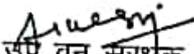
वन राजिक अधिकारी, तोशाम का पत्र क्रमांक 89 दिनांक 30-06-2020(अनैक्चर ए-8) :-

यह पत्र वन राजिक अधिकारी, तोशाम द्वारा उप मण्डल अधिकारी (नागरिक), तोशाम को लिखा गया है, जिसमें अवैध खनन पिछले काफी लम्बे समय से की हुई लिखा है और आगे लिखा है कि यह खनन मैं 0 गोवर्धन माईन्स एण्ड मिनरल्ज द्वारा किया गया है। इस बारे में वन राजिक अधिकारी, तोशाम से पुनः स्थिति स्पष्ट करवाई गई और वन राजिक अधिकारी, तोशाम ने अपने पत्र क्रमांक 322 दिनांक 16-11-2020 द्वारा स्पष्ट किया है कि उसने तोशाम रेंज का चार्ज 23-06-2020 को लिया था और उसे यह नहीं पता था कि मैं 0 गोवर्धन माईन्स एण्ड मिनरल्ज से पहले भी किसी कम्पनी द्वारा खनन किया गया था अथवा नहीं। बाद में पूछताछ करने पर पता चला कि इससे पूर्व M/s KJSL Sunder (JV) द्वारा खनन कार्य किया गया था और डाडम हिल माईनर पर इससे पहले वाली कम्पनी M/s KJSL Sunder (JV) द्वारा यह खनन किया हुआ है, क्योंकि गोवर्धन माईन्स एण्ड मिनरल्ज द्वारा तो खनन कार्य फरवरी, 2019 में आरम्भ किया है।

निष्कर्ष :-

उपरोक्त रिपोर्ट तथा दिनांक 06-10-2020 को टीम द्वारा किये गये संयुक्त निरीक्षण के अनुसार अरावली पौधारोपण क्षेत्र में जनवरी, 2019 के बाद कोई अवैध खनन नहीं पाया गया। जहां तक खनन सामग्री को लाने-ले जाने हेतु अवैध रास्तों का सम्बन्ध है, इस बारे में अंकित किया जाता है कि मौके पर अब कोई भी रास्ता अरावली पौधारोपण क्षेत्र से प्रयोग नहीं किया जा रहा है तथा वन विभाग द्वारा समय-समय पर Patrolling/inspection/boundary pillar checking की जाती है ताकि वन सम्पदा का नुकसान ना हो। रिपोर्ट आगामी आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्न/ यकोपरि।


उप वन संरक्षक,
भिवानी।

INSPECTION REPORT OF DADAM MINES IN RESPECT OF OA NO.132/2020 IN THE MATTER OF RAKESH DALAL V/S STATE OF HARYANA AND CWP NO. 15753 OF 2020 - RAM RATI V/S STATE OF HARYANA & OTHERS BEFORE HON'BLE PUNJAB AND HARYANA HIGH COURT CHANDIGARH

A Stone mines of Village Dadam having an area of 48.87 hect. Bearing khashra no. 132 min is being undertaken for mining operation by M/s Goverdhan Mines and Minerals since 25/02/2019. An OA No. 132/2020 in the matter of Rakesh Dalal V/s State of Haryana has been filed before Hon'ble National Green Tribunal New Delhi and CWP No. 15753 of 2020 - Ram Rati V/s State Of Haryana and others before Hon'ble Punjab and Haryana High Court Chandigarh. Similarly two complaints Sh. Jaipal s/o Sh. Ram Kumar and Sh. Vijay Pal Singh s/o Jile Singh R/o Village Dadam Teh. Tosam Distt. Bhiwani are also received in the office of Director General Mines and Geology Haryana Panchkula. In the complaint it alleged that four or five path are being created and used by the contractor of the Stone Mines through Aravalli Forest Area and illegal Mining too. Complainant further alleged that mining is being undertaken beyond the depth of 300 to 400 fits below ground water table and unscientific mining too. The complainant further alleged that illegal encroachment out of lease area is also carried out by the mining lease holder. In Khwat No.67//62 min, Katori No. 99 owned by Ram Rati as co share and Kasra No 37//5,36//1,2,36//2,29//4,7,18,18//7,8,11,12,14,17,20,24

Worthy Director General Mines and Geology, Haryana, Panchkula has ordered to inspect the area and report there to. In this regard a team consisting of Sr. Geologist Head office Panchkula, Mining Officer, Bhiwani, Sr. Surveyors, surveyor and officials of HARSAC inspected the area on dated 3.11.2020. The Detail Survey of the mines area was carried out with the help of DGPS instrument in the presence of concerned revenue officials i.e. Halka Girdayer and patwari. Revenue officials gave the reference point as red stone of chakbandi for detail survey. There after the detail survey was carried out with the help of DGPS for confirming the boundary coordinates of the mining lease area.

Observations:-

During the inspection and survey the following observation were made.

1. Boundary pillars around the mining lease area were found in order with GPS coordinate. Total 32 numbers of pillars were found to be established as per approved Mining plan.
2. The maximum depth of the mining pits was found to be 109 meters from surface level at the time of inspection.
3. Some seepage water was seen in this pit during the inspection. The report of Assistant Geologist Ground water cell Bhiwani is attached herewith.
1. Systematic and scientific Mining is regulated by the office of Director Mines Safety Gaziabad. If any violation is found in method of mining they took the action

accordingly and inform to the office of concerned Mining Officer, District Collector, Director General Mines and Geology Haryana. But no such type of information is received from Director Mines Safety Gaziabad as reported by Mining Officer, Bhiwani.

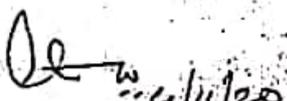
5 Out of lease area in Khatoni No. 67//62min, khasra no. 16//20/1 min, 21/1min, 17// 1min, 9min, 10min, 12min, 13min, 14min, 16min, 17min, 18// 6min, 7min, 14min haul road is being created and used by the contractor having approximate length 460 meters, width 20 mtr and depth 0 - 15 mtr. and DGPS readings of the Haul Road is N 28° 53' 12.460" E 75°51'24.053", N 28° 53' 14.350" E 75°51'28.133", N 28° 53' 10.851" E 75°51'34.937" But no stone has been extracted from above khasra numbers because the said area is consisting of ordinary clay/earth. Rest of the alleged area is found to be virgin area. It was also confirmed by the local revenue department too. (Copy of the report of revenue department is also attached herewith.)

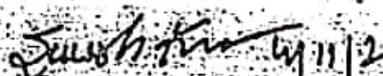
6 During the inspection it was also found that no illegal Mining was noticed in the Forest area of Aravalli Plantation. However, a separate report is being asked by the ADC, Bhiwani from DFO/Range Officer in this regard. As soon as it will be received, it will be submitted separately through Mining Officer, Bhiwani.

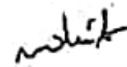
Some photographs of the mines area taken at the time of inspection are also attached herewith for ready reference.


Mining Officer, Bhiwani


Sr. Geologist, HO Panchkula


Sr. Surveyor-II, HO Panchkula


Sr. Surveyor-I, HO Panchkula


Surveyor

Annexure 22

From

Assistant Geologist,
Ground Water Cell,
Bhiwani.

Endst No - 1304

Dated - 04.11.2020

F.R.
AEE-I, AEE-II, SC
CLERK-I, CLERK-II

E.E

5-11-20

To

Regional Officer,
HSPCB, Bhiwani region,
Bhiwani

Sub: Regarding reply of show cause notice for closure under section 5 & 15 EP Act, 1986 submitted by M/s Govardhan mines & minerals, Dadam, Bhiwani.

In context of the above cited subject, kindly refer to your office letter no. HSPCB/BHI/2020/3598 dated 26.10.2020. In this reference, please find herewith the report of the visit of Dadam mine on dated 03.11.2020 for your kind information and further necessary action.

Encl: As above

Prakash
Assistant Geologist,
Ground Water Cell,
Bhiwani.

Endst no.

Dated

A copy of the same is forwarded to the worthy Additional Deputy Commissioner, Bhiwani for kind information & necessary action, please.

sd
Assistant Geologist,
Ground Water Cell,
Bhiwani.

Endst no.

Dated

A copy of the same is forwarded to the Mining officer, Bhiwani for kind information & necessary action, please.

sd
Assistant Geologist,
Ground Water Cell,
Bhiwani.

SURVEY & INVESTIGATION REPORT TO ESTABLISH WATER LEVEL AT DADAM MINE

As per direction, an investigation was conducted on dated 03.11.2020 along with the Regional Officer, Haryana state pollution control Board, Mining officer, Bhiwani, District Forest officer, Bhiwani and the Executive Engineer, Irrigation department, Bhiwani. The undersigned visited the site and find the facts related to reply of show cause notice issued to M/s Govardhan mines & minerals, Dadam, Bhiwani. The reply to point no. 5, related to water present in mining pits is as follow:

In pit no 22,(coordinates N 28°53'11", E 75°51'05"), the total depth of the pit as measured by the officials of mining department was approx. 109 mtrs. from Ground level, with water collected at the bottom of the pit having column of less than one meter is the leakage from the cracks and fissures of the rocks. The cracks and fissures were developed due to blasting during mining and paleotectonic activity. However, the pits was closed as no mining activities are being done as reported by officials of Mining Department.

In pit no. 25,(coordinates N 28°53'07", E 75°51'03"), the total depth of the pit as measured by the officials of mining department was approx. 50 mtrs. from ground level, with no water present in the pit whereas during last visit on dated 06.10.2011, the same pit was filled with water. It indicates that the water filled in pit was not the leakage from ground water.

Water level in surrounding area : The Department has selected observation wells at a grid pattern of 20 Sq. km for each well for monitoring of water table in entire district. The water table of selected wells of Dadam village in alluvial area is 18.52 mtr. in June 2020.

Conclusion: On the basis of field investigation, and the water table data of selected wells available in surrounding alluvial formation is from 9.41 mtrs. to 18.52 mtrs., whereas the depth of mining pit is approx. 109 mtrs. as measured by the officials of mining department. This shows that presently the surrounding water level is having no inter connectivity with mining pits, as the water table has not been encountered upto the depth of 109 Mtrs. So it is concluded that the water accumulated in mining pits is seepage from the cracks and fissures of the quartzite rock of Aravalli system.

Prakash
Asstt. Geologist
GROUND WATER CELL
BHIWANI

No. 10191-93 / 11-wDated 20/11 /2020.

To

✓ The Additional Deputy Commissioner
Bhiwani.Daily 5/83 ...
Date 23/11/2020.
Forwarded to Steno ...

123

P-144

Subject: **Regarding mining by M/s Govardhan Mines & minerals,
Dadam, Bhiwani**

In this regard it is intimated that a FIR was sent to SHO, Tosham vide letter No. 192-93/M dated 22.05.2019 & subsequent reminders vide No. 370-71/M dated 31.10.2019 & No. 1-3/M dated 03.01.2020, regarding use of canal land as a carriage way. But as per available records, in the case of Omparkash & others V/s Raman & others in the Hon'ble court of Sh. Sunil Kumar Dewan, ACJ (SD) Tosham, the Tehsildar Tosham was appointed as Local Commissioner who had mentioned in his report dated 06.01.2016 that from RD 21100 to RD 22800 of Dadam Disty., in a length of 1700 ft., the channel was damaged/not existing (दूरा हुआ) since last 10 years (Copy attached).

From the above, it seems that the channel was mostly damaged by earlier mining operations.

This is for your kind information and further necessary action please.

DA:
1) Copy of FIR letter's
2) Report of LC

Ajay Kumar
Executive Engineer,
Jui W/S Division,
Bhiwani.

CC:

1. SE/YWS Circle, Bhiwani for information and necessary action please.
2. SDO/Nigana W/S Sub Division, Bhiwani for information and necessary action.

Proceeding of Meeting held on 01.12.2020 for examination of presentation of M/s Govardhan mines & Mineral, Dadam submitted at HSPCB, Panchkula vide letter dated 17.11.2020 in the matter of Hon'ble NGT OA No. 169/2020 titled as Kuldeep Singh Vs State of Haryana & Ors and order dated 21.07.2020 in the matter of OA No. 132/2020 titled as Rakesh Dalal Vs State of Haryana.

Pre-meeting activities :-

- The site of M/s Goverdhan Mines and Minerals, Hisar at Dadam Hills, Tosham, Bhiwani was inspected on 06.10.2020 by joint team headed by (i) ADC, Bhiwani including (ii) DFO, Bhiwani (iii) MO, Bhiwani (iv) RO, Bhiwani (V) Asst. Geologist, Ground water Cell, Bhiwani (Vi) SDO, Nigana, water Service Sub Division, Bhiwani.
- During inspection, the joint team verified compliance status of various directions issued by Hon'ble NGT vide order mention above.
- On the basis of the short coming observed by the joint team, HSPCB, Regional Office has issued SCN for closure under EP Act, 1986 for non compliance of EC vide letter no. 2633 dated 08.10.2020. The said mining project submitted reply of the SCN vide their letter dated 22.10.2020.
- The reply of SCN was verified by concerned stake holder department & same is not found satisfactory because the unit has created illegal ways in the Aaravali Plantation and also made illegal mining as per DFO report dated 05.11.2020.
- The HSPCB, Regional Office, Bhiwani has recommended the case of the mining project for closure vide letter No. 5235 dated 06.11.2020 to the Chairman, HSPCB, Panchkula.
- HSPCB, Panchkula vide letter dated 18.11.2020 directed to get the presentation of the unit dated 17.11.2020 to be examined by stake holder department within 07 days.
- HSPCB, Bhiwani Region vide letter dated 19.11.2020 requested Mining officer, Bhiwani, DFO Bhiwani, Water Cell Bhiwani and Irrigation Department, Bhiwani to examine the presentation of unit dated 17.11.2020 received through head office letter dated 18.11.2020.
- Worthy ADC, Bhiwani in meeting held on 20.11.2020 Submitted DFO letter dated 17.11.2020 according to which M/s Goverdhan Mines & Mineral not created illegal ways and not made illegal mining but illegal mining in Dadam hills area done by previous project proponent.
- Worthy Deputy commissioner, Bhiwani hold a meeting on 01.12.2020 vide letter No. 11044-49 dated 24.11.2020 to get examine the presentation of M/s Goverdhan Mines and Minerals, Hisar at Dadam Hills, Tosham submitted at Head office, Panchkula vide letter dated 17.11.2020.

Juy

Minutes of meeting 01.12.2020 :-

Following officers are present in the meeting held on 01.12.2020 :-

1. Sh. Rahul Narwal, ADC, Bhiwani
2. Sh. Manish Phogat, SDM, Tosham
3. Sh. R.K. Bhonsle, Regional Officer, HSPCB, Bhiwani
4. Dr. Sunil Kumar Sheoran, SC-B, HSPCB, Bhiwani
5. Sh. Dharmpal office of DFO, Bhiwani
6. Sh. Jaipal Rathi office of DFO Bhiwani
7. Sh. Chander Parkash, Ground Water Cell, Bhiwani
8. Sh. Niranjan Lal, Mining officer, Bhiwani

- During the meeting Worthy Deputy commissioner, Bhiwani has raised concerned over dismantling of Dadam miner canal and SDO Irrigation, Bhiwani was present during the meeting on 01.12.2020 has stated that the said canal lying dismantled since for long time and Mining project is using land of this canal area without taking any permission from Irrigation department. The Ld. Deputy Commissioner, Bhiwani directed irrigation department to verify the exact time period in the said when the said canal was dismantled & list of officers responsible for not taking appropriate action against the violators during that period. The Deputy commissioner also directed to irrigation department, Bhiwani to rebuilt the said canal and to ensure the availability of water for irrigation upto the tail.
- At the time of meeting Ld. Deputy commissioner, Bhiwani asked forest department to clarify the exact time period when illegal mining was carried out and who has done illegal mining & also directed to assess total area & quantity of mineral illegally extracted and approximate cost of the material.

The worthy Deputy commissioner, Bhiwani also shows concern regarding self contradictory reports submitted by forest department, Bhiwani in last three months which may bring adverse remark against the officers involved in verification of compliance status of Hon'ble NGT orders.

The Deputy commissioner, Bhiwani directed DFO, Bhiwani to submit the clear-cut recommendation/report on the reply submitted by the unit personally. --

- During inspection worthy Deputy commissioner, Bhiwani asked Assistant Geologist groundwater table, Bhiwani to clarify whether the said mining project has intersected the ground water cell. The Ld. Deputy Commissioner, Bhiwani also directed to verify where the water reported by

the team on 06.10.2020 disappeared. The assistant Geologist ground water cell told that he will recommend case of the project for further verification from central ground water Board.

- At the time of inspection the mining officer, Bhiwani stated that as per recent survey conducted on 03.11.2020 by the team consisting of Senior Geologist Head office, Mining officer, Bhiwani, Senior surveyor, Surveyor and official of HARSAC, the detail survey of the mine area was carried out with the help of DGPS instruments in the presence of concerned revenue official i.e. Halka Girdawar & Patwari. The revenue officials gave the reference point as red stone chakbandi for detail survey. But no illegal mining was found. The boundary pillars of the mining lease area were found in the order with GPS coordinates as per approved mining plan.

The mining officer stated that to verify scientific mining status, the case of this project already recommended to Director General Mines & Safety, Gaziabaad because the matter regarding scientific mining relates to DG mines and safety, Gaziabaad and reminder has also sent in this regards.

The mining officer, Bhiwani was asked by Ld. Deputy commissioner regarding dues of the M/s Goverdhan Mines & Minerals, Dadam. Mining officer stated that 73.49 Crore are pending on account of royalty/dead rent, R & R and interest against M/s Goverdhan Mines & Minerals, Dadam. Which is already intimate to Director General Mines & Geology, Panchkula for necessary action and Worthy Deputy commissioner, Bhiwani directed to send reminder to higher authority again for necessary compliance immediately.

- The Ld. Deputy commissioner directed to all the stake holder departments to examine the presentation received from the said project proponent within 15 days from date of meeting i.e. 01.12.2020. So that report can be sent to the Chairman, HSPCB, Panchkula to decide closure case of the unit.

Bhiwani
10/12/2020
Deputy Commissioner
Bhiwani
[Signature]

From

Deputy Conservator of Forests,
Bhiwani.

To

The Deputy Commissioner,
Bhiwani.

No. 2105

Dated: 21.12.2020

Subject : Examination of presentation of M/s Goverdhan Mines & Minerals, Dadam submitted at HSPCB, Panchkula vide letter dated 17.11.2020 in the matter of Hon'ble NGT OA No. 169/2020 titled as Kuldeep Singh Vs. State of Haryana & Ors and order dated 21.07.2020 in the matter of OA No. 132/2020 titled as Rakesh Dalal Vs. State of Haryana.

Ref.

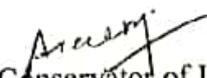
Your office letter no. 11535-40/MB dated 14.12.2020.
.....

With refence to the above referred letter, this is to inform you that this office has submitted two reports in connection with OA No. 169/2020 – Kuldeep Singh Vs. State of Haryana and others. First report was a para wise comments submitted to HSPCB regarding the show cause notice issued to M/s Goverdhan Mines and Minerals. The comments were sent as per available record in the office and matter reported by the Range Forest Officer, Tosham and the then Divisional Forest Officer, Bhiwani.

2. Since M/s Goverdhan Mines and Minerals in their reply to show cause notice of the Pollution Control Board had referred that the illegal mining was done prior to them taking over the lease, their claim was verified using the year wise Satellite imagery data available on google map. The satellite imagery data (copy attached with report sent wide letter no 1860 dated 17-11-2020) shows that the illegal mining done in Dadam Hill near the point B & C was mined prior to the lease of M/s Goverdhan Mines and Minerals except matter reported in FIR No. 587 dated 23.12.2019. These facts were given in detail in the letter no. 1860 dated 17.11.2020 of this office. Thus there is no contradictory reports of the Forest Department and letter dated 17.11.2020 of the Forest Department may be considered the clarification report of the comments given on letter dated 26.10.2020 of Haryana State Pollution Control Board, Bhiwani.

3. As far as the extent of illegal mining area is concerned, RFO, Tosham has reported vide letter no. 364 dated 21.12.2020 that illegal mining has been done near point B & C in an area of about 0.8 hectare by the then lease holder (KSL Sunder Marketing Associate) prior to M/s Goverdhan Mines and Minerals .Further 300 Sqm area of illegal mining was found for which FIR No.587 dated 23.12.2019 has been registered. Further, it is informed that forest department does not have any technique to estimate the quantity of mineral extracted and its cost. Hence for the extent of illegal mining i.e. 0.8 hectare in area and 300 sqm of area, the quantity of minerals extracted and cost may be sought from the Mining department.

4. Hence, report submitted by this office vide letter no. 1860 dated 17.11.2020 be treated as the final comments.

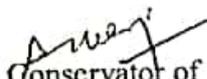

Dy. Conservator of Forests,
Bhiwani. 

Endst. No. 2106-07

Dated: 21.12.2020

A copy is forwarded to the following for information:-

1. Mining Officer, Bhiwani w.r.t. their letter no. 1173-77 dated 11.12.2020.
2. Regional Officer, HSPCB, Bhiwani.


Dy. Conservator of Forests,
Bhiwani. 

Date of last inspection: 24/06/2019

Dir.(Gzb.)/DDG (NZ) to see/record please

Note for file

Name of Mine : Dadam Stone Mine,
 Name of Owner : Ms Goverdhan Mines & Minerals
 (Shri Wazir Singh Quhar-Nominated Owner)
 Name of Manager : Shri Sanjay Kumar Sinha, FCC
 Name of I. Officer : A K Das, Dy. DMS
 Date of Inspection : 28.12.2020

1562
 31/12/2020

1.0 **Back Ground Information:** Vide letter no. Bhiwani/ Khanan/1109 dated 24.11.2020 (RO Diary No. 1439 dated 09.12.2020), Mining Officer, Mines & Geology Department, Bhiwani, has informed this Directorate that Sri Rakesh Dalal has filed OA No. 132/2020 in the matter of Rakesh Dalal Vs. State of Haryana in the honourable court of National Green Tribunal, in which he has pointed about unscientific way of mining in Dadam Stone mine, whose hearing has been fixed in the honourable NGT court on 05.01.2021. Mining officer, requested this Directorate to inspect the mine and submit the report.

An email, dated 21 Dec, 2020 sent vide email id mobwn120@gmail.com to dg@dgms.gov.in was received in this Directorate from HO on the same matter. (RO diary no. 1514 dated 22.12.2020).

As directed, I called at the mine on dated 28.12.2020, to enquire into the matter. While in the area, Mining officer, Bhiwani, was requested to be present at the time of inspection and enquiry. Due to his engagement at Charkhi Dadri, falling under his jurisdiction, he could not accompany me at the time of inspection and enquiry.

2.0 **Location & Ownership :** The mine was located in village Dadam in Tehsil -Tosham, District Bhiwani, of state Haryana on the way to Tosham Bhiwani. It is about 200Km from Ghaziabad. The mining lease containing an area of 48.87 hectare in khasra no 132 min was granted in favor of Ms Goverdhan Mines & Minerals, House no. 51, Urban Estate-2, Hisar(Haryana) by Govt. of Haryana.. Sri Wazir Singh Kuhar is the Nominated Owner of this mine.

3.0 **Supervision, Production & Employment:** The mine was placed under the overall management, control, supervision and direction of Shri Sanjay Kumar Sinha, holder of first class mine manager of certificate of competency (R). To assist the manager three(03) Assistant manager; Four (04) mine foreman; nine(09) mining mate and two mining engineer(B.Tech) and one Diploma in mining have been appointed for day to day supervision and operation of the mine. The mine was reportedly producing about 36000T-37000T of stone per day, employing an average daily manpower of about 97 (contractors and departmental) persons per day.

4.0 **Mining operation:** The mine was worked by opencast mining method by deployment of shovel-dumper combination with deep hole drilling & blasting. The Permission under Regulation 106(2)(b) of the Metalliferous Mines Regulation, 1961 to deploy HEMM with system of deep hole drilling and blasting have been granted vide this Directorate's letter No. 3449 dated 29.11.2019. Blasted stones are loaded into buyers truck by excavator and dispatched. Big boulders generated during the blasting are broken by secondary blasting. It was reported that mining operations within the lease hold area were outsourced. About 25-30 numbers of pits have been dug in the leasehold area. The manpower and machinery required for mining operations in these pits were being deployed by the contractors. Whereas statutory persons supervising the day to day mining operations were appointed by mine owner apart from contractors statutory personnel. The machinery like excavator and drill machines were engaged by contractors. Drilling blasting and loading operations were carried out by contractors. The minerals were despatched in buyers truck/dumper. The water tanker used for water spraying and wetting on benches and haul roads were also outsourced. Three numbers of fogger machines to settle the dust generated during mining operations provided. Three numbers of transportable water tanker with built in arrangement on the tanker top (whirling jet type). The mine was being worked in three shift eight hourly shift

i.e. (8.00Am to 4.00 Pm & 4.00Pm to 12.00 & 12.00 midnight -8.00am with 1/2 hour rest interval in between the shifts).

5.0 **Inspection:** After study of plans and section of the mine, went to mine. S/Sri Sanjay Kumar Sinha, Mine Manager and other officials accompanied me during the inspection.

6.0 **Observation:**

- (i) There were 25-30 numbers of pits dug within the lease hold area. The pit name was locally numbered for identification and convenience. The size of these pits was about 80-200m x 100m-200m.
- (ii) The size of pit no. 38 was about 80mx60mx18m. The height of benches were 5-9m and width was about 5-7m. A haul road leading to benches was provided. The Aravali forest land was located on the western part of the excavation. Men and machinery were deployed by contractor. The size of pit no. 35 was about 60-65m(L)x40-45m(W)x8m-9m(D). The height of bench was about 8-9m. Adjoining to this pit, forest land of Aravali was located on western side. The size of pit no. 31 was about 100-110m(L)x80-90m(W)x 16-18m(D). The height of bench was about 8-10m. Adjoining to this pit, forest land of Aravali was located on southern side. Loading of stone was being carried on in these pits.
- (iii) The size of pit no. 22 was about 200mx200mx20m(D). The height of benches were about 9-10m. Drilling of holes were being carried on the bottom bench. The drill machine was provided with wet drilling arrangement (Photograph enclosed). Management informed that the drill machines are provided with wet drilling arrangement. Some of the drill machines whose wet drilling mechanism was out of order were under repair.
- (iv) There were three portable foggers machines installed near the pit where loading operation was being carried on to settle the dust being generated during loading. It was informed that these foggers are moved to different pits where loading operations are carried on. Two to three dedicated tractor mounted water wanker was available for supplying water to these fogger machine.
- (v) Three water tankers with water spraying arrangement on the top (whirling type) were provided for wetting the haul roads and benches (photograph enclosed). Water spraying was being done on the haul roads and benches.
- (vi) The danger zone was demarcated by means of red flag (photograph) enclosed). The lease boundary was fenced by barbed wire. During inspection it was observed that all staffs and work persons were wearing safety gadgets like helmet and shoes.
- (vii) An order under section 22(3) of the Mines Act, 1952 was imposed in pit no. 12, vide this Directorate's letter no. 2169 dated 28.06.2019. No work was being carried out at in this pit. Men and machinery were not found deployed in this pit.
- (viii) The records of attendance in form D were kept maintained. The employment register in Form_B was kept maintained (copy enclosed).
- (ix) The deep hole drilling and blasting was carried out under the personnel supervision of assistant manager and foreman. The blasting time was reported to be between 1-4pm. A signage of blasting time was displayed on board at several places (photograph enclosed). Transport of explosive in license van for blasting in the mine was done by the explosive supplier that was in agreement with the owner of mine. The records of explosive used and return in RE-13 were being maintained by the explosive supplier (copy enclosed) and firings of shot were done by statutory persons appointed by the owner of mine.
- (x) An efficient means of signalling by siren within the radius of 300m from the place of firing was provided and in use (photograph enclosed).
- (xi) High mast tower consisting of clusters of bulb was found installed on the haul roads around the quarry of the mine (photograph enclosed) for lighting arrangement to work beyond day light hours.
- (xii) There were crushers not belonging to owner of mine within the danger zone in north eastern and north western side. However, the crusher were located outside the danger zone from active working face. The fly rocks generated during the blasting was towards free face. It was informed by the management that the adjoining field to the lease were acquired by the lessee on rental basis. No signs of fly rocks were seen near the adjoining field to the lease.

7.0 CONCLUSION:

- 1) It is to be noted that, Mining lease for Dadam Stone Mine, Khasra No. 132, Ms Goverdhan Mines & Minerals was granted by department of Mines & Geology, Government of Haryana. Consent to operate, consent to establish and environment clearance was granted by the state authority. Simplified Mining Scheme for working the mine in a scientific way by method of opencast mining has been approved by department of Mines & Geology, Haryana
- 2) Inspection of Dadam Stones Mines, Ms./Goverdhan mines & Minerals was carried out in accordance with the Mines Act, 1952.
- 3) Under constitution of India, Safety welfare and health of workers employed in the mines is regulated by the Mines Act, 1952 and subordinate legislations framed under it. This Directorate, a subordinate office under Ministry of Labour & Employment, Government of India administers and oversees the compliance of the provisions of the Mines Act, 1952 & the Rules, Regulations and Bye-laws framed there under. Beside, this Directorate grants permission under certain Regulations for specific mining operations like Deployment of Heavy Earth Moving Machinery & Deep hole blasting.
- 4) Inspections are carried out in accordance with Mines Act, 1952 to oversee compliance.
- 5) Scientific study is not carried out by this Directorate. However, Department of Mines & Geology may engage recognized scientific organisation or institutions to carry out scientific study of the mine.
- 6) This inspection was carried out solely on the request of mining officer, Bhiwani without prejudice to any other law in place.
- 7) Mining officer, Bhiwani may be addressed. Letter is put up.

160
A K Das

Dy. Director of Mines Safety
Ghaziabad Region, Ghaziabad

Annexure-27

①

29-NT

रिपोर्ट निशानदेही

आज दिनांक 06-11-2020 को अनुसार आदेश श्रीमान तहसीलदार साहब तोशाम बराये करने निशानदेही बरदरखास्त S.D.O. Nigana W/S S/D, BHIWANI तहसील तोशाम जिला भिवानी व नंबर खसरा 13//16/2,17/1,24/1/2,25/1/1,24/2/2,25/2/1,18//4/2/2,5/1,6/2,7/1,14/2,15/1,16/2,17/1,24/2,25/1,29// 4/2,5/1,7/2, 14/1/1, 14/2/1, 18/2,23/2,36// 2/2,3/2,9/2,12/1,20/2,21/2. डाडम रजबाहा पर बुर्जी नंबर 20500 से 22500 तक वाका मोजा डाडम मै कुलदीप सिंह लोकल कमीशन नियुक्त हल्का तोशाम कानूनगो बाहमराह कुल्विन्दर सर्वेयर (D.G.P.S. मशीन व सहकर्मी सहित) मौका पर पुहंचा। मौका पर हल्का पटवारी श्री सूबे सिंह व साथ सलगन सूची हाजरीन मौका पर हाजिर मिले। मौका पर जाने से पहले हर दो फेरिकेन को बजरिए नोटिस मार्फत पटवारी हल्का पहले ही सूचित कर दिया था। हाजरीन की मौजूदगी मे मशीन की कार्यप्रणाली का प्रदर्शन करके दिखाया जिसकी 100 फुट फित्ते द्वारा जाँच करके सभी ने पैमाइश करने की सहमति प्रदान की। पटवारी हल्का से प्राप्त रिकार्ड उपरोक्त खसरा नम्बर का नक्शा लैपटाप मे बनवाकर के अवलोकन किया व हाजरीन के साथ प्रार्थी के मौका के आस-पास सर्वेरी पत्थरो का अवलोकन किया मौका पर मुशतील नम्बर 35//5, 36//25 53//21 पर सर्वेरी पत्थर मौका पर मौजूद पाये इन मुशतील नंबरान को एक दूसरे के साथ जाँच की जो सही पाई गई मौका पर मौजूद सर्वेरी पत्थरो को मुस्तिल मौका मान कर इस्तेमाल अराजी के किलाबंदी के नियमानुसार नंबर खसरा डाडम रजबाहा पर बुर्जी नंबर 20500 से 22500 तक वाका मोजा की निशानदेही अनुसार राजस्व रिकार्ड सभी कोणो के निशानात लगवाने लगे लेकिन नंबर खसरा डाडम हिल माइनर का 18// 14/2,15/1,16/2,17/1,24/2,25/1, 29//4/2, 5/1, 7/2,14/1/1,14/2/1,18/2,23/2. के वहाँ पर लगभग 200-250 फुट गहरा गड़ा है जिस कारण वहाँ निशानात नही लगवा सके व बाकी निशानात लगवाकर निशानदेही का कार्य पूरा किया। इसके उपरांत सभी

pto

(13)

रिपोर्ट निशानदेही

हाजरीन की मौजूदगी में प्रार्थी के नम्बर खसरा के मशीन द्वारा लगाए गए कोणों के निशानों पर 100 फुट फ्रीता लगाकर जाँच करवाई गई। जिसके बाद हाजरीन ने की गई निशानदेही को ठीक व दुरुस्त माना। बाद निशानदेही/ रिपोर्ट सेवा में पेश है।

हस्ताक्षर सर्वेयर

Baba Mungpa Civil Tech

Kulmick Sarveya

हस्ताक्षर
सर्वेयर

हस्ताक्षर कानूनगा

रिपोर्ट निशानदेही

आज रोज दिनांक 30-12-2020 को आमदा आदेश माननीय उपायुक्त महोदय भिवानी के आदेश अनुसार वराये करने निशानदेही वरदरखास्त सत्यवान पुत्र श्री अमर सिंह निवासी डाडम व खन्नन अधिकारी खान एवम भू विज्ञान विभाग भिवानी के पत्र क्रमांक नम्बर 1019 ए0बी0ए दिनांक 23-12-2020 खेवट नंबर 60,61 जमावटी साल 2015-2016 खसरा नम्बर 29//17/2, 18/1, 23/1, 23/3, 24/1, 36//1, 2/1, 11, 37//6 बाका मौजा डाडम के मोका की वराये करने पेगाईस गाम डाडम पहुचा मोका पर हल्का कानूनगो मिरान बाहमराह हल्का पटवारी सुवे सिंह व । मय D.G.P.S.RTK. सहकर्मी सहित । मौका पर पहुचा। मौका पर साथ सलगन सूची हाजरीन मौका पर हाजिर मिले। मौका पर जाने से पहले हर दो फेरिकेन को वजरिए नोटिस माफत पटवारी हल्का पहले ही सूचित कर दिया था। सूची हाजरीन व नोटिस इतलायावी साथ सलगन है। हाजरीन की मौजूदगी में मशीन की कार्यप्रणाली का प्रदर्शन करके दिखाया गया पटवारी हल्का से प्राप्त रिकाई से उपरोक्त खसरा नम्बरान का नक्शा तैपटाप में बनवाकर के अवलोकन किया व हाजरीन के साथ प्राथी के मौका के आस-पास सर्वरी पत्थरो का अवलोकन किया मौका पर मौजूद मुस्तील नम्बर 52//21, 25, 59//25 पर सर्वरी पत्थर मौका पर मौजूद पाये। इन मुस्तील नम्बरान को एक दूसरे के साथ जाँच की जाँ सही पाये । मौका पर मौजूद सर्वरी पत्थरो को मुस्तील मौका मान कर इस्तेमाल अराजी के किलाबंदी के नियमानुसार नम्बर खसरा 29// 17/2, 18/1, 23/1, 23/3, 24/1, 36//1, 2/1, 11, 37//6 निशानदेही अनुसार सभी कौणो के निशानात लगवाकर निशानदेही का कार्य पूरा किया। जिसका नक्शा तफावत साथ सलगन है। इसके उपरात सभी हाजरीन की मौजूदगी में उपरोक्त नम्बर खसरा के मशीन द्वारा लगाए गए सभी कौणो के निशानात लगवाकर तसल्ली करवाइ गई। जिसके बाद हाजरीन ने की गई निशानदेही को ठीक व दुरुस्त माना । बाद निशानदेही रिपोर्ट आपकी सेवा में पेश है ।

नासुबा निशानदेही
TOSHAM
तोशाम

(9) 49-N1 रिपोर्ट निशानदेही

आज दिनांक 29-01-2021 को अनुसार आदेश श्री मानु तहसीलदार साहब तोशाम आदेश क्रमांक 587-OK तिथि 28-01-2021 बराए करने निशानदेही नम्बर खसरा 29//17/2, 18/1, 18/3, 23/1, 23/3, 24/1, 36//1, 2/1, 11, 37//6 मौजा हांसी में औमप्रकाश सेवानिवृत्त नायब तहसीलदार बहमराह सर्व श्री सुबेसिंह पटवारी हल्का देह बमय रिकार्ड सम्बन्धित मौका पर पहुंचा। क्योंकि निशानदेही फीते जरीब से सम्भव न थी इसलिए DGPS कम्प्यूटर मशीन के लिए मौका पर फर्म गुरप्रसाद लैंड सोल्यूशन एण्ड लैंड सर्वेयर हांसी की DGPS कम्प्यूटर मशीन समीर सर्वेयर मय सहकर्मियों सहित बजरिए नोटिस पटवारी हल्का के माध्यम से बुलाया हुआ था। मौका पर हाजरीन व्यक्तियों की हस्ताक्षर युक्त सूचि हाजरीन साथ सलंगन है। मौका पर जाने से पहले हर दो फरीकैन को बजरिए नोटिस पहले ही सूचित कर दिया था। इतलायावी नोटिस व हाजरीन सूचि साथ सलंगन है हाजरीन की मौजूदगी में मशीन की कार्य प्रणाली का प्रदर्शन करके दिखाया गया जिसकी फीते द्वारा तसल्ली करवाई गई जिसके बाद सभी ने पैमाईश करने की सहमति प्रदान की। पटवारी हल्का से प्राप्त रिकार्ड से उपरोक्त खसरा नम्बर का नक्शा लैपटॉप में फीड करवा अवलोकन किया व हाजरीन के साथ उपरोक्त नम्बर खसरा के मौका के आस पास पत्थरों का अवलोकन किया गया। मौका पर मुस्तिल न० 35//25 के दक्षिण-पुर्वी कोना पर तथा मुस्तिल न० 52//21 के दक्षिण पश्चिमी कोना पर व मुस्तिल न० 52//25 के दक्षिण-पुर्वी कोना पर सर्वेरी पत्थर मौजूदा पाए गए।

मौका पर मौजूदा सर्वेरी पत्थरों को मुस्तिकिल मौका मानकर इस्तेमाल अराजी के किलाबन्दी के नियमानुसार मशीन को मौका पर स्थापित कर उपरोक्त मुस्तिल के स्थित पत्थरों पर रॉअर के माध्यम से बीच की दूरी व ऐंगल की जांच की गई जो सही पाई गई। अब मशीन की कार्यप्रणाली के द्वारा उक्त न० खसरा 29//17/2, 18/1, 18/3, 23/1, 23/3, 24/1, 36//1, 2/1, 11, 37//6 की अनुसार राजस्व रिकार्ड सभी कोनों के निशानात लगवाकर मौका पर नम्बर खसरा की कायमी करवाई गई। इसके उपरान्त सभी हाजरीन की मौजूदगी में उपरोक्त न० खसरा के मशीन द्वारा लगाए गए सभी कोनों के निशानात पर फीता लगवाकर तसल्ली की गई। जिसके बाद हाजरीन ने की गई निशानदेही को ठीक व दुरुस्त माना। उपरोक्त न० खसरा में प्रार्थी मुताबिक ई. न० 1656 तिथि फैसला 07-05-2019, ई. न० 1659 तिथि फैसला 29-05-2019, वसीका न० 814 दिनांक 06-07-2020 कुल 2 कनाल 19 मरला 4 सरसाई रकबा का मुश्तरका खेवट में मालिक है व 12 कनाल 7 मरले रकबा का मुताबिक वसीका न० 2716 दिनांक 25-11-2020 बतौर 5 साल के लिए पट्टेदार है। मौका पर उपरोक्त न० खसरा की कायमी के उपरान्त परिणामस्वरूप पाया गया कि प्रार्थी ने कोई Encroachment ना कर रखी है क्योंकि प्रार्थी ने उपरोक्त न० खसरा में बतौर हिस्सेदार जितने रकबा का मालिक है केवल उतने रकबा पर ही न० खसरा 36//1 मिन उतर में 1 कनाल 13 मरले, 36//2/1 मिन पश्चिम में 1 कनाल 7 मरले बतौर मलकियत हिस्सेदारी ही काबिज है। व न० खसरा 29//18/1 रकबा 1 कनाल 12 मरले, 29//18/3 रकबा 1 कनाल 18 मरले, 29//23/1 रकबा 2 कनाल 4 मरले, 36//2/1 मिन रकबा 3 कनाल 17 मरले, 36//1 मिन दक्षिण रकबा 1 कनाल 9 मरले, 37//6 मिन उतर-पुर्व रकबा 1 कनाल 7 मरले पर बतौर पट्टेदार काबिज है। जिसका नक्शा स्थल विवरण साथ सलंगन है। उपरोक्त पूरी निशानदेही मौका पर पाए गए उपरोक्त मुस्तिल पत्थरों पर आधारित है। बाद निशानदेही रिपोर्ट सेवा से पेश है।

Surpassed Land Solution
Land Surveyor


 Retd. M. T.
 29/1/2021

Reminder
From

Deputy Commissioner
Bhiwani.

To

Director
HARSAC, Hisar.

No.: 1847 /M.B.

Dated: 11.02.2021

Subject : **Requirement of Information of mining of Village Dadam.**

Kindly refer to this office letter no. 1080/MB Dated 02-02-2021 on the subject cited above.

It is once again requested that details of mining depth from Satellite image from year 2010-2020 may kindly be provided expeditiously as requested vide letter under reference.


Deputy Commissioner
Bhiwani. ✓

143

From

Deputy Commissioner
Bhiwani.

To

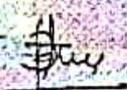
Director
HARSAC, Hisar.

No. 1080/MB Dated: 02/09/2021

Subject: Requirement of information of mining of Village Dadam.

As per telephonically communication with Dr. Sultan Singh, Principal Scientist, HARSAC, Gurgaon, this office is in requirement of mining related data outside the mining zone for the period Jan-2010 to Dec-2020. Kanungo, Halka Patwari with Sajra is being sent with this letter & the details of land containing Khasra Number & Mining Area is attached herewith. The focus area is marked in red. You are requested to provide the details of mining depth from Satelite image from year 2010-2020 at the earliest.

encl:-

The details of land containing
Khasra Number & Mining Area.
Deputy Commissioner
Bhiwani.

Ann-29

From: "ps harsac ggm" <ps.harsac.ggm@gmail.com>
To: "DC Bhiwani" <dcbhw@hry.nic.in>
Cc: directorharsac@gmail.com
Sent: Thursday, February 11, 2021 9:53:56 AM
Subject: Requirement of Information of mining of Village Dadam

With reference to your mail dated 02.02.2021 we would like to submit that the mining depth cannot be estimated from the satellite data. However, the Digital Surface Model (DSM) generated as a product from ultra resolution drone data can be used to some extent to find the mining depth. But this is a research perspective and has tolerances associated with it. However for your references we are attaching the images (zipped) of the shaded area khasras draped over the google earth images for the year 2010,2011,2013,2016,2019.

--
Thanks & Regards
Principal Scientist, HARSAC
HARSAC Node Gurugram
Haryana

2020
24/1/2021

Annexure 30

Annexure-30

P-160
145

✓
SJB

24/1/21

23-2-21

वन विभाग, हरियाणा सरकार
कार्यालय उप वन संरक्षक, भिवानी

महम रोड़, विद्या नगर, भिवानी दूरगाय नं० 01664-242430, ई-मेल : dfo.bhiwani@yahoo.com

क्रमांक/ 2682

सेवा में

क्षेत्रीय अधिकारी,
हरियाणा राज्य प्रदूषण नियंत्रण बोर्ड,
भिवानी क्षेत्र, भिवानी।

दिनांक/ 22/02/2021

PUC Put
and 23-2-21
puc curk
5GR

ju
21/3/21

विषय : **Regarding representation given by M/s Goverdhan Mines and Minerals, Village Dadam, Bhiwani against recommendation for closure under section 5 of EP Act, 1986 for violation of Env. Clearance and revocation of consent to operate granted under Air Act, 1981 and Water Act, 1974.**

संदर्भ : आपका पत्र क्रमांक 8322 दिनांक 25-01-2021.

उपरोक्त विषय के सम्बन्ध में आपको सूचित किया जाता है कि वन विभाग से सम्बन्धित रिपोर्ट पहले ही इस कार्यालय के पत्र क्रमांक 1860 दिनांक 17-11-2020 तथा 2105 दिनांक 21-12-2020 द्वारा भेजी जा चुकी है, जिनकी प्रति पुनः साथ संलग्न है। इसके अतिरिक्त आपको यह भी सूचित किया जाता है कि HARSAC, हिसार से डाडम अरावली पौधारोपण क्षेत्र की High-resolution imagery उपलब्ध करवाने का अनुरोध किया गया था, परन्तु उन्होंने अपने पत्र दिनांक 05-11-2020 द्वारा सूचित किया है कि उनके पास यह डाटा उपलब्ध नहीं है। इसके पश्चात् इस कार्यालय के पत्र क्रमांक 2522 दिनांक 03-02-2021 द्वारा निदेशक, भारतीय वन सर्वेक्षण, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, देहरादून से उक्त High-resolution imagery डाटा उपलब्ध करवाने का अनुरोध किया गया, जो कि अभी प्राप्त नहीं हुआ है, जिस बारे इस कार्यालय के पत्र क्रमांक 2679 दिनांक 22-02-2021 द्वारा स्मरण पत्र भी जारी किया जा चुका है।

संलग्न/ यथोपरि।

V.K. Singh

उप वन संरक्षक,
भिवानी।

पृ०क्रमांक/

दिनांक/

इसकी एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है :-

- 1- उपायुक्त, भिवानी।
- 2- अतिरिक्त उपायुक्त, भिवानी।

ए.ए.ए.

उप वन संरक्षक,
भिवानी।

Annexure-31

To

Deputy Commissioner,
Bhiwani

Subject: - To investigate the water level at Dadam mine, Tosham, Distt.-Bhiwani for compliance of NGT order in the matter OA no.169/2020 & OA no.132/2020.

In reference to above cited subject, it is to inform that a committee of SDO(C) Tosham, DRO Bhiwani and Assistant Geologist, Bhiwani along with Sh. Saquib, STA HG, Central Ground Water Board Chandigarh (as deputed by RD, CGWB Chandigarh) was constituted, to investigate the water level at Dadam mine, Tosham, Distt.-Bhiwani for compliance of NGT order in the matter OA no.169/2020 & OA no.132/2020 on dated 04.01.2021

On dated 05.02.2021, the committee visited the site and the report submitted by Sh. Saquib, STA HG, Central Ground Water Board Chandigarh is enclosed herewith for your kind information and necessary action please.

sd
Assistant Geologist,
Ground Water Cell,
Bhiwani.

Endst no. 1554

Dated 22-02-2021

A copy of the same is forwarded to Regional Officer, HSPCB, Bhiwani region, Bhiwani for kind information & necessary action, please.

Gyarakath
Assistant Geologist,
Ground Water Cell,
Bhiwani.

Subject: - To investigate the water level at Dadam mine, Tosham, Distt.-Bhiwani for compliance of NGT order in the matter OA no.169/2020 & OA no.132/2020.

In reference of above cited subject, it is informed that, in compliance of NGT order in the matter OA no.169/2020 & OA no.132/2020, the Central Ground water Board, Chandigarh has deputed Sh. Saquib, STA-HG to investigate the water level at Dadam mine, Tosham, Distt.-Bhiwani. A telephonic message received from Sh. Saquib, STA-HG informed that he will be available on dated 06/01/2020 to visit the above said site.

In this regard, you are requested to constitute a committee to visit the site along with the official from Central Ground water Board, Chandigarh to investigate the matter. Submitted for further necessary action and order please.

Worthy DC

C. Prakash
Asstt. Geologist,
Ground Water Cell,
Bhiwani.

Asstt. Geologist and District Revenue officer
and SDO (C) Tosham will also be member
of committee.

P. S.
04.01.2021

Asstt. Geologist

GOVERNMENT OF INDIA

Phone : 0172-5021960-61-86
Fax : 0172-2639500
Email : rdnwr-cgwb@nic.in

Central Ground Water Board,
North Western Region,
Bhujal Bhawan, Plot # 3B,
Sector 27-A, Madhya Marg
Chandigarh - 160 019

No. A-HR/SSSC/NWR/S&I/2020 - 904

Dated : 29.12.2020

To,
Deputy Commissioner
Bhiwani, Haryana

Sub: To investigate the water level at Dadam Mine, Tosham, Bhiwani, for compliance of NGT order in the matter OA no. 169/2020 & OA no. 132/2020

Sir,

In reference to above cited subject, it is to inform that M/S Govardhan Mines and Minerals have not applied for NOC for abstraction of ground water from Central Ground Water Authority. As per CGWA directions, DC is authorized officer to take action in case of illegal withdrawal of ground water. Copy of CGWA directive is enclosed for further necessary action.

Yours Faithfully,

(Anoop Nagar)
Regional Director

Copy to: Assistant Geologist, Ground Water Cell Bhiwani, Haryana for kind information and necessary action.

(Anoop Nagar)
Regional Director

TA/Tracer
Gurkash
2/2/21

R-960
22-02-21

Date-22/02/2021

To
The Regional Director
CGWB, NWR
Chandigarh

Sub: Survey and Investigation report to establish water level at Dadam mine, Toshiari District Bhiwani for compliance of NGT order in the matter OA no. 169/2020 & OA no. 132/2020-Reg

Sir
With reference to the letter no. 4(172)A-HR/SSSC/NWR/S&I/2020-910 dated 31.12.2020 and email dated 03.02.2021 undersigned had carried out Survey to establish water level at Dadam mine on 05.02.2021. Survey and investigation report is enclosed herewith for your kind perusal.
This is for your kind perusal and necessary action please

Yours faithfully

[Signature]
22/02/2021
Sequib
STA HG

TSH
@
22/2/21

SURVEY AND INVESTIGATION REPORT TO ESTABLISH WATER LEVEL AT DADAM MINES

Introduction - Original application no 169/2020 & 132/2020 was filed before National Green Tribunal at Delhi against illegal mining in forest area and illegal extraction of ground water respectively. As per the order a joint committee was formed comprising State PCB, Divisional Forest Officer Bhiwani, Additional District Magistrate, Bhiwani for submitting factual and action taken report in two months.

To ascertain the water accumulated in the mining pit Ground Water Cell, Bhiwani requested CGWB, NWR Chandigarh to take up studies in mining area of Dadam Mines of Village Dadam, Block Tosham District Bhiwani after the committee forming by District collector, Bhiwani consisting of Sub-Divisional Magistrate Tosham, District revenue officer Bhiwani, Assistant geologist Ground Water Cell Bhiwani and CGWB, NWR Chandigarh. Along with the above mentioned committee the undersigned carried out the survey to investigate water level and quality at Dadam mines on 05.02.2021.

Field Investigation - During survey it was found that in pit no. 25 (coordinates N 28°53'08", E 75°51'01") no water was found in the mining pit. In Pit no. 18 (coordinates N 28°52'59" E 75°51'13") leakage from the cracks and fissure of the rocks were present but no water was found at the bottom of mine pit. One sample was collected from back side of pit no. 18 at gate no. 6 (coordinates N 28°52'56", E 75°51'22") which had been got analysed. Data is in Annexure-I

Conclusion- Based on field investigation and chemical analysis of collected water sample it is concluded that the seepage in mining pit is ground water from quartzitic formation. Quartzites are forming low yield aquifer and tubewell constructed in quartzite generally yields 100-150 lpm of water only, thus the seepage found in pit is very minor and during rainy season they may yield good quantity of water resulting in filling of mine pits. As the water in the alluvial formation is 9.41mbgl to 18.52mbgl in the surrounding alluvial areas of mines, the fracture in quartzite might be hydrologically connected to the water table of the alluvial areas and seepage in mine pit are of ground water only.

Results of chemical analysis water samples collected from Dadam mines, Tosham, Bhiwani

S No	Location	Source	PH	EC		HCO ₃ ⁻	Cl ⁻	SO ₄ ⁻²	NO ₃ ⁻	F ⁻	mg/l							
				µS/cm	at 25° C						CO ₃	Ca	Mg	Na	K	SiO ₂	TH as CaCO ₃	
1	Dadam	Surface water	7.50	4280		Nil	73	1167	376	70	0.28	<0.01	150	136	557	3.8	21	563

Annexure-I

FINAL FORM / REPORT
अंतिम फार्म/रिपोर्ट
(Under Section 173 Cr.P.C.)
(दण्ड प्रक्रिया संहिता धारा 173 के अन्तर्गत)

IN THE COURT OF SH. JOGENDER SINGH SDJM TOSHAM (के न्यायालय में)

1. District (जिला): BHIWANI

P.S. (थाना): TOSHAM

Year (वर्ष): 2019

FIR No. (प्र.सू.रि. सं.): 0587

Date (दिनांक): 23/12/2019

2. Final Report / Charge Sheet No. (अंतिम रिपोर्ट/आरोप पत्र संख्या):
01

3. Date (दिनांक): 31/10/2020

4. S.No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)
2	IPC 1860	379

5. Type of Final Form/Report (अंतिम फार्म/रिपोर्ट का प्रकार): CHARGE SHEET

6. If FR Unoccurred (यदि अंतिम रिपोर्ट अघटित):

7. If Charge sheet (यदि आरोप पत्र दाखिल किया): Original

8. Name of I.O. at the time of charge sheet (आरोप पत्र दाखिल करते समय जाँच अधिकारी का नाम): rajbir

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No. (सं.): 332BWN

9. (a)(क) Name of complainant / Informant (शिकायतकर्ता/इत्तिला देने वाले का नाम): जयप्रकाश

(b)(ख) Father's/Husband's Name (पिता/पति का नाम):

10. Details of Properties/Articles/Documents recovered/seized during Investigation and relied upon (जाँच के दौरान बरामद/जब्त सम्पत्ति/वस्तु/दस्तावेज का विवरण जिन्हें आधार बनाया गया हो):

S. No. क्रं.सं.	Property description सम्पत्ति का विवरण	Estimated value (In Rs.) अनुमानित मूल्य (रु.में)	P.S. Property Register No. थाना सम्पत्ति रजिस्टर सं.	From whom/ where recovered or seized कहाँ/किससे जब्त अथवा बरामद की गई।	Disposal निराकरण
1	OTHERS				

11. Particulars of accused persons charge-sheeted (आरोप पत्र दाखिल अभियुक्तों का विवरण):

S. No. (क्र.सं.): 1

(i) Name (नाम): सुनिल चौबे

Whether Verified (क्या सत्यापित है?):

Yes

(ii) Father's Name (पिताका नाम): कृष्ण चौबे

(iv) Sex (लिंग): Male

(iii) Date/ Year of birth (जन्मतिथि/वर्ष):

(v) Nationality (राष्ट्रियता): INDIA

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग): SCHEDULED CASTE

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	नन्दन PS DHUMRA, DISTT. BAKSAR, BIHAR, INDIA
2	Permanent Address	नन्दन PS DHUMRA, DISTT. BAKSAR, BIHAR, INDIA

Whether verified (क्या सत्यापित है?): Yes

(xi) Regular Criminal No. (If known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि): 23/12/2019

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(v) Under Acts & Sections (अधिनियम एवं धाराएँ):

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	IPC 1860	379
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)

(xvi) Details of bailers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name (पिता/पति का नाम):

Occupation (व्यवसाय):

Address

(पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification

(पहचान):

Date of Birth (जन्म तिथि):

UID Number (यूआईडी सं.):

Any Other ID

Proof (अन्य

प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)



(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सजा का विवरण):

S. No. (क्र.सं.)	FIR No. (ए.सू.रि. सं.)	State (राज्य)	District (ज़िला)	Police Station(थाना)	Description of Case (मामले का विवरण)	Details of conviction / Acquittal (सजा/आरोपमुक्त का

5

विवरण)

P-171

(xviii) Status of the accused (अभियुक्त की स्थिति): FORWARDED TO COURT



S. No. (क्र.सं.): 2

(I) Name (नाम): सन्दीप

Whether Verified (क्या सत्यापित है?):
Yes

(II) Father's Name (पिताका नाम): ईश्वर

(IV) Sex (लिंग): Male

(III) Date/ Year of birth (जन्मतिथि/वर्ष):

(v) Nationality (राष्ट्रियता): INDIA

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	बागनवाला, TOSHAM, BHIWANI, HARYANA, INDIA
2	Permanent Address	बागनवाला, TOSHAM, BHIWANI, HARYANA, INDIA

Whether verified (क्या सत्यापित है?): Yes

(xi) Regular Criminal No. (If known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि): 23/12/2019

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(xv) Under Acts & Sections (अधिनियम एवं धाराएँ):

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)	P-173
1	IPC 1860	379	
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)	

(xvi) Details of ballers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name(पिता/पति का नाम):

Occupation (व्यवसाय):

Address

(पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification

(पहचान):

Date of Birth (जन्म तिथि):

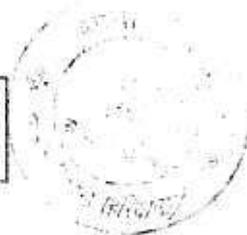
UID Number (यूआईडी सं.):

Any Other ID

Proof (अन्य

प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)



(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सज़ा का विवरण):

S. No. (क्र.सं.)	FIR No. (प्र.सू.रि. सं.)	State (राज्य)	District (ज़िला)	Police Station(घाना)	Description of Case (मामले का विवरण)	Details of conviction / Acquittal (सज़ा/आरोपमुक्त का)

(xviii) Status of the accused (अभियुक्त की स्थिति): FORWARDED TO COURT

S. No. (क्र.सं.): 3

(i) Name (नाम): गुरबाज सिंह

Whether Verified (क्या सत्यापित है?):
Yes

(ii) Father's Name (पिताका नाम): बलविन्द्र सिंह

(iv) Sex (लिंग): Male

(iii) Date/ Year of birth (जन्मतिथि/वर्ष):

(v) Nationality (राष्ट्रियता): INDIA

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	लखनातपा, PS PIKHI-VAND, TARN TARAN, PUNJAB, INDIA
2	Permanent Address	लखनातपा, PS PIKHI-VAND, TARN TARAN, PUNJAB, INDIA

Whether verified (क्या सत्यापित है?): Yes

(xi) Regular Criminal No. (If known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि): 23/12/2019

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(xv) Under Acts & Sections (अधिनियम एवं धाराएँ):

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	IPC 1860	379
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)

(xvi) Details of bailers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name (पिता/पति का नाम):

Occupation (व्यवसाय):

Address

(पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification

(पहचान):

Date of Birth (जन्म तिथि):

UID Number (यूआईडी सं.):

Any Other ID

Proof (अन्य

प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सज़ा का विवरण):

S. No. (क्र.सं.)	FIR No. (प्र.सू.रि. सं.)	State (राज्य)	District (जिला)	Police Station (थाना)	Description of Case (मामले का विवरण)	Details of conviction / Acquittal (सजा/आरोपमुक्त का)

(xviii) Status of the accused (अभियुक्त की स्थिति): FORWARDED TO COURT

S. No. (क्र.सं.): 4

(I) Name (नाम): सुनिल कुमार

Whether Verified (क्या सत्यापित है?):
Yes

(II) Father's Name (पिताका नाम): श्योपाल

(IV) Sex (लिंग): Male

(III) Date/ Year of birth (जन्मतिथि/वर्ष):

(V) Nationality (राष्ट्रियता): INDIA

(VI) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(VII) Religion (धर्म):

(VIII) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग): OTHER BACKWARD CLASSES
(OBC)

(IX) Occupation (व्यवसाय):

(X) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	इन्डाली, PS BAGGAR, JHUNJHUNU, RAJASTHAN, INDIA
2	Permanent Address	इन्डाली, PS BAGGAR, JHUNJHUNU, RAJASTHAN, INDIA

Whether verified (क्या सत्यापित है?): Yes

(XI) Regular Criminal No. (If known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(XII) Date of arrest (गिरफ्तारी की तिथि): 10/01/2020

(XIII) Date of release on bail (जमानत पर रिहाई की तिथि):

(XIV) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(xv) Under Acts & Sections (अधिनियम एवं धाराएँ):

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	IPC 1860	379
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)

(xvi) Details of bailers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name(पिता/पति का नाम):

Occupation (व्यवसाय):

Address

(पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification

(पहचान):

Date of Birth (जन्म तिथि):

UID Number (यूआईडी सं.):

Any Other ID

Proof (अन्य

प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सज़ा का विवरण):

S. No. (क्र.सं.)	FIR No. (ए.सू.रि. सं.)	State (राज्य)	District (ज़िला)	Police Station (थाना)	Description of Case (मामले का)	Details of conviction

विवरण)

Acquittal

P-180

(सजा/आरोपमुक्त
विवरण)

(xviii) Status of the accused (अभियुक्त की स्थिति): FORWARDED TO COURT



S. No. (क्र.सं.): 5

(I) Name (नाम): रणधीर

Whether Verified (क्या सत्यापित है?):
Yes

(II) Father's Name (पिताका नाम): शिशपाल

(IV) Sex (लिंग): Male

(III) Date/ Year of birth (जन्मतिथि/वर्ष):

(v) Nationality (राष्ट्रियता): INDIA

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग): SCHEDULED CASTE

(ix) Occupation (व्यवसाय):

(x) Address (पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	ढाणी दुल्ट, PS BHUNA, FATEHABAD, HARYANA, INDIA
2	Permanent Address	ढाणी दुल्ट, PS BHUNA, FATEHABAD, HARYANA, INDIA

Whether verified (क्या सत्यापित हैं?): Yes

(xi) Regular Criminal No. (if known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि): 23/12/2019

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि):

(xv) Under Acts & Sections (अधिनियम एवं धाराएँ):

S. No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	IPC 1860	379
2	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)

(xvi) Details of bailers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name(पिता/पति का नाम):

Occupation (व्यवसाय):

Address

(पता):

S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)

Identification

(पहचान):

Date of Birth (जन्म तिथि):

UID Number (यूआईडी सं.):

Any Other ID

Proof (अन्य

प्रमाण पत्र)

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सज़ा का विवरण):

S. No. (क्र.सं.)	FIR No. (प्र.सू.रि. सं.)	State (राज्य)	District (ज़िला)	Police Station(थाना)	Description of Case (मामले का विवरण)	Details of conviction / Acquittal (सज़ा/आरोपमुक्त का

(xviii) Status of the accused (अभियुक्त की स्थिति): FORWARDED TO COURT

12. Particulars of accused persons - not charge sheeted (suspect) (आरोप पत्र दाखिल न किए गए (संदिग्ध) अभियुक्तों का विवरण):

13. Particulars of witnesses to be examined (पूछताछ किए जाने वाले गवाहों का विवरण):
गवाह सुचि साथी लफ मिशल चालन है ।

14. If FR is false (F.R. false), indicate action taken or proposed to be taken u/s 182/211 I.P.C (यदि अन्तिम रिपोर्ट झूठी है तो भा.द.सं. की धारा 182/211 के अन्तर्गत की गई अथवा प्रस्तावित कार्रवाई का विवरण):

15. Result of Laboratory analysis (प्रयोगशाला में किए गए विश्लेषण का परिणाम):

16. Brief facts of the case (मामले से संबंधित संक्षिप्त तथ्य):

श्री मान् जी,

हालात मुकदमा इस प्रकार है कि दिनांक 23.12.19 को एक पत्र क्रमांक 512 दिनांक 23.12.19 FOREST DEPARTMENT GOVT. OF HARYANA O/o RANGE FOREST OFFICE , TOSHAM थाना मे प्राप्त हुआ जो इस प्रकार से है सेवा मे प्रबन्धक पुलिस थाना तोशाम । विषय- डाडम पहाड मे अरावली क्षेत्र मे खनन व पत्थर चोरी बारे रिपोर्ट करना । उपरोक्त विषय के सम्बन्ध मे आपको सुचित किया जाता है कि दिनांक 22/12/2019 को श्री रविन्द्र यादव व0 र0 ईन्चार्ज सरल बीट का दुरभाष रात को लगभग 9 बजे प्राप्त हुआ उस द्वाारा बताया गया कि डाडम पहाड मे अवैध खनन हो रहा है तो निम्नहस्ताक्षरी द्वाारा तुरन्त श्री महेन्द्र सिंह वन दरोगा ईन्चार्ज सरल ब्लोक, श्री राज कुमार रक्षक ईन्चार्ज टाणी माहू बीट ,श्री रविन्द्र यादव वन रक्षक ईन्चार्ज सरल बीट व थाना तोशाम से पुलिस कर्मचारियों के साथ मौके पर पहुंचा तो ट्रक Truck जिसका पंजीकरण सख्या एच0आर061सी0 4044 पत्थरो भरा खडा छोडकर झाईवर भाग गया और एच0आर061डी0 1411 व एच0आर061डी 6014 पौपलैड व ड्रिल मशीन जिनकी सहायता से अरावली वन क्षेत्र मे अवैध खनन किया जा रहा था छोड कर भाग गये । मौका पर एक आदमी पकडा गया उसने नाम बताने से इनकार कर दिया । रिपोर्ट आपकी सेवा मे FIR दर्ज करने हेतु प्रेषित है वन राजिक अधिकारी तोशाम SD JAI PARKASH 23/12/2019 MOB. 98136866550 अर्जे थाना हस्ब दरखास्त के मजबुन से मामला सुरत जुर्म जेर धारा 379 IPC 211 OF MINES AND MINERALS DEVELOPMENT AND REFULATION ACT 1957 का सरजद होना पाया जाने पर मुकदमा नम्बर 587 दिनांक 23.12.19 धारा 379 IPC 211 OF MINES AND MINERALS DEVELOPMENT AND REFULATION ACT 1957 थाना तोशाम मे दर्ज रजिस्टर किया जाकर मुकदमा हजा की तफलीश ASI दलबीर 04 द्वाारा भगल मे लाई जा रही है। मुकदमा हजा मे घटनास्थल का मौका मूलाहजा व ब्यापक गवाहन लिखे गये जो मौका पर मुकदमा मुदडे जराप्रकाश वन राजिक अधिकारी ने व उसके साथ अन्य

सुनिल पुत्र श्योपाल-1, ब्यान पुर्ण- ,इन्सॉरेंन्स गाडी न0 HR 61D 1411-4 पेज, इन्सॉरेंन्स फोटो प्रति गाडी न0 HR 61C 4044-1, वा इन्सॉरेंन्स गाडी न0 HR 61D 1411-1, ब्रिल पोपलैन्ड मशीन फोटो कापी-1, इन्सपैक्शन रिपोर्ट माईश इजीनियर फोटो कापी- 6 पेज, रुल माईनिंग एक्ट सत्यापित शुदा-2 पेज, सजा स्लीप-1

P-185

17. Refer Notice served (जारी किए नोटिस): No Date(दिनांक):

(Acknowledgement to be placed)(पावती

नत्थी करें):

18. Despatched on (प्रेषण की तिथि):

19. No. of enclosures (संलग्नकों की संख्या): 0

20. List of enclosures, As annexed (संलग्नकों की सूची):

Forwarded by Officer in
charge

प्रभारी अधिकारी द्वारा अद्योषित

Name (नाम): SANDEEP

Rank (पद): I (Inspector)

No. (सं.): H170

Signature of Investigating Officer submitting final
report/charge sheet

अंतिम रिपोर्ट/आरोप पत्र दाखर करने वाले जाँच अधिकारी के हस्ताक्षर

Name (नाम): rajbir

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No. (सं.): 332BWN

कर्मचारियों ने पोपलैड के हैल्पर आरोपी सुनील चौबे पुत्र कृष्णा चौबे वासी नन्दन थाना डुमराह जिला बक्सर बिहार को पेश किया जिसको सहायक उप नि. दलबीर ने मुकदमा हजा बारे पुछताछ की गई जो पुछताछ के बाद आरोपी सुनील चौबे पुत्र कृष्णा चौबे वासी नन्दन थाना डुमराह के खिलाफ सबुत काबिले गिरफ्तारी सफा मिसल पर गुजरने पर मुकदमा हजा मे नियमानुसार गिरफतार किया गया। जो आरोपी का फर्द इन्कसाफ लिखा गया। आरोपी सुनील उपरोक्त ने मुताबिक फर्द इन्कसाफ आरावली प्रतिबधित क्षेत्र डाडम मे डम्फर पत्थरो सहित थे उनके झाड़वरो के ठिकाने और पोपलैड के झाड़व के बारे मे पता करने लिए तथा मुकदमा हजा मे आरोपी से और गहनता से पुछताछ करनी है । जो आरोपी सुनील चौबे का एक दिन रिमान्ड हिरासत पुलिस हासिल किया गया । दिनांक 23/12/19 को आरोपियान संदीप पुत्र ईशवर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी लखनातपा जिला तरनताल पंजाब व रणधीर पुत्र शिशपाल वासी ढाणी डुल्ट के खिलाफ सबुत काबिले गिरफ्तारी गुजरने पर नियमानुसार गिरफतार किया गया हाईवा डम्फरो व पोपलैन्ड को कब्जा पुलिस मे लिया गया नक्सा मोका जाय बरामदगी तैयार किया गया, फर्द इन्कसाफ लिखा गया । दिनांक 24/12/19 को आरोपियान संदीप पुत्र ईशवर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी लखनातपा जिला तरनताल पंजाब व रणधीर पुत्र शिशपाल वासी ढाणी डुल्ट को पेश अदालत किया गया जो आरोपी संदीप पुत्र ईशवर वासी बागनवाला का माननीय अदालत से एक दिन का पुलिस हिरासत रिमान्ड लिया गया जो आरोपी सन्दीप को दिनांक सुतिस हिरासत रिमान्ड खत्म होने पर दिनांक 25/12/19 को पेश अदालत किया गया जिसको बन्द जिला जेल भिवानी करवाया गया । जो दिनांक 27.12.2019 को सयुक्त निरक्षण रिपोर्ट व पहाड मे रास्ता बनाने की परमिसन व मप को वन विभाग से प्राप्त किया गया वा दिनांक 04.01.2020 को ASI दलबीर सिंह ने आरोपियान द्वारा अरवली क्षेत्र मे अवैध खनन किया जा रहा था ट्रेको से खाली करके मौका पर छोड गये है उसको बजरिया फर्द कब्जा पुलिस मे लिया गया वा फोटो व CD तैयार करवाई गई वा एक्सपर्ट रिपोर्ट सहायक माईनिंग इंजिनियरिंग रिपोर्ट प्राप्त की गई वा गाडी HR 61A 1148 की वजन करवाकर पर्ची हासिल की गई वा अशोक कुमार व विवेक कुमार अशोका फोटो स्टुडियो से 65B के स्टिकिफिकेट से हासिल किये गये । पोपलैन्ड मशीन को भी कब्जा पुलिस मे लिया गया । जो दिनांक 10/01/2020 को आरोपी पोपलैन्ड चालक सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा मे पुछताछ की गई बाद पुछताछ आरोपी को सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा विधीनुसार गिरफतार किया गया जिसका दौराने गिरफ्तारी फर्द इन्कशाफ अलग से लिखा गया । जो पोपलैन्ड की मशीन की खरीद बिल की फोटो प्रति व चालक सुनील का DL फर्द कब्जा पुलिस मे लिया गया । बाद आरोपी सुनील कुमार उपरोक्त का मैडीकल परीक्षण करवाकर बन्द हवालालात थाना करवाया गया जो आरोपी सुनील पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु राजस्थान को दिनांक 11.01.2020 को पेश अदालत किया गया जो आरोपी को जिला जेल भिवानी बंद करवाया गया । अब मुकदमा हजा मे आरोपियान सुनिल चौबे पुत्र कृष्ण गांव नन्दन थाना डुमराह जिल बक्सर बिहार, रणधीर पुत्र शीशपाल वासी ढाणी डुल्ट जिला फतेहाबाद, सुनील कुमार पुत्र श्योपाल वासी ईनडाली थाना बगड जिला झुझनु , सन्दीप पुत्र ईशवर सिंह वासी बागनवाला जिला भिवानी , गुरुबाज सिंह पुत्र बलविन्द्र वासी लखनातपा जिला तरनतारन पंजाब के खिलाफ सबुत काबिले चालान सफा मिसल पर गुजरने पर मुकदमा हजा चालान तैयार करके न्यायलय मे दिया जा रहा है वा मुकदमा हजा मे आरोपी सुनीला पुत्र बलवान वासी डाडम की गिरफ्तारी बकाया है जिससे ड्रिल मशीन बरामद करनी है बाद गिरफ्तारी मुकदमा हजा मे आरोपी सुनिल पुत्र बलवान वासी डाडम के खिलाफ ततीमा चालन 1738 CrPC मे दिया जाएगा। माननीय अदालत से निवेदन है दौराने समायत गवाहन को बजरिया सम्मन तलब फरमाकर मुकदमा हजा की समायत फरमाई जाये ।

तफशिल कागजात- चालन फार्म- , असल तहरीर-1 अपराध विवरण फार्म-2, गिरफ्तारी फार्म-5, फर्द इन्कसाफ-5, फर्द मकबुजगी गाडीया मय असल RC मय बिमः फोटो प्रति-3, फर्द मकुबुजगी DL वा पोपलैन्ड मशीन का बिल-1, फर्द मकबुजगी पोपलैन्ड-1, फर्द मकबुजगी सयुक्त निरक्षण रिपोर्ट व रास्ता बनाने की परमिशन व मैप-1, सयुक्त निरक्षण रिपोर्ट-1, फर्द मकबुजगी गोवर्धन माईनस के लिज एरिया का मैप-1, लिज एरिया का मैप-9 पेज, वन विभाग रिपोर्ट-1, फर्द मकबुजगी सयुक्त निरक्षण रिपोर्ट व एर्जीमेन्ट की कापी-1, सयुक्त निरक्षण रिपोर्ट-2, पत्र भारत सरकार मय नक्शा-2+1, व गोवर्धन माईनस की फोटो कापी-27 पेज, फर्द बरामदगी पत्थर-1, फर्द मकबुजगी फोटो वा CD-1, फर्द मकबुजगी एक्सपर्ट रिपोर्ट कागजात-1, फर्द मकबुजगी खाली गाडी वजन HR 61A 1148 व पर्ची धर्मकाटा-1, फर्द मकबुजगी पर्ची धर्मकाटा-1, फर्जी धर्मकाटा-3, फर्द मकबुजगी फोटो व CD-1, फोटो घटनास्तल-16, CD-2, 65-B सर्टिफिकेट-2, सुपरदारी आदेश गाडिया आदेश अदालत-10 मय 4 फोटो, असल RC गाडी HR 61D 6014-1, असल RC गाडी HR 61D 4111-1, असल RC गाडी HR 61C 4044-1, असल DL

कर्मचारियों ने पोपलैंड के हैल्पर आरोपी सुनील चौबे पुत्र कृष्णा चौबे वासी नन्दन थाना डुमराह जिला बक्सर बिहार को पेश किया जिसको सहायक उप नि. दलबीर ने मुकदमा हजा बारे पुछताछ की गई जो पुछताछ के बाद आरोपी सुनील चौबे पुत्र कृष्णा चौबे वासी नन्दन थाना डुमराह के खिलाफ सबुत काबिले गिरफ्तारी सफा मिसल पर गुजरने पर मुकदमा हजा में नियमानुसार गिरफ्तार किया गया जो आरोपी का फर्द इन्कसाफ लिखा गया। आरोपी सुनील उपरोक्त ने मुताबिक फर्द इन्कसाफ आराजली प्रतिबन्धित क्षेत्र डाडम में डम्फर पत्थरो सहित थे उनके झाड़वरो के ठिकाने और पोपलैंड के झाड़वरो के बारे में पता करने लिए तथा मुकदमा हजा में आरोपी से और गहनता से पुछताछ करनी है। जो आरोपी सुनील चौबे का एक दिन रिमान्ड हिरासत पुलिस हासिल किया गया। दिनांक 23/12/19 को आरोपियान संदीप पुत्र ईशवर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी लखनातपा जिला तरनताल पंजाब व रणधीर पुत्र शिशपाल वासी ढाणी डुल्ट के खिलाफ सबुत काबिले गिरफ्तारी गुजरने पर नियमानुसार गिरफ्तार किया गया हाईवा डम्फरो व पोपलैंड को कब्जा पुलिस में लिया गया नक्सा मौका जाय बरामदगी तैयार किया गया, फर्द इन्कसाफ लिखा गया। दिनांक 24/12/19 को आरोपियान संदीप पुत्र ईशवर वासी बागनवाला, गुरबाज सिंह पुत्र बलविन्द्र सिंह वासी लखनातपा जिला तरनताल पंजाब व रणधीर पुत्र शिशपाल वासी ढाणी डुल्ट को पेश अदालत किया गया जो आरोपी संदीप पुत्र ईशवर वासी बागनवाला का माननीय अदालत से एक दिन का पुलिस हिरासत रिमान्ड लिया गया जो आरोपी संदीप को दिनांक पुलिस हिरासत रिमान्ड खत्म होने पर दिनांक 25/12/19 को पेश अदालत किया गया जिसको बन्द जिला जेल भिवानी करवाया गया। जो दिनांक 27.12.2019 को सयुक्त निरक्षण रिपोर्ट व पहाड में रास्ता बनाने की परमिसन व मप को वन विभाग से प्राप्त किया गया वा दिनांक 04.01.2020 को ASI दलबीर सिंह ने आरोपियान द्वारा अरवली क्षेत्र में अवैध खनन किया जा रहा था ट्रेको से खाली करके मौका पर छोड़ गये हैं उसको बजरिया फर्द कब्जा पुलिस में लिया गया वा फोटो व CD तैयार करवाई गई वा एक्सपर्ट रिपोर्ट सहायक माईनिंग इंजिनियरिंग रिपोर्ट प्राप्त की गई वा गाडी HR 61A 1148 की वजन करवाकर पर्ची हासिल की गई वा अशोक कुमार व विवेक कुमार अशोका फोटो स्टुडियो से 65B के स्टिकेट से हासिल किये गये। पोपलैंड मशीन को भी कब्जा पुलिस में लिया गया। जो दिनांक 10/01/2020 को आरोपी पोपलैंड चालक सुनील पुत्र श्योपाल वासी ईन्डाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा में पुछताछ की गई बाद पुछताछ आरोपी को सुनील पुत्र श्योपाल वासी ईन्डाली थाना बगड जिला झुझनु राजस्थान को मुकदमा हजा विधीनुसार गिरफ्तार किया गया जिसका दौरोने गिरफ्तारी फर्द इन्कशाफ अलग से लिखा गया। जो पोपलैंड की मशीन की खरीद बिल की फोटो प्रति व चालक सुनील का DL फर्द कब्जा पुलिस में लिया गया। बाद आरोपी सुनील कुमार उपरोक्त का मैडीकल परीक्षण करवाकर बन्द हवालात थाना करवाया गया जो आरोपी सुनील पुत्र श्योपाल वासी ईन्डाली थाना बगड जिला झुझनु राजस्थान को दिनांक 11.01.2020 को पेश अदालत किया गया जो आरोपी को जिला जेल भिवानी बंद करवाया गया। अब मुकदमा हजा में आरोपियान सुनील चौबे पुत्र कृष्ण गांव नन्दन थाना डुमराह जिला बक्सर बिहार, रणधीर पुत्र शीशपाल वासी ढाणी डुल्ट जिला फतेहाबाद, सुनील कुमार पुत्र श्योपाल वासी ईन्डाली थाना बगड जिला झुझनु, सन्दीप पुत्र ईशवर सिंह वासी बागनवाला जिला भिवानी, गुरुबाज सिंह पुत्र बलविन्द्र वासी लखनातपा जिला तरनतारन पंजाब के खिलाफ सबुत काबिले चालान सफा मिसल पर गुजरने पर मुकदमा हजा चालान तैयार करके न्यायलय में दिया जा रहा है वा मुकदमा हजा में आरोपी सुनील पुत्र बलवान वासी डाडम की गिरफ्तारी बकाया है जिससे ड्रिल मशीन बरामद करनी है बाद गिरफ्तारी मुकदमा हजा में आरोपी सुनील पुत्र बलवान वासी डाडम के खिलाफ ततीमा चालन 1738 CrPC में दिया जाएगा। माननीय अदालत से निवेदन है दौरोने रागायत गवाहन को बजरिया सम्मन तलब फरमाकर मुकदमा हजा की समायत फरमाई जाये।

तफशिल कागजात- चालन फार्म-

, असल तहरीर-1 अपराध विवरण फार्म-2, गिरफ्तारी फार्म-5, फर्द इन्कसाफ-5, फर्द मकबुजगी गाडीया मय असल RC मय बिमा फोटो प्रति-3, फर्द मकबुजगी DL वा पोपलैंड मशीन का बिल-1, फर्द मकबुजगी पोपलैंड-1, फर्द मकबुजगी सयुक्त निरक्षण रिपोर्ट व रास्ता बनाने की परमिशन व मैप-1, सयुक्त निरक्षण रिपोर्ट-1, फर्द मकबुजगी गोवर्धन माईनस के लिज एरिया का मैप-1, लिज एरिया का मैप-9 पेज, वन विभाग रिपोर्ट-1, फर्द मकबुजगी सयुक्त निरक्षण रिपोर्ट व एर्जामेन्ट की कापी-1, सयुक्त निरक्षण रिपोर्ट-2, पत्र भारत सरकार मय नक्शा-2+1, व गोवर्धन माईनस की फोटो कापी-27 पेज, फर्द बरामदगी पत्थर-1, फर्द मकबुजगी फोटो व CD-1, फर्द मकबुजगी एक्सपर्ट रिपोर्ट कागजात-1, फर्द मकबुजगी खाली गाडी वजन HR 61A 1148 व पर्ची धर्मकाटा-1, फर्द मकबुजगी पर्ची धर्मकाटा-1, पर्ची धर्मकाटा-3, फर्द मकबुजगी फोटो व CD-1, फोटो घटनास्तल-16, CD-2, 65-B सर्टिफिकेट-2, सुपरवरी आर.ए. गाडियन आदेश अदालत-10 मय 4 फोटो असल RC गाडी HR 61D 6014-1, असल RC गाडी HR 61C 4044-1, असल DL

सुनिल पुत्र श्योपाल-1, ब्यान पुर्ण- ,इन्सॉरेंस गाडी न0 HR 61D 1411-4 पेज, इन्सॉरेंस फोटो प्रति गाडी न0 HR 61C 4044-1, वा इन्सॉरेंस गाडी न0 HR 61D 1411-1, बिल पोपलैन्ड मशीन फोटो कापी-1, इन्सपैक्शन रिपोर्ट माईश इजीनियर फोटो कापी- 6 पेज, रुल माईनिंग एक्ट सत्यापित शुदा-2 पेज, सजा स्लीप-1

17. Refer Notice served (जारी किए नोटिस): No Date(दिनांक):
(Acknowledgement to be placed)(पावती नत्थी करें):

18. Despatched on (प्रेषण की तिथि):

19. No. of enclosures (संलग्नकों की संख्या): 0

20. List of enclosures, As annexed (संलग्नकों की सूची):

Forwarded by Officer in charge

प्रभारी अधिकारी द्वारा अद्योचित

Name (नाम): SANDEEP

Rank (पद): I (Inspector)

No. (सं.): H170

Signature of Investigating Officer submitting final report/charge sheet

अंतिम रिपोर्ट/आरोप पत्र दायर करने वाले जांच अधिकारी के हस्ताक्षर

Name (नाम): rajbir

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No. (सं.): 332BWN

Forwarded

Manoj
DSP Swami
01.03.2021

थाना तोशाम

जिला भिवानी

मुकदमा न० 587 दिनांक 23.12.19 धारा 379 IPC 21(1) OF MINES AND MINERALS
(DEVELOPMENT AND REFULATION) ACT 1957 थाना तोशाम

गवाहन सुचि

- | | |
|--|--|
| 1. जयप्रकाश वन राजिक अधिकारी तोशाम मो. 9813686550 | मुकदमा मुदई |
| 2. ओमप्रकाश ASI थाना तोशाम | FIR बारे |
| 3. SPO हरकेश 387 थाना तोशाम मो.न. 8307271741 | फर्द इन्कसाफ बारे |
| 4. सिपाही नरेन्द्र 370 थाना तोशाम मो.न. 9416466155 | फर्द इन्कसाफ व बरामदगी बारे |
| 5. SPO प्रताप 61 थाना तोशाम मो.न. 8295635233 | फर्द इन्कसाफ व बरामदगी बारे |
| 6. विपिन कुमार सिंह DFO भिवानी मो. 9650992152 | सयुक्त निरिक्षण रिपोर्ट बारे |
| 7. राजेस कुमार खनन निरिक्षण मो. 9416610473 | सयुक्त निरिक्षण रिपोर्ट वा एग्रीमैन्ट कापी |
| कापी बारे | |
| 8. महेन्द्र सिंह वन दरौगा मो. 8059332200 | बरामदगी बारे |
| 9. रविन्द्र यादव वन रक्षक तोशाम मो. 9728576185 | बरामदगी बारे |
| 10. पवन कुमार D-GROUP वन विभाग तोशाम मो . 9812721916 | बरामदगी बारे |
| 11. सिपाही रवि कुमार 368 थाना तोशाम मो . 8814012702 | बरामदगी बारे |
| 12. प्रमोद पुत्र गोकल चन्द वासी खानक कृष्ण धर्मकांटा खानाक | पर्ची धर्मकांटा बारे |
| 13. विवेक पुत्र अशोक वासी वार्ड न० 2 तोशाम अशोका फोटो स्टुडियो तोशाम मो.न. 8572070807 | फोटो व CD बारे |
| | तफतीश बारे |
| 14. दलबीर सिंह ASI न० 04 थाना तोशाम मो.न. | |
| 15. SPO रामअवतार 133 पुलिस लाईन भिवानी | |
| 16. अशोक पुत्र जमनुराम वासी वार्ड न० 2 तोशाम मो.न. 9255124349 | फोटो व CD बारे |
| 17. रविन्द्र सिंह ठाकरान माईनिंग एक्सपर्ट भिवानी | रिपोर्ट बारे |
| 18. धर्मबीर पुत्र कृष्ण वासी किरावड | |
| 19. सुनील पुत्र बलवान वासी डाडम गाडी सुपरदार HR 61C 4044 मो.न. 9728554000 | गाडी सुपरदार |
| 20. अनिल कुमार पुत्र ज्ञानचन्द वासी बवानी खेडा गाडी सुपरदार HR 61D 1411 फो.न. 9992012088 | गाडी सुपरदार |
| | |
| 21. ओमप्रकाश पुत्र रामेश्वर दाश वासी सिवानी रोड तोशाम गाडी सपरदार HR 61D 6014 मो.न. | |
| | 9416265630 गाडी सुपरदार |
| 22. योगेन्द्र पुत्र श्रीराम वासी कलोठ कंला सुरजगढा राज० सुपरदार पोपलैन्ड मशीन. | |
| | मो.न 9992800096 पोपलैन्ड सुपरदार |
| 23. INSP/SHO सन्दीप H/170 थाना तोशाम मो. 8814011417 | चालान बारे |



प्रबधक अफसर

थाना तोशाम

दिनांक 31.10.2020

Supplement

FINAL FORM / REPORT
अंतिम फार्म/रिपोर्ट
(Under Section 173 Cr.P.C.)
(दण्ड प्रक्रिया संहिता धारा 173 के अन्तर्गत)

P-190

IN THE COURT OF SH. JOGENDER SINGH SDJM TOSHAM (के न्यायालय में)

1. District (जिला): BHIWANI

P.S. (थाना): TOSHAM

Year (वर्ष): 2019

FIR No. (प्र.सू.रि. सं.): 0587

Date (दिनांक): 23/12/2019

2. Final Report / Charge Sheet No. (अंतिम रिपोर्ट/आरोप पत्र संख्या.):
1A

3. Date (दिनांक): 28/03/2021

4. S.No. (क्र.सं.)	Act (अधिनियम)	Sections (धाराएँ)
1	MINES AND MINERALS (REGULATION OF DEVELOPMENT) ACT 1957	21(1)
2	IPC 1860	379

5. Type of Final Form/Report (अंतिम फार्म/रिपोर्ट का प्रकार): CHARGE SHEET

6. If FR Unoccurred (यदि अंतिम रिपोर्ट अघटित):

7. If Charge sheet (यदि आरोप पत्र दाखिल किया): Supplementary

8. Name of I.O. at the time of charge sheet (आरोप पत्र दाखिल करते समय जाँच अधिकारी का नाम): rajbir



Rank (पद): Asst. SI (Assistant Sub-Inspector)

No. (सं.): 332BWN

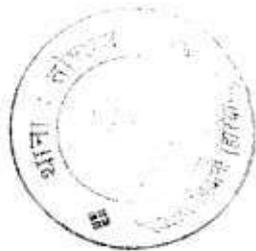
9. (a)(क) Name of complainant / Informant (शिकायतकर्ता/इत्तिला देने वाले का नाम): जयप्रकाश

(b)(ख) Father's/Husband's Name (पिता/पति का नाम):

10. Details of Properties/Articles/Documents recovered/seized during investigation and relied upon (जाँच के दौरान बरामद/जब्त सम्पत्ति/वस्तु/दस्तावेज का विवरण जिन्हें आधार बनाया गया हो):

S. No. क्र.सं.	Property description सम्पत्ति का विवरण	Estimated value (In Rs.) अनुमानित मूल्य (रु.में)	P.S. Property Register No. थाना सम्पत्ति रजिस्टर सं.	From whom/ where recovered or seized कहाँ/किससे जब्त अथवा बरामद की गई	Disposal निराकरण
1	OTHERS				
2	OTHERS				

11. Particulars of accused persons charge-sheeted (आरोप पत्र दाखिल अभियुक्तों का विवरण):



12. Particulars of accused persons - not charge sheeted (suspect) (आरोप पत्र दाखिल न किए गए (संदिग्ध) अभियुक्तों का विवरण):

S. No. (क्र.सं.): 1

(i) Name (नाम): सुनिल

Whether verified (क्या सत्यापित है?) Yes

(ii) Father's Name (पिताका नाम): बलवान

(iii) Date/Year of birth (जन्मतिथि/वर्ष): /

(iv) Sex (लिंग): Male

(v) Nationality (राष्ट्रीयता): INDIA

(vi) Passport No. (पासपोर्ट सं.):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग): GENERAL

(ix) Occupation (व्यवसाय):

(x) Address (पता):



S. No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	Present Address	डाडम, BHIWANI, HARYANA, INDIA
2	Permanent Address	डाडम, BHIWANI, HARYANA, INDIA

Whether verified (क्या सत्यापित है?): Yes

(xi) Suspicion approved (संदेह अनुमोदित):

(xii) Status of the accused (suspect) (अभियुक्त (संदिग्ध) की स्थिति): NOT ARRESTED

(xiii) Under Acts & Sections (अधिनियम एवं धाराएँ):

(xiv) Any Special remarks including reasons for not charge sheeting (आरोपपत्र दाखिल न करने के

कारण सहित कोई विशेष

अभ्युक्ति) :

P-193

सुनिल मुकदमा हजा मे निर्दोश पाया गया है ।



13. Particulars of witnesses to be examined (पूछताछ किए जाने वाले गवाहों का विवरण):
गवाहन सूचि चालान के साथ लफ हैं ।

14. If FR is false (F.R. false), indicate action taken or proposed to be taken u/s 182/211 I.P.C
(यदि अन्तिम रिपोर्ट झूठी है तो भा.द.सं. की धारा 182/211 के अन्तर्गत की गई अथवा प्रस्तावित कार्रवाई का विवरण):

15. Result of Laboratory analysis (प्रयोगशाला में किए गए विश्लेषण का परिणाम):

16. Brief facts of the case (मामले से संबंधित संक्षिप्त तथ्य):



श्रीमान् जी,

हालात मुकदमा इस प्रकार है कि दिनांक 23.12.19 को एक पत्र क्रमांक 512 दिनांक 23.12.19 FOREST DEPARTMENT GOVT. OF HARYANA O/o RANGE FOREST OFFICE, TOSHAM थाना में प्राप्त हुआ जो इस प्रकार से है सेवा में प्रबन्धक पुलिस थाना तोशाम । विषय- डाडम पहाड में अरावली क्षेत्र में खनन व पत्थर चोरी बारे रिपोर्ट करना । उपरोक्त विषय के सम्बन्ध में आपको सूचित किया जाता है कि दिनांक 22/12/2019 को श्री रविन्द्र यादव व 0 र0 ईन्चार्ज सरल बीट का दुरभाष रात को लगभग 9 बजे प्राप्त हुआ उस द्वारा बताया गया कि डाडम पहाड में अवैध खनन हो रहा है तो निम्नहस्ताक्षरी द्वारा तुरन्त श्री महेन्द्र सिंह वन दरोगा ईन्चार्ज सरल ब्लोक, श्री राज कुमार रक्षक ईन्चार्ज टाणी माहू बीट, श्री रविन्द्र यादव वन रक्षक ईन्चार्ज सरल बीट व थाना तोशाम से पुलिस कर्मचारियों के साथ मौका पर पहुंचा तो ट्रक Truck जिसका पंजीकरण सख्या एच0आर061सी0 4044 पत्थरो भरा खडा छोडकर ड्राईवर भाग गया और एच0आर061डी0 1411 व एच0आर061डी 6014 पौपलैड व ड्रिल मशीन जिनकी सहायता से अरावली वन क्षेत्र में अवैध खनन किया जा रहा था छोड कर भाग गये । मौका पर एक आदमी पकडा गया उसने नाम बताने से इनकार कर दिया । रिपोर्ट आपकी सेवा में FIR दर्ज करने हेतु प्रेषित है वन राजिक अधिकारी तोशाम SD JAI PARKASH 23/12/2019 MOB. 98136866550 अज थाना हस्ब दरखास्त के मजबुन से मामला सुरत जुर्म जेर धारा 379 IPC 211 OF MINES AND MINERALS DEVELOPMENT AND REFULATION ACT 1957 का सरजद होना पाया जाने पर मुकदमा नम्बर 587 दिनांक 23.12.19 धारा 379 IPC 211 OF MINES AND MINERALS DEVELOPMENT AND REFULATION ACT 1957 थाना तोशाम में दर्ज रजिस्टर किया जाकर मुकदमा हजा की तफतीश ASI दलबीर 04 द्वारा अमल में लाई जा रही है। मुकदमा हजा में घटनास्थल का मौका मुलाहजा व ब्यानात गवाहन लिखे गये। जो मौका पर मुकदमा मुदई जयप्रकाश वन राजिक अधिकारी ने व उसके साथ अन्य कर्मचारियों ने पौपलैड के हैल्पर आरोपी सुनील चौबे पुत्र कृष्णा चौबे वासी नन्दन थाना डुमराह जिला बक्सर

17. Refer Notice served (जारी किए नोटिस): No Date(दिनांक):
(Acknowledgement to be placed)(पावती
नत्थी करें):

18. Despatched on (प्रेषण की तिथि):

19. No. of enclosures (संलग्नकों की संख्या): 0

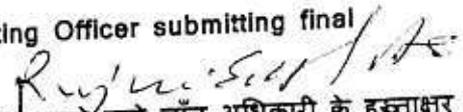
20. List of enclosures, As annexed (संलग्नकों की सूची):

Forwarded by Officer in
charge 
प्रभारी अधिकारी द्वारा अग्रेषित

Name (नाम): Jai singh

Rank (पद): I (Inspector)

No. (सं.): 217H

Signature of Investigating Officer submitting final
report/charge sheet 
अंतिम रिपोर्ट/आरोप पत्र दायर करने वाले जाँच अधिकारी के हस्ताक्षर

Name (नाम): rajbir

Rank (पद): Asst. SI (Assistant Sub-Inspector)

No. (सं.): 332BWN



वन विभाग, हरियाणा सरकार
कार्यालय उप वन संरक्षक, भिवानी

महम रोड, विद्या नगर, भिवानी दूरभाष नं० 01824-242430 ई-मेल dfo.bhiwani@yahoo.com

क्रमांक / 649

दिनांक / 30/06/2021

सेवा में

क्षेत्रीय अधिकारी,
हरियाणा राज्य प्रदूषण नियंत्रण बोर्ड,
भिवानी क्षेत्र।

विषय : Regarding compliance of Hon'ble NGT order dated 02.06.2021 in
OA No. 132/2020 titled as Rakesh Dalal Vs. State of Haryana.
संदर्भ : आपका पत्र क्रमांक 393 दिनांक 26.06.2021.

उपरोक्त विषय से सम्बन्ध में आपको सूचित किया जाता है कि इस वन मण्डल का वर्ष 2021-22 के दौरान किये जाने वाले पौधारोपण कार्यों का Annual Plan Operation फाइनल हो चुका है। अतः वर्ष 2022-23 में इस क्षेत्र को पौधारोपण हेतु ले लिया जायेगा। इसके अतिरिक्त आपको यह भी सूचित किया जाता है कि वन विभाग, खनन विभाग, प्रदूषण नियंत्रण बोर्ड, पुलिस तथा राजस्व विभाग द्वारा समय-2 पर संयुक्त निरीक्षण किया जाता है ताकि कोई अवैध खनन ना हो।

रिपोर्ट आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

V.K. Singh
उप वन संरक्षक,
भिवानी।

प्रतिकांक /

दिनांक /

इसकी एक प्रति अतिरिक्त उपायुक्त, भिवानी की सेवा में उक्त संदर्भ में सूचनार्थ प्रेषित है।

हस्ता
उप वन संरक्षक,
भिवानी।

वन विभाग, हरियाणा सरकार
कार्यालय उप वन संरक्षक, भिवानी

महम रोड़, विद्या नगर, भिवानी दूरभाष नं० 01664-242430, ई-मेल : dfo.bhiwani@yahoo.com

कमांक/ 649

दिनांक/ 30/06/2021

सेवा मे

क्षेत्रीय अधिकारी,
हरियाणा राज्य प्रदूषण नियंत्रण बोर्ड,
भिवानी क्षेत्र।

विषय : Regarding compliance of Hon'ble NGT order dated 02.06.2021 in
OA No. 132/2020 titled as Rakesh Dalal Vs. State of Haryana.
संदर्भ : आपका पत्र कमांक 393 दिनांक 26.06.2021.

उपरोक्त विषय के सम्बन्ध में आपको सूचित किया जाता है कि इस वन मण्डल का वर्ष 2021-22 के दौरान किये जाने वाले पौधारोपण कार्यों का Annual Plan Operation फाईनल हो चुका है। अतः वर्ष 2022-23 में इस क्षेत्र को पौधारोपण हेतू ले लिया जायेगा। इसके अतिरिक्त आपको यह भी सूचित किया जाता है कि वन विभाग, खनन विभाग, प्रदूषण नियंत्रण बोर्ड, पुलिस तथा राजस्व विभाग द्वारा समय-2 पर संयुक्त निरीक्षण किया जाता है ताकि कोई अवैध खनन ना हो।

रिपोर्ट आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतू प्रेषित है।

उप वन संरक्षक,
भिवानी।

पृ०कमांक/ 650

दिनांक/ 30/06/2021

इसकी एक प्रति अतिरिक्त उपायुक्त, भिवानी की सेवा में उक्त संदर्भ में सूचनार्थ प्रेषित है।

उप वन संरक्षक,
भिवानी।

No. 44243/1-W

Dated 30/06/2021

To

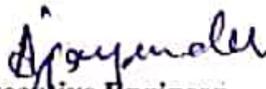
- 1) The Regional Officer,
Haryana State Pollution Control Board,
Bhiwani.

Subject:- Regarding compliance of Hon'ble NGT order dated 02.06.2021 in OA No. 132/2020 titled as Rakesh Dalal V/S State of Haryana.

Reference:- NGT order dated 02.06.2021 & your office letter No. HSPCB/BHI/2021/395 dated 26.06.2021 & Meeting held your good self on dated 30.06.2021.

In this matter, it is informed that Dadam Disty. from RD 21100 to 22800 is not existing and the land over which the channel was constructed, is also mined away. However, to comply the directions of Hon'ble NGT, adjoining land will be explored to find alternate means of irrigation for the tail end farmers.

This is for your information and necessary action please.


Executive Engineer,
Jui W/S Division,
Bhiwani.

- Cc:-1.** Chief Engineer, YWS (N) I&WRD Panchkula for information and necessary action please.
2. Deputy Commissioner, Bhiwani for information and necessary action please.
 3. Superintending Engineer, YWS Circle Bhiwani for information and necessary action please.
 4. Additional Deputy Commissioner, Bhiwani for information and necessary action please.
 5. Mining Officer, Bhiwani for information and necessary action please.
 6. Executive Engineer, Panchayati Raj, Bhiwani for information and necessary action please.
 7. SDO, Nigana W/S Sub Division, Bhiwani to explore all possible means to supply the canal water to tail end farmers and report be submitted with supporting facts on priority.

From

Mining Officer
Deptt.of Mines & Geology,
Bhiwani.

To

Haryana State Pollution Control Board,
Bhiwani.

Memo No.BWN/Mining/ 3057

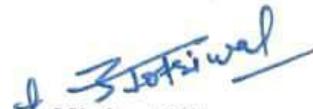
Date:- 29-06-2021

Sub:- Regarding compliance of Hon'ble NGT order dated 02.06.2021 in OA No. 132/2020 titled as Rakesh Dalal Vs State of Haryana

Kindly refer to your office Memo No.HSPCB/BHI/2021/397 dated 26.06.2021 on the subject cited above.

In this connection it is intimated that the maximum depth of the mining pit is found 109 meter from the surface level. This pit is very old and mining work is close in this pit. The team of District Level Task Force Committee are visit/inspect the mine from time to time some report are attached herewith. There were 10 number of pits dug within the lease hold area. This is for your kind information & necessary action please.

Encl:- As above


**Mining Officer,
Deptt.of Mines & Geology,
Bhiwani.**

आपके आदेशानुसार आज दिनांक 21-5-2021 को डाडम खनन क्षेत्र का संयुक्त निरीक्षण किया गया। निरीक्षण के दौरान डाडम खनन क्षेत्र के सभी जीज पिल्लरों को WPS के इवारा चैक किया गया जो मौके पर सही पाये गए तथा नामों पर लगे प्लेटों को चैक किया गया जो सही पल रहे थे। नामों पर लगे धर्ममांटा को चैक किया गया जो मौके पर सही पाये गये। निरीक्षण के दौरान पहाड़ से निकलने वाली गाड़ियों के ए-खाना बिना चैक किये गए कोई भी वाहन बिना ए-खाना के नहीं पाई गई। मौके पर कोई अवैध खनन होता नहीं पाया गया।

रिपोर्ट आपकी सेवा में उचित है।

1. वन विभाग *Praymod Sr.* Mahimdu Sr.
 2. जिला परिवहन विभाग *Neeraj Singh* G. ललीत सिंह Sr.
 3. खनन व भूगर्भ विभाग *Stokhwal*
 4. पर्यावरण विभाग *M.I.* *Rajendra Singh*
- Vijay

नॉम्बर 19/3/2021 को उपमंडल अधिकारी, लोहागंज के आदेशानुसार डाइम पहाड़ क्षेत्र के लीज फिल्टर चेंक करने के लिए संयुक्त निरीक्षण किया गया। मौके पर सभी फिल्टर सही पाये गये तथा किसी प्रकार का कोई अवैध खनन नहीं पाया गया। सभी फिल्टरों को WPS से चेंक किया गया तथा उनके मॉनिटर सही पाये गये।

रिपोर्ट आपकी सेवा में उपरि है।

- | | |
|--|----------------------|
| 1. Baljit Singh SDE PWD B&R Toshan | <u>Baljit</u> |
| 2. Anshul Kadam SDO Migration | <u>AK</u> |
| 3. Jai Pralad Dalhi R.F.O. Forest | <u>JPD</u> |
| 4. Sonu Mining Inspector Mines & Geology | <u>Sonul</u> |
| 5. R.K Bhonsle RO, H SPCh, Bhinani | <u>RKB</u> 19/3/2021 |

MS
22/3/2021
mc/2021