



**HARYANA STATE POLLUTION CONTROL BOARD**  
 Star Complex, Opp. General Hospital, Delhi Road, Sonipat  
 Ph. - 0130-2236119, E-mail ID: - [hspcbrosr@gmail.com](mailto:hspcbrosr@gmail.com)



No. HSPCB/SR/2023/ 945

Dated : 20/7/2023

To

The Registrar,  
 National Green Tribunal,  
 New Delhi

**Sub. Action Taken Report in compliance of NGT order dated 17.04.2023 in the matter of O.A. No. 269/2023 titled as Munish Vs Haryana State Pollution Control Board & Ors.**

Ref. Hon'ble NGT order dated 17.04.2023.

In this connection, please find enclosed herewith the Action Taken Report in compliance of NGT order dated 17.04.2023 in the matter of O.A. No. 269/2023 titled as Munish Vs Haryana State Pollution Control Board & Ors. Present report is submitted through Haryana State Pollution Control Board for kind consideration of the Hon'ble Tribunal and request is made to grant 06 weeks time to submit further report through Joint Committee.

DA/ Copy of Action Taken Report.

Regional Officer,  
 Sonipat Region.

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 269/2023

In the matter of

Munish

...Applicant

Versus

Haryana State Pollution Control Board & Ors.

...Respondent

Index

Sr. No.	Particular	Page No
1.	Action taken report in compliance of Hon'ble NGT (Principal Bench) order dated 17.04.2023 in the matter of O.A. No. 269/2023 titled as Munish Vs Haryana State Pollution Control Board & Ors.	1-4
2.	<b>Annexure-R-1</b> (Copy of the Hon'ble NGT order dated 17.04.2023)	5-7
3.	<b>Annexure-R/2</b> (Letter dated 17.03.2023 served to Mining Officer, Sonipat	8

↓  
Regional Officer,  
HSPCB, Sonipat

Dated: 20.07.2023

Place: Sonipat

**Action taken report in compliance of Hon'ble NGT (Principal Bench) order dated 17.04.2023 in the matter of O.A. No. 269/2023 titled as Munish Vs Haryana State Pollution Control Board & Ors.**

**Introduction:**

As per the order of Hon'ble NGT dated 17.04.2023 in the matter of O.A. No. 269/2023 titled as Munish Vs. Haryana State Pollution Control Board & Ors, a Grievance in this application that is against illegal mining by M/s Ultimate Group, Tehsil Gannaur, District Sonipat, Haryana, the Project Proponent (PP). According to the applicant, the PP is operating sand quarries at Gyaspur – Rasulpur Sand Unit and extracting sand from Yamuna beyond permissible quantity, to the extent of 40 feet, which has resulted in change of course of Yamuna. The project was commissioned on 30.04.2018 and is continuing without consent to operate since 30.09.2022. In the course of mining, several illegalities have been conducted. The State PCB has refused to renew the consent and also passed order of closure under Sections 33A of the Water (Prevention and Control of Pollution) Act, 1974 and 31 of the Air (Prevention and Control of Pollution) Act, 1981. Violation of EC conditions has been reported to SEIAA Haryana by the State PCB vide letter dated 21.3.2023 as follows:

- “1. Unit was operating without valid CTO under Water Act, 1974 and Air Act, 1981 from the Board, thus violating the condition of environmental clearance.
2. Not submitted six monthly compliance report of the environmental clearance conditions.
3. Not submitted the report of Replenishment study of the mining in the River bed as per environmental clearance condition.
4. Not submitted copy of reports of regularly Monitoring of Ground Water level and quality have to 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 have to be carried out four times in a year: Premonsoon (April-May), Monsoon (August), Post monsoon (November) and winter (January) and the data collected may be sent regularly to the ministry of Environment, Forest & Climate Change, its Regional Office Chandigarh, Central Ground water authority Regional Director, Ground Central Water Board, State Pollution Control Board and Central Pollution Control Board, but unit has not submitted the reports to HSPCB Sonapat.

5. *Not submitted copy of data on ambient air quality which will 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 but date wise data along with Analysis reports has not been submitted for PM10, PM2.5, SO2 & NOx.*
6. *Not submitted copy of the Environment statement for the preceding year."*

The Hon'ble NGT has constituted a joint Committee comprising of representative of SEIAA Haryana, State PCB and District Magistrate, Sonipat may furnish a factual and action taken report within two months. The State PCB will be the nodal agency for coordination and compliance.

A copy of the Hon'ble NGT order dated 17.04.2023 is annexed as **Annexure-R-1**.

In compliance to the aforesaid order of Hon'ble NGT, a joint committee comprising of following members inspected the site on 15.05.2023:

1. Sh. Pardeep Kumar, IAS, Member Secretary, SEIAA.
2. Sh. Lalit Siwach, Deputy Commissioner, Sonipat
3. Sh. Deepak Hooda, State Geologist, Mines & Geology Department, Panchkula.
4. Sh. Kamaljit Singh, Regional Officer, HSPCB, Sonipat
5. Sh. Ravinder Yadav, AEE, Regional Office, Sonipat

M/s Ultimate Group, Village – Gyaspur, Tehsil Gannaur, District Sonipat, Haryana has obtained mining contract for extraction of sand comprising area of 35.00 hectares (23.60 hectares falling in Gyaspur/Rasulpur the riverbed and 11.40 hectares of area falling outside river bed). The highest bid was accepted and LOI was issued in the favour unit on 20.04.2016. The MoEF&CC, Govt. of India after examining the proposal accorded the environmental clearance for mining of sand with the production capacity of 12,67,700 MT per annum from 35.00 hectare of river bed area. The unit has obtained Environmental Clearance (EC) vide No. 27.06.2016 from State Environment Impact Assessment Authority (SEIAA), Panchkula, Haryana. After obtaining Consent to Operate from the Board unit had started mining operation w.e.f. 06.07.2016.

Findings /Observations during inspection conducted on 15.05.2023:

- a) The mining site was inspected alongwith team constituted by Hon'ble NGT, during the site inspection, mining activities were not in operation.
- b) During inspection, it has been observed that the mining activities were done outside the lease area allotted to the unit and as per site conditions it was observed that the unit has extracted sand from Yamuna beyond permissible quantity, however, mining department carried out the survey of the site and report of survey conducted by mining department is awaited.
- c) Consent to Operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 was obtained by the unit upto 30.09.2022 from Haryana State Pollution Control Board, but Consent to Operate applied by the unit for renewal was refused on 21.08.2022 by the Board due to non-submission of complete documents and requisite fees for consent under Water Act and Air Act.
- d) The unit was inspected on 23.11.2022, during inspection unit was found operational without valid CTO from the Board. CTO was refused vide No. 29649884 dated 17.11.2022 and vide No. 30999360 dated 26.12.2022. CTO were refused due to certain shortcomings including the following:-
- i. Not submitted compliance of refusal of previous CTO.
  - ii. Neither submitted sampling fees, nor submitted latest analysis reports of ground water monitoring as well as Ambient Air Monitoring for PM10, PM2.5, SO2 & NOx from the Board lab (not more than 3 months old).
  - iii. Not submitted six monthly compliance report of the E.C conditions.
  - iv. Not submitted copy of reports of regularly Monitoring of Ground Water level and quality have to 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 have to be carried out four times in a year: Pre-monsoon (April-May), Monsoon (August), Post monsoon (November) and winter (January) and the data collected may be sent regularly to the ministry of Environment, Forest & Climate Change, its Regional Office Chandigarh, Central Ground water authority Regional Director, Ground Central Water Board, State Pollution Control Board and Central Pollution Control Board, but unit has not submitted the reports to HSPCB Sonapat.
  - v. Not submitted copy of data on ambient air quality which will 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 but date wise data along with Analysis reports has not been submitted for PM10, PM2.5, SO2 & NOx.

- vi. Not submitted copy of the Environment statement for the preceding year.
- e. Show Cause Notice was issued to the unit vide letter no. HSPCB/SR/2023/5226 dated 16.01.2023 but no reply has been received from the unit. Hence, recommendation to issue directions for closure and disconnection of services against the unit has been sent to Head Office and closure order has been issued against the unit on 16.03.2023. Letter dated 17.03.2023 was served to Mining Officer, Sonipat to stop mining activity and issuance of E-ravaana (ANNEXURE-R/2). Thereafter, mining is not in operation. Moreover, recommendation of proposed Environmental Compensation of Rs. 33,60,000/- and sanction of prosecution has been sent by Regional Office, HSPCB, Sonipat to Head Office, HSPCB.

**Recommendations:-**

- a) The unit should not start mining activities without obtaining Consent to Operate under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 from Haryana State Pollution Control Board.
- b) The unit should comply the terms and conditions of Environmental Clearance granted to the unit for mining activities.
- c) The Mines and Geology Department should submit its survey report separately ascertaining extent of illegal mining.

Present report is being filed by the Joint Committee through Haryana SPCB, for the consideration of Hon'ble National Green Tribunal. Further report shall be submitted through Joint Committee within 06 weeks on all issue after receiving survey report from the Mines & Geology Department.

Regional Officer,  
HSPCB, Sonipat  
Regional Office,  
Haryana State Pollution Control Board  
Sonapat Region, Sonapat

Item No. 05

Court No. 1

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

Original Application No. 269/2023

Munish

Applicant

Versus

Haryana State Pollution Control Board &amp; Ors.

Respondent(s)

Date of hearing: 17.04.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Ram Naresh Yadav and Mr. N.P. Singh, Advocates for Applicant

**ORDER**

1. Grievance in this application is against illegal mining by M/s Ultimate Group, Tehsil Gannaur, District Sonapat, Haryana, the Project Proponent (PP). According to the applicant, the PP is operating sand quarries at Gyaspur – Rasulpur Sand Unit and extracting sand from Yamuna beyond permissible quantity, to the extent of 40 feet, which has resulted in change of course of Yamuna. The project was commissioned on 30.04.2018 and is continuing without consent to operate since 30.09.2022. In the course of mining, several illegalities have been conducted. The State PCB has refused to renew the consent and also passed order of closure under Sections 33A of the Water (Prevention and Control of Pollution) Act, 1974 and 31 of the Air (Prevention and Control of Pollution) Act, 1981. Violation of EC conditions has been reported to SEIAA Haryana by the State PCB vide letter dated 21.3.2023 as follows:

1. Unit was operating without valid CTO under Water Act, 1974 and Air Act, 1981 from the Board, thus violating the condition of environmental clearance.
2. Not submitted six monthly compliance report of the environmental clearance conditions.
3. Not submitted the report of Replenishment study of the mining in the River bed as per environmental clearance condition.
4. Not submitted copy of reports of regularly Monitoring of Ground Water level and quality have to 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 have to be carried out four times in a year: Pre-monsoon (April-May), Monsoon (August), Post monsoon (November) and winter (January) and the data collected may be sent regularly to the ministry of Environment, Forest & Climate Change, its Regional Office Chandigarh, Central Ground water authority Regional Director, Ground Central Water Board, State Pollution Control Board and Central Pollution Control Board, but unit has not submitted the reports to HSPCB Sonapat.
5. Not submitted copy of data on ambient air quality which will 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 but date wise data along with Analysis reports has not been submitted for PM10, PM2.5, SO<sub>2</sub> & NO<sub>x</sub>.
6. Not submitted copy of the Environment statement for the preceding year."

2. In view of above, a joint Committee of SEIAA Haryana, State PCB and District Magistrate, Sonipat may furnish a factual and action taken report within two months from today by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The State PCB will be nodal agency for coordination and compliance. A copy of the report may also be furnished to the PP for its response, if any, before the next date. The report may specify the action taken in terms of stopping illegal activity, initiating prosecution and recovery of compensation on "Polluter Pays" principle.

List for further consideration on 21.07.2023.

A copy of this order be forwarded to SEIAA Haryana, State PCB and District Magistrate, Sonipat by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

April 17, 2023  
Original Application No. 269/2023  
DV

**HARYANA STATE POLLUTION CONTROL BOARD**

Star Complex, Opp. General Hospital, Delhi Road, Sonipat  
Ph. - 0130-2236119, E-mail ID: - [hspcbrostr@gmail.com](mailto:hspcbrostr@gmail.com)

No. HSPCB/SR/2023/5912

Dated: 17/3/2023

To

The Mining Officer,  
Mining and Geology Department,  
Sonipat

Sub. Regarding closure order issued against M/s Ultimate Group, Sand Minor Quarries of Gyaspur Rasulpur sand unit, Gannaur, Sonipat.

Ref. Closure order issued by HSPCB vide order No. I/156740/2023 dated 16.03.2023.

In this connection, it is submitted that closure order of M/s Ultimate Group, Sand Minor Quarries of Gyaspur Rasulpur sand unit, Gannaur, Sonipat has been issued by the Chairman, Haryana State Pollution Control Board, Panchkula vide order No. I/156740/2023 dated 16.03.2023 (copy enclosed) for non compliance of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

In view of above, you are hereby asked to stop the E-Ravaana and ensure that no mining activities shall carry out by the unit till issuance of suspension of closure orders.

It is submitted for your kind information and further necessary action, please.

DA/Copy of Closure order

*[Signature]*  
Regional Officer,  
Sonipat Region

s/c

Endst. No. HSPCB/SR/2023/5913

Dated: 17/3/2023

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

DA/Copy of Closure order

*[Signature]*  
Regional Officer,  
Sonipat Region

o/c

Received  
Chetan  
17/3/23  
Mining office

17/3/23