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

O.A. No. 295 /2021

**IN THE MATTER OF:-**

H.S. Khatana .....Applicant

Versus

State of Haryana ....Respondents

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Place: Chandigarh  
Dated: 08.02.2024

  
(Vineet Garg)  
Addl. Chief Secretary to Govt. Haryana  
Environment Department

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

2

O.A. No. 295 /2021

**IN THE MATTER OF:-**

H.S. Khatana

...Applicant

Versus

State of Haryana

....Respondent

Action Taken Report on behalf of State of Haryana through Sh. Vineet Garg, IAS, Addl. Chief Secretary, Govt. of Haryana, Environment Department in compliance of order dated 22 August 2023 and 30 November 2023 passed by this Hon'ble Tribunal.

**RESPECTFULLY SHOWETH:**

1. That this Hon'ble Tribunal took cognizance of the above captioned letter/e-mail petition and after considering the reports placed on record, has passed the order dated 22 August 2023 and 30 November 2023, copy of which are annexed herewith as **ANNEXURE-R/1** and **ANNEXURE-R/2**.
2. That another substantive Original Application, i.e., OA No.362/2022 (Aravali Bachao Citizens Movement Vs UoI & Ors.) has been filed through Counsel raising the issue of illegal mining in Faridabad, Gurgaon and Nuh districts of State of Haryana which is pending adjudication before this Hon'ble Tribunal and is fixed for 22 March 2024. This Hon'ble Tribunal while monitoring the mechanism to prevent illegal mining in Aravalli at micro level, has passed latest

orders dated 11 December 2023 and 09 January 2024. Copy of order dated 11 December 2023 and Order dated 09 January 2024 are annexed herewith as **ANNEXURE-R/3** and **R/4**.

3. That in compliance of orders passed by this Hon'ble Tribunal, the concerned departments of the State are taking steps to prevent and control the illegal mining and transportation of minerals without valid e-ravanna.
4. That it is most respectfully submitted that grievance raised in present OA, i.e., illegal mining in village Rithoj (Gurgaon) has been addressed by taking steps including digging trenches and constituting a designated committee to have regular visit at the site in question, detailed as under:-
  - (i) trenches have been dugged at the 'entry and exit' points of Panchayat land sand dunes to restrict any kind of vehicular movement in the area.
  - (ii) a Sign Board regarding not to do illegal mining/theft of ordinary earth in the said areas is also fixed at entry point of the Panchayat land.
  - (iii) to prevent the illegal mining instances in and around the land in question in village Rithoj District Gurugram, a Committee has been already constituted by the Gram Panchayat Rithoj comprising Sarpanch, Panch, Panchayat Secretary, Chowkidar of village Rithoj, Mining Guard and Forest Guard. One Mining Guard and One Forest Guard for the strict vigil over the area of village Rithoj. This committee is visiting the land in question regularly.
  - (iv) as a result of the above mentioned steps, no instance of illegal mining has been reported in the said area. Some

shrubs have also been grown up over the land in question. Apart from this, as restoration measures, the plantation work was done by the Forest Department during July & August, 2023 in 2.5 hectares of Panchayat Land of village Rithoj.

5. That the State of Haryana has constituted the "Aravali Rejuvenation Board" vide order dated 13 June 2023, to achieve the Integrated Environment Management and Sustainable Development of the Aravali Range, the details of which have been mentioned in the previous report dated 06 July 2023. This is also relevant to mention here that the District Level Task Force under the chairmanship of District Magistrate concerned examines the issue of illegal mining instances and action taken by the departments concerned thereon. Meeting of the District Level Task Force is held once in a month to review the incidents of illegal mining and action taken thereon in these districts.
6. That a Control Room has been setup in the office of Mines & Geology Officer at Faridabad. Toll Free number (1800-180-5530) has been issued for receiving the complaints of illegal mining in Aravali Range of District Faridabad, Gurugram and Nuh and to take prompt action thereon. The mail id of Control Room has also been created, i.e., [aravalibachafgn@gmail.com](mailto:aravalibachafgn@gmail.com). No complaint has been received regarding illegal excavation of ordinary clay as well as Gair mumkin pahar in the area of village Rithoj on toll free number, E-mail or written complaint.

Information about this number and email id has been circulated through leading Newspapers, i.e., Times of India, Hindustan Times, Dainik Jagran and Dainik Bhaskar etc being widely distributed in these districts. The same has also been affixed

on the Notice Board of office of the Deputy Commissioner as well as the Mining Officer of these three districts.

7. That Sign Boards have been placed on prominent places in the Aravali Areas of District Faridabad, Gurugram and Nuh indicating that mining is prohibited and same the is punishable offence. Photographs of such sign boards/paintings in Gurugram and Faridabad are annexed herewith as **ANNEXURE -R/5**.
8. That on 17 November 2023, a meeting of all concerned officers including Additional Chief Secretary- Environment & Forest Department, Director General, Mines & Geology Department, ADGP (Law & Order), Member Secretary, HSPCB, Deputy Commissioners of these three districts and other officers concerned was held under the chairmanship of Chief Secretary, Govt. of Haryana. After detailed discussion, further information was asked from the department concerned on various points including plantation done in aravali area, use of drones & CCTV camera, cases of illegal mining and action taken thereon etc. After the said meeting, on the basis of information provided, steps taken by respective authorities to prevent illegal mining are narrated in succeeding paragraphs.

**Incidents of Illegal Mining and Action Taken:**

9. That strict vigilance is being kept in Faridabad, Gurugram and Nuh districts. During the period of last four months, i.e., 01 October 2023 to 31 January 2024, no on-site mining was noticed in the Aravali range of Faridabad and Gurugram districts. 9 on-site illegal mining incidents were noticed in the Aravali area of district Nuh. The detail of instances of illegal mining in aravali area of District Nuh and action taken thereon is annexed in a tabulated chart as **ANNEXURE-R/6**.

Incidents of transportation of mineral extracted from Aravali Range, i.e., stone and subsequent processed mineral (Stone dust, Rodi) without e-ravana/valid e-ravana were noticed in Faridabad, Gurugram and Nuh districts. The district wise abstract of instances of transportation of such material without e-ravana/valid e-ravana and action taken thereon by the respective district administration has been tabulated and annexed as **ANNEXURE-R/7**.

**Drone Survey, Setting up of CCTV Cameras, Nakas, Community Awareness:**

10. That as per reports received from all the departments concerned, mining instances were noticed in district Nuh. At first instance, drone mapping and use of CCTV cameras have been adopted in district Nuh by the Police Department. The steps taken by the Police Department in district Nuh to stop illegal mining and to catch vehicles involved in illegal mining are summarized as under:
  - (i) Drone Survey is being done once in a week and thereafter suspicious places are being physically verified by the police personals.
  - (ii) 13 number of Police Nakas have been setup intra-District (7) and at inter-state boundary (6). At some Nakas, Night Vision CCTV Footage Cameras are set up and images are being monitored at Control Room at SP Officer, Nuh.
  - (iii) Joint combing of Para-Military Force and the Haryana Police is being done to identify the mining prone areas.
  - (iv) A special 'Anti-Mining Staff' has been constituted which do patrolling day and night in illegal mining prone areas. Trenches has been digged on the approach path towards Aravali range exposable to mining.

(v) To create awareness in the community for protection of Aravali, Nuh Police holds tours to hills & session for Students. Visit of students of 15 Sr. Secondary Schools have been organized with teachers of Geology, Botany and officials of Forest Department to aware the students about bio-diversity of Aravali and create atmosphere at public at large to prevent illegal mining.

11. That the Gurugram Metropolitan Development Authority has initiated tendering through Gem portal of Govt. of India for the procurement of Drone Service for all these three districts.

**New Portal & Registration of GPS enabled vehicles only:**

12. A new portal namely "Haryana Mines & Geology Information System (HMGIS) portal" was launched on 13 September 2023 by the Hon'ble Chief Minister of Haryana. The real time location of the weighbridge and mineral laded vehicles are mapped in this portal, which in turn, helps in curbing the illegal mining and illegal transportation of the mineral. Besides, this weight of the mineral loaded vehicle is being captured by the system automatically without any manual intervention, which would not allow any malpractice like tempering etc. The said portal has been implemented throughout the State w.e.f. 25 December 2023 by replacing the older e-Rawanna system. Registration by all units of Contractors/lessees, Mineral Dealer license holders, Stone Crusher license holders is in process. Now, no e-ravana is generated to vehicles without being GPS enabled. The development of mechanism of tracking of these vehicles is in process with the assistance of Transport Department.

**Restoration Plan for Mining affected areas:**

13. That in pursuance of the orders of the Hon'ble NGT in OA No. 362/2022 titled as Aravalli Bachao Citizens Movement Vs UOI &

Ors., the Chairman, HSPCB is monitoring the progress over preparation of Restoration Plan in coordination with the Forest Department, Mining Department and various experts in the field of Bio-diversity, Wildlife, Forestry, Water Conservation along with the members of the original applicant "Aravalli Bachao Citizen Movement":

The Chairman, HSPCB held a meeting on 06 December 2023 with officers of the Forest Department, Mining Department and various experts in the field of Bio-diversity, Wildlife, Forestry, Water Conservation along with the members of "Aravalli Bachao Citizen Movement". In the meeting, the issue of Aravalli Rejuvenation was discussed thoroughly. It was decided during the meeting that the Aravalli Rejuvenation Plans of districts shall be upgraded on the templates given by the experts and shall be presented by respective DFOs on 16 December 2023 in a workshop to be organized at Gurugram. The Rejuvenation Action Plans prepared by the District Committees were to be examined by the State Committee comprising of following:-

- i. Dr. Babu Ram, Technical Expert, HSPCB (Head of the Committee-cum-Convener)
- ii. Smt. Madhavi Gupta, State Mining Engineer,
- iii. Dr. Sumeet Dookia, Sr. Scientist, Wildlife Research, Indraprast, University,
- iv. Col. Sarrvadaman Singh Oberoi, Mrs. Neelam Ahluwalia from Aravali Bachao Citizen Movement
- v. One officer each dealing with Forests and Wild Life to be nominated by the concerned departments.

The proceedings of the meeting dated 06 December 2023 are enclosed as annexed as **ANNEXURE-R/8**.

14. That the Chairman, HSPCB held another meeting/workshop at Gurugram on 16 December 2023. The Technical Expert, HSPCB explained about the directions of Hon'ble NGT and necessity of conservation of biodiversity, water and environment which may be part of Aravalli Rejuvenation plan for sustainable management of natural resources of the Aravalli. The DFOs of these districts explained their draft rejuvenation plan. The experts in the field of Geology/Ecology gave their valuable comments/suggestions to make improvements/amendments/modifications in the draft rejuvenation action plans. After detailed discussion and deliberations, various decisions were taken. It was decided that the DFOs will submit draft rejuvenation plan duly approved by the Aravalli Rejuvenation Board/Deputy Commissioner to the State Level Committee (SLC) and the SLC may review the activities mentioned in the Aravalli rejuvenation action plan on quarterly basis. It was also decided that stand of the Government before various courts should be considered in preparation and finalization of the Aravalli Rejuvenation Plan. The plan shall also include assessment for environment damages in Aravalli districts due to Mining and other activities. The decision regarding declaring the area as environmentally sensitive can be taken only after approval of the plan by the State Government.
15. That the State Level Committee examined the draft District plans of Aravalli rejuvenation in its review meeting dated 30 December 2023 and after detailed deliberations on all the activities mentioned in the rejuvenation plan, SLC made district plan wise recommendations.

The State Level Committee has recommended that action plan for ecological restoration of Aravalli Districts in Haryana shall be implemented in 2 phases:

**Under Phase-1:**

Aravalli Ecological Restoration Plan shall be focused on the critical activities like conducting ground truthing of all the Aravalli Districts using drones and on ground visits by the officers of Government Departments to identify all the locations of illegal mining. The work has been started and the ATR shall be submitted after the data is received from the field offices and compiled at state level. The short term and long term protection measures to stop illegal mining- line enforcement mechanism, effective and strict vigilance in mining area using drones with advanced cameras to identify and monitor illegal mining area, setting of the checkpoint, setting up of forest check post, deployment of home guards across the Aravalli area and starting the base line survey for Districts to finalize the Aravalli District Level Rejuvenation Plan are to be implemented.

**Under phase-2:**

The implementation of the Ecological Restoration Plan based on the activities mentioned in the District Rejuvenation Plans and recommendations made by the experts.

16. That it is noteworthy that this Hon'ble Tribunal vide order dated 11 December 2023 passed in OA No.362/2022 constituted a Committee, for looking the aspects of enforcement and monitoring of

compliance with environmental norms, guidelines and directions issued by the Hon'ble Supreme Court of India, as under:-

Sr. No.	Name of the officers	Chairman/Member
1	Additional Chief Secretary/Principal Secretary, Environment, Forest and wildlife Department, Haryana	Chairman
2	Divisional Commissioner, Gurugram Division, Gurugram	Member
3	Divisional Commissioner, Faridabad Division, Faridabad	Member
4	Inspector General of Police, law and Order, Haryana	Member
5	Director, Mining and Geology Department, Haryana	Member
6	Member Secretary, HSPCB	Member Secretary
7	Chief Conservator of Forest (South) Haryana Chairman	Member

It has been directed that the Committee shall meet periodically with such intervals as may be considered appropriate with atleast one meeting every quarter and look into all relevant aspects of enforcement and monitoring to prevent illegal mining and transportation, reclamation/rejuvenation of illegally mined areas and imposition and realization of environmental compensation. The Member Secretary, HSPCB being the Member Secretary of the Committee shall be the Nodal Officer for coordination and compliance.

In compliance of said direction, first meeting of the Committee was held on 04 January 2024 under the Chairmanship of the Additional Chief Secretary, Environment, Forest & Wildlife Department, Haryana followed by the meeting dated 18 January

2024 under the Chairmanship of Chairman, HSPCB. In the meeting following decisions were taken:

- (i) Compilation of all directions/orders issued by Hon'ble Supreme Court of India, National Green Tribunal and High Court of Punjab & Haryana.
- (ii) Adoption of enforcement & monitoring mechanism to prevent illegal mining and transportation
- (iii) Preparation of Final District Rejuvenation Plans and taking further action on the activities, as mentioned in these plans.
- (iv) Finalization of SoP for assessment, imposition and realization of Environment Damage Compensation in cases of illegal mining

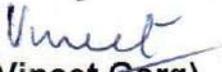
17. That the draft SoP for assessment, imposition and realization of Environment Damage Compensation in cases of illegal mining has been prepared and under consideration of the Competent Authority. Next meeting to review the progress shall be held under the Chairmanship of the Additional Chief Secretary, Environment Department, Haryana, Chandigarh on 16.02.2024.

18. That the Forest Department carries out plantation programmes in various plans schemes like Rejuvenation of Degraded Forest, Desert Control and Agro-forestry in the Aravalli Hills Range. During 2023-24, Faridabad Forest Division has planted 15900 plants, Gurugram Division has planted 26650 plants in the District and Nuh Forest Division has planted 59500 plants in District Nuh under the aforesaid schemes in the Aravali Hills with native species.

19. That in compliance of order dated 30 November 2023 passed by this Hon'ble Court, cost of Rs.10,000/- has been deposited in the ring-fenced account (PUNBH24009952176).

In view of the submission made herein above, it is humbly submitted that State of Haryana and its authorities are committed to take all possible steps to stop illegal mining in Aravali of Faridabad, Gurugram and Nuh. It is humbly submitted that further 03 months time is likely to be taken in finalization of comprehensive Rejuvenation Action Plan for reclamation/rehabilitation of the land illegally mined in the Aravalli Region in the State of Haryana and same shall be submitted before this Hon'ble Tribunal in OA No.362/2022 also.

Place: Chandigarh  
Dated: 08.02.2024

  
(Vineet Garg)  
Addl. Chief Secretary to Govt. Haryana  
Environment Department

Item No. 05

Court No. 1

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

Original Application No. 295/2021

H. S. Khatana

Applicant

Versus

State of Haryana

Respondent

Date of hearing: 22.08.2023

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Rahul Khurana, Adv. with Mr. Anil Kumar, Mining Officer,  
Gurugram

**ORDER**

1. Despite repeated directions passed by this Tribunal to reinforce the SSMG-2016 read with EMGSM-2020 and to develop a mechanism to control the illegal mining for which the State and Mining Department is statutorily bound to take action against the violators of law, complaints and applications of illegal mining causing irreversible damage to the natural eco-system, wildlife habitat, air pollution and further degrading, devastating of Aravalli Hills are reported. The Expert Committee suggested that:-

*“Finding and Conclusion:-*

*1. There are irrefutable signs of recent/fresh mining and transportation of sand about which no permit or plausible explanation or action taken report was available till the day of inspection and further till now.*

*2. The mining conditions regarding felling of trees without due permission and restricting the depth of digging to 9 ft. have been blatantly violated,*

*3. Based on above findings, the grievances of the complainant regarding (i) mining without permit, (ii) mining in unscientific manner*

*and (iii) depletion of green cover carry weight at least in regard to the recent/fresh mining instances. Depletion of water table and damage to water bodies is not being caused by the mining activity per se, but subsequent land leveling/compacting may obliterate small body bodies and impoverish sub-surface moisture regime. Denudation may increase evaporation losses and enhanced absorption of solar heat. Removal of porous sand and increase in impervious surface may reduce infiltration and affect ground water table. At present, the old mining pits are serving as seasonal water conservation puddles.*

*4. This site adjoins the Aravalli hill range which makes an important wildlife habitat and a narrow wildlife corridor from Mount Abu to Delhi. The ecology of the tract already under stress due to biotic pressure from both sides of the Aravalli hills. The indiscriminate mining in this area is poised to cause irreversible damage to the natural ecosystem, wildlife habitat, enhance air pollution and add to global warming. Therefore, all concerned departments need to take timely and effective measures to enforce the applicable laws/ rules in the interest of the environment and ecology of the region.”*

2. An Action Taken Report in pursuance of order dated 08.02.2023 has been filed by the Chief Secretary on 17.07.2023 and today, during the course of hearing learned Counsel for State Pollution Control Board has drawn our attention towards the order issued by the Chief Secretary by constituting a Committee for taking action namely ‘Aravalli Rejuvenation Board’ (ARB) comprising following officers:-

<b>S. No.</b>	<b>Designation</b>	<b>Remarks</b>
1.	Deputy Commissioner of the district concerned	Chairman
2.	DRO of the district concerned	Member
3.	CEO Zila Parishad of the district concerned	Member
4.	RO HSPCB of the district concerned	Member
5.	MO/AME of the district concerned	Member
6.	DFO of the district concerned	Member
7.	Any other members as the Deputy Commissioner of the respective district may deem fit	Member

3. The ARB has been mandated to deal with complaint on “illegal mining maintaining co-ordination between concerned Departments, maintaining ecological balance and prevention of eco-sensitive zone. Besides, the steps taken are towards survey by Drones, installation of CCTV, plantation, monitoring through District Level Task Force etc.

However, there is nothing in a report as to what action has been taken by the authorities concerned to control the illegal mining in quantified terms. It is pious/legal duty of the State/State Authorities to control the illegal mining, thus, we direct the authorities to report action taken within three months. The next report should categorically furnish status on assessment on environmental damages already occurred in Aravalli Districts (Faridabad, Gurugram and Nuh) and their rejuvenation/restoration. There has to be information made available in public domain on not to do illegal mining in Aravalli Hills and declaring entire area as environmentally sensitive. Time bound action plan on restoration of Aravalli Districts of Haryana may be filed with the report.

4. List for further consideration on 30.11.2023.

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 22, 2023  
Original Application No. 295/2021  
SN

Item No. 05

Court No. 1

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

Original Application No. 295/2021

H. S. Khatana

Applicant

Versus

State of Haryana

Respondent

Date of hearing: 30.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Rahul Khurana, Adv. for HSPCB and State of Haryana along with Mr. Anil Kumar, Mining Officer, Gurugram

**ORDER**

1. The grievance raised in this Original Application is in respect of illegal mining in private and panchayat land in unscientific manner resulting in depletion of water table, green cover and damage to the water bodies at Village Rithoj, District Gurugram, Haryana.

2. The Tribunal had constituted a joint Committee and by order dated 10.11.2021 had sought factual and action taken report from the joint Committee and after considering the report dated 28.08.2022, the Tribunal had noted that the illegal mining and adverse effect of the illegal mining was acknowledged but no action was said to have been taken. The Tribunal by order dated 29.08.2023 accordingly, directed the joint Committee to file further action taken report. Further action taken report was filed on 02.01.2023 and the Tribunal by order dated 05.01.2023 had

expressed serious disapproval to the conduct shown by the joint Committee and the Members constituting the joint Committee in submitting such casual report by expressing as under:-

*“7. We place on record our serious disapproval to the conduct shown by joint committee and members constituting the committee in submitting such casual report and also a word of caution that if in future any such laxity is found, this Tribunal will have to take some stern action in the matter. We allow a months’ further time to file action taken report as per directions given by this Tribunal vide order dated 29.08.2022.”*

3. The matter was again taken up on 08.02.2023 when the Tribunal had considered further report dated 06.02.2023 and thereafter, had found that there was continuing illegal mining but the administration was not controlling the same. It was further expressed that the conduct showed paralysis of the administration on the subject in breach of ‘Public Trust Doctrine’. The Tribunal in the order dated 08.02.2023 had accordingly expressed as under:-

*“5. From the above, it is seen that there is continuing illegal mining but the Administration is not controlling the same. In spite of acknowledged ecological significance of Aravali Hills and threat to wildlife habitat and corridor, remedial measures are not being taken. This shows paralysis of administration on the subject in breach of Public Trust doctrine obligating the State to protect environment. Plea of lack of resources is poor substitute for compliance of mandatory constitutional duties of the State.*

*6. Accordingly, we are left with no option except to direct Chief Secretary, Haryana to personally look into the matter and take remedial measures including providing of necessary infrastructure in terms of manpower, equipments, and taking prompt remedial measures to plug the failures, including restoration measures such as afforestation, soil and water conservation. A senior level nodal officer/agency be assigned for the purpose. Continuous surveillance and monitoring be ensured in the light of failures mentioned above. It will be appropriate that the Chief Secretary and DGP hold a joint meeting of the District Magistrate and SSP of the area to prepare necessary road map which may include checking of vehicles carrying illegally mined material and forest produce, drone mapping, setting up of CCTV cameras at appropriate vulnerable locations, requiring vehicles carrying such material to have GPS, permitting only vehicles having valid mining licenses to transport mined material, providing machinery for seizing the violating vehicles and taking action against their drivers and owners and deployment of additional Police force or other staff as per requirement. An action taken report be filed before*

*this Tribunal within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”*

4. Left with no option, the Tribunal by the above order dated 08.02.2023, had directed the Chief Secretary, Haryana to personally look into the matter and take remedial measures and further directed to file the action taken report within one month. The matter was again listed on 22.08.2023, when the Tribunal after considering the report had found that no action taken by the authorities was disclosed in the report to control the mining in the quantified terms. Accordingly, the Tribunal in the order dated 22.08.2023 had expressed as under:-

*“3. The ARB has been mandated to deal with complaint on “illegal mining maintaining co-ordination between concerned Departments, maintaining ecological balance and prevention of eco-sensitive zone. Besides, the steps taken are towards survey by Drones, installation of CCTV, plantation, monitoring through District Level Task Force etc. However, there is nothing in a report as to what action has been taken by the authorities concerned to control the illegal mining in quantified terms. It is pious/legal duty of the State/State Authorities to control the illegal mining, thus, we direct the authorities to report action taken within three months. The next report should categorically furnish status on assessment on environmental damages already occurred in Aravalli Districts (Faridabad, Gurugram and Nuh) and their rejuvenation/restoration. There has to be information made available in public domain on not to do illegal mining in Aravalli Hills and declaring entire area as environmentally sensitive. Time bound action plan on restoration of Aravalli Districts of Haryana may be filed with the report.”*

5. In terms of the above direction, the report was to be filed by the State Authorities within three months but even after expiry of three months, no report has been filed and the matter is listed today. A letter has been circulated under the signature of Environmental Engineer (HSPCB) seeking adjournment on the ground that further time is required for receiving information and compiling the same. During the course of argument, Learned Counsel for the State has submitted another letter

under the signature of Special Secretary-cum-Director, Environmental Department, Government of Haryana seeking adjournment.

6. The above series of orders passed by the Tribunal clearly reflect that the State Authorities are not taking the orders of the Tribunal seriously and are not complying with the same. No material has been disclosed even today in respect of the steps taken for stopping illegal mining in the area but only a prayer for adjournment has been made. No report in terms of the previous order of the Tribunal has been filed till now.

7. In the circumstances noted above, we grant further three weeks' time as prayed by Learned Counsel for the State to file the report subject to deposit of cost of Rs. 10,000/- which is to be deposited by the State in the ring-fenced account within a period of one week from today.

8. List this matter on 09.02.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

November 30, 2023  
Original Application No. 295/2021  
SN

Item No.01

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.362/2022

Aravalli Bachao Citizens Movement

Applicant

Versus

Union of India &amp; Ors.

Respondents

Date of hearing: 11.12.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**Applicant: Mr. Rahul Choudhary and Ms. Itisha Awasthi  
Advocates for the Applicant.Respondents: Mr. Rahul Khurana, Advocate for respondents no 1 to  
6.  
Shri. Abhishek Jorwal, IPS, DCP (HQ) Faridabad.  
Mr. Anil Kumar, Mining Officer, Nuh and Gurugram.  
Mr. Niranjana Lal, Mining Officer, Faridabad.  
Mr. Vikrant Panchanda, Advocate for CPCB (Through  
VC).**Application has been filed under sections 14 and 15 of the National  
Green Tribunal Act, 2010.****ORDER**

1. The applicant, a non-partisan group of citizens from the National Capital Region and across India, has filed the present application under Sections 14 and 15 of the National Green Tribunal Act, 2010 for issuance of directions to respondents no. 2 to 6 to take steps to stop illegal stone and sand mining, undertake restoration activities, take strict action against defaulting officials and constitute an independent Aravalli Protection Authority for protection of the entire Aravalli range from further degradation.

2. Vide order dated 23.05.2022, this Tribunal constituted a Joint Committee comprising of the MOEF & CC, CPCB, State PCB, Principal Chief Conservator of Forest (HoFF), Director, Mining & Geology, Director General of Police and Commissioner, Gurugram Division, Government of Haryana and directed the

same to submit factual and action taken report within three months and notices were also ordered to be issued to respondents.

3. In compliance of order dated 23.05.2022, Mrs. Vasvi Tyagi, Chief Conservator of Forests (South Circle), Gurugram filed the Joint Committee Report vide letter dated 07.10.2022 through email dated 07.10.2022.

4. In view of the number of complaints received by the Police and Mining Department regarding illegal mining, this Tribunal found that the same were spread over to the wider area and on diverse locations which aspect needed to be further explored/looked into by the Joint Committee. Besides, the aspects of closure of the mining pits and reclamation/rehabilitation of the land involved were also required to be considered by the Joint Committee. Accordingly this Tribunal vide order dated 10.10.2022 directed the Joint Committee to look into these aspects, verify the factual position on the basis of the complaints received, take/recommend taking of appropriate remedial action and submit its report.

5. In compliance thereof Joint Committee submitted report vide email dated 28.11.2022.

6. Pursuant to notice and also interim orders passed by this Tribunal Reports/responses have been filed by the respondents.

**Directions regarding registration of FIR and filing of complaints regarding illegal mining and Transportation**

7. This Tribunal had in its order dated 28.04.2023 given detailed directions regarding registration of FIR and filing of complaints regarding illegal mining and Transportation etc.

8. Compliance report by way of affidavit dated 18.10.2023 of Mr. Sanjay Kumar I.P.S, Inspector General of Police, Law and order on behalf of Director General

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of Police, Haryana has been filed vide email dated 18.10.2023. The relevant part of the affidavit is reproduced below:-

**“COMPLIANCE REPORT BY WAY OF AFFIDAVIT OF SANJAY KUMAR, I.P.S., INSPECTOR GENERAL OF POLICE, LAW AND ORDER, HARYANA ON BEHALF OF DIRECTOR GENERAL OF POLICE, HARYANA.**

X

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2. That it is submitted that the above captioned application is fixed for hearing on 19.10.2023. Earlier, the application came up for hearing on 28.04.2023 and this Hon'ble Tribunal was pleased to issue directions to various authorities including the Director General of Police, Haryana. Compliance Report with regard to each direction is submitted as under:-

(i) That in Para No. 21 of the order dated 28.04.2023 this Hon'ble Tribunal observed and directed as under:-”

*“...as per information provided It may be observed here that as per information provided in the affidavit dated 12.04.2023 of Mr. Sanjay Kumar, I.P.S., Inspector General of Police, Law and Order, Haryana out of 8 criminal cases decided by the Courts so far, in one case the accused has been convicted while in 7 cases the accused have been acquitted. In State of Gujarat vs. Kishanbhai Etc. (SC) 2014 (1) R.C.R. (Criminal) 549 Hon'ble Supreme Court noticed high incidence of acquittal due to defective investigation and directed that defects in investigation may be remedied by analyzing causes of acquittal and action be taken against erring Investigating Officer. In view of the directions given by Hon'ble Supreme Court, the Director General of Police, Haryana is directed to take appropriate steps for compliance regarding analyzing causes of acquittal in cases pertaining to illegal mining and illegal transportation of minor minerals and taking of action against erring Investigating Officers and remedying the defects in cases pending for investigation or trial.”*

*In this regard, it is submitted that 02 out of 07 FIRs relate to Police Commissionerate, Gurugram, 01 FIR relate to Police Commissionerate, Faridabad and 04 FIRs relate to District Nuh.*

*As per information received from Deputy Commissioner of Police, South, Gurugram vide his office Memo No. 5877 dated 13.10.2023, two (02) FIRs in acquittal cases in Gurugram Commissionerate were put before the Committee constituted in compliance of directions of Hon'ble Supreme Court passed in State of Gujarat vs. Kishanbhai Etc. (SC) 2014 (1) R.C.R. (Criminal) 549 case. As per recommendation of the committee, no lapse has been recorded by Learned Trial court in the judgements qua Investigating Officer or Public Prosecutor.*

*As per information received from Commissioner of Police, Faridabad vide his office Memo No. 14586 dated 08.08.2023, one (01) FIR, in acquittal case in Faridabad Commissionerate was put before the Committee constituted in compliance of directions of Hon'ble Supreme Court passed in State of Gujarat vs. Kishanbhai Etc. (SC) 2014 (1) R.C.R. (Criminal) 549 case. As per recommendations of the committee no fault of Investigating Officer has been found.*

*Whereas, the Superintendent of Police, Nuh vide his office Memo. No. 31671-72 dated 03.10.2023 has informed that four (04) FIRs in acquittal cases in Nuh have been discussed by the Committee constituted in compliance of directions of Hon'ble Supreme Court passed in State of Gujarat vs. Kishanbhai Etc. (SC) 2014 (1) R.C.R. (Criminal) 549 case, on 22.09.2023 and as per recommendation of the committee, Show Cause Notice(s) will be issued to all investigating officers in 04 cases and further necessary action will be taken accordingly.*

*(ii) That in Para No. 23 of the order dated 28.04.2023 this Hon'ble Tribunal observed and directed as under: -*

*"The legal opinion given by the Public Prosecutor in one of the cases copy of which is also attached with the report submitted by the DGP, Haryana offends the statutory provisions and ignorers the judicial precedents and is patently wrong and it follows from the above referred statutory provisions embodied in the MMDR Act and Judgments of Hon'ble Supreme Court that the Police is bound to register FIR immediately on receipt of complaint of illegal mining and illegal transportation of minor 'ilium' and cannot delay or refuse registration of FIR. No doubt as per section 22 of MMDR Act, no court can take cognizance of an offence wider the MMDR Act or the Rules framed thereunder except upon a complaint made in writing by an authorised person but the question of taking of cognizance arises only on presentation of charge- sheet and Section 22 of the MMDR Act does not bar registration of FIR and investigation by the Police even in respect of offence punishable under Section 21 of the MMDR Act. "*

*In this regard, it is submitted that this office has issued directions to all field units vide Memo. No. 18066-99/L&O-4 dated 29.08.2023 to register FIR under Section 379 of IPC and / or 21 of MMDR on receipt of complaint regarding illegal mining and illegal transportation of minerals. A copy of the Memo is annexed as Annexure R-I for kind perusal of this Hon'ble Tribunal. Further, it is submitted that all field units have conveyed that compliance of above directions is being made. However, it is brought to kind notice of the this Hon'ble Tribunal that after registration of FIR the accused/ defaulter does not pay penalty/ environmental compensation under MMDR Act/ Rules.*

*(iii) That in Para No. 25 of the order dated 28.04.2023 this Hon'ble Tribunal 'observed and directed as under: -*

*"Accordingly, the Director General of Police Haryana is directed to issue appropriate directions to the SHOs of the concerned Police Stations to register FIR on the basis of all such complaints out of 44 complaints made by the Mining Department as disclose*

*commission of cognizable offence punishable wider Section 379 of the IPC and/or Section 21 of the MMDR Act and also to issue instructions to the SHOs of all Police Stations to register FIR immediately on receipt of complaint regarding illegal mining and illegal transportation of mined material disclosing commission of cognizable offence punishable under Section 379 of the IPC and/or Section 21 of the MMDR Act. Action Taken report in this regard may be filed before this Tribunal in this regard on or before the next date of hearing hereby fixed in the case."*

*It is submitted that FIRs have been duly registered on all 44 complaints in District Nuh which were earlier sent back to Mines and Geology Department and investigation is being conducted.*

*(iv) That in Para No. 28 of the order dated 28.04.2023 this Hon'ble Tribunal observed and directed as under: -*

*"In the present case neither the Police nor the Mining Department seems to have given any information to HSPCB and no proceedings for imposition of environmental compensation and no steps for reclamation /rehabilitation of illegally mined land appear to have been taken"*

*It is submitted that in compliance of above, this office has issued direction to all field units in Haryana vide Memo No. 12262-94/L&O-4 dated 27.06.2023 vide which it has been directed that information about lodging of FIRs of illegal mining be sent to the Haryana State Pollution Control Board, so that proceedings for realization of environmental compensation can be initiated by the HSPCB as prescribed in various orders/ judgements of the Hon'ble Courts A copy of the Memo is annexed as Annexure R-I1 for kind perusal of this Hon'ble Tribunal.*

*(v) That in Para No. 44 of the order dated 28.04.2023 this Hon'ble Tribunal observed and directed as under: -*

*"We are of the view that in all such cases where superdari applications are filed before the Court of Judicial Magistrate, alternative prayer for directing the applicant to deposit in Court an amount equal to the penalty imposed by the authorities concerned or part thereof in addition to any other condition which the Court considers appropriate, may be made in view of observations made by Hon'ble High Court of Punjab and Haryana in para 45 (iv) of its judgment in K.C. Stone Crushing Co. Case (Supra). "*

*It is submitted that in compliance of above direction, this office has issued directions to all field units in Haiyana vide Memo No. 12262-94/L&O-4 dated 27.06.2023. A copy of the Memo is annexed as Annexure R-II for kind perusal of this Hon'ble Tribunal. All units have submitted that compliance of above directions is being made and alternative prayer would be filed before Ld. Trial Court as and when Superdari application for release of vehicle is filed.*

*3. That it is submitted that in view of observations made by this Hon'ble Tribunal in para 54 of the order dated 28.04.2023 the Director, Haryana Police Academy, Madhuban has been*

*directed to organize two days training program for Police personnel posted in Police Station under jurisdiction of Haryana State Enforcement Bureau, Panchkula in the month of November 2023 with a copy to ADGP, Haryana State Enforcement Bureau, Panchkula to ensure that Police personnel posted in the Police Stations under his jurisdiction are deputed for training program as and when it is organized in Haryana Police Academy, Madhuban.*

9. Compliance affidavit dated 14.08.2023 has also been filed by Dr. Narhari Singh Banger (IAS), Director Mines and Geology, Department of Haryana vide email dated 14.08.2023. In the affidavit it has submitted that in compliance of the direction passed in Para no. 20 of the order dated 28.04.2023, in all FIR cases, complaints has already been filed under Section 195 Cr.P.C. in district Nuh and Gurugram.

10. The Director Mines and Geology, Department of Haryana is directed to file affidavit regarding filing of complaints under Section 195 Cr.P.C./Section 22 of the MMDR Act in all FIR cases in district Faridabad on or before 08.01.2024 by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

11. Vide order dated 28.04.2023 PCCF (HoFF), Government of Haryana was directed to issue appropriate instructions that in all cases of illegal mining and illegal transportation constituting offence punishable under Section 379 of the IPC and/or Section 21 of the MMDR Act reference is made to the police for registration of FIR and investigation by the Police.

12. PCCF (HoFF), Government of Haryana has filed report vide email dated 17.10.2023 that in compliance of the above order necessary instructions have been issued vide office order endorsement bearing number 83 dated 17.10.2023 for meticulous compliance.

### **Amendment of Rules**

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13. vide order dated 28.04.2023 this Tribunal had directed the Chief Secretary, Government of Haryana to file an affidavit as to whether any steps have been taken to relook at the Rules for carrying out necessary amendments as observed by Hon'ble High Court of Punjab and Haryana in CRM-M-23190-2020 titled as K.C. Stone Crushing Co. and others Vs. State of Haryana & others.

14. In compliance thereof Mr. Sanjeev Kaushal, Chief Secretary to Government Haryana has filed his affidavit. The relevant part of the affidavit reads as under:-

**“AFFIDAVIT OF MR. SANJEEV KAUSHAL, CHIEF SECRETARY HARYANA IN COMPLIANCE OF ORDER DATED 28 APRIL 2023**

X X X X  
2. That the Hon'ble High Court of Punjab and Haryana at Chandigarh in CRM M-23190-2020 titled K.C. Stone Crushing Co. and others Vs. State of Haryana 86 others and another connected matter vide its judgment dated 04 February 2021 noticed some anomalies in the Haryana Minor Mineral Concession, Stocking, Transportation of Minerals and Prevention of Illegal Mining Rules, 2012 (hereinafter referred to as Rules, 2012) and recommended for making necessary amendments.

3. That it is further submitted that in K.C Stone Crushing Co. V/s State of Haryana, case (Supra) the department concerned was directed to make necessary amendments in Rule 101(5), 101(7), 101(8), 106 and 115 of Rules, 2012. However, the department had filed an SLP No. 7839 of 2021 against the judgment of Hon'ble High Court in K.C. Stone Crusher case and the same was dismissed on 25 October 2021. That it is further submitted that after the dismissal of the said SLP, the department vide notification dated 03 May 2021 has amended its various rules including Rule 101(5), 101(7) and 101(8) in compliance of order dated 04 February 2021 passed by the Hon'ble High Court of Punjab & Haryana. A copy of notification dated 03 May 2021 is attached herewith as Annexure-R/1. Further, with regard to Rules 106 and 115 of Rules, 2012, it is submitted that no changes were made, as both these rules were relevant. Rule 106 relates to filing of complaint with the police for registration of FIR in case of offence under rule 104 for illegal mining; Whereas, rule 115 is relevant for the cases of offences other than that of illegal mining such as violation of terms of grant of mineral concession, where the complaint is to be filed before the Hon'ble Court.

4. That it is further submitted that after the dismissal of the said SLP, the department vide notification dated 03 May 2021 has amended its various rules including Rule 101(5), 101(7) and 101(8) in compliance of order dated 04 February 2021 passed by the Hon'ble High Court of Punjab & Haryana. A copy of notification dated 03 May 2021 is attached herewith as Annexure-R/1. Further, with regard to Rules 106 and 115 of

*Rules, 2012, it is submitted that no changes were made, as both these rules were relevant. Rule 106 relates to filing of complaint with the police for registration of FIR in case of offence under rule 104 for illegal mining; Whereas, rule 115 is relevant for the cases of offences other than that of illegal mining such as violation of terms of grant of mineral concession, where the complaint is to be filed before the Hon'ble Court."*

### **Constitution of Special Cell and setting up of Control Room**

15. This Tribunal had, vide order dated 10.10.2022 and 29.11.2022, given directions for constitution of Special Cell, setting up of Control Room.

16. Mr. Mukul Kumar (IAS), Director Mines and Geology, Department of Haryana filed affidavit dated 11.04.2023. In the affidavit it has been mentioned that the Deputy Commissioner Faridabad, Gurugram and Nuh were directed vide Memo dated 05.04.2023 issued by the Director, Mines & Geology Department, Haryana to constitute Special Cell. It has been further mentioned in the affidavit that a Control Room has been set up in the office of Department of Mines & Geology at Faridabad. Toll Free number 1800-180-5530 has been issued for receiving the complaint of illegal mining in Aravalli Range in District Faridabad, Gurugram and Nuh. Information about this number has been circulated through leading Newspapers dated 11.03.2023 i.e. Times of India, Hindustan Times, Dainik Jagran and Dainik Bhaskar. The email id of Control Room aravalibachaoggn@gmail.com has also been created and published in newspapers. Details of the Toll Free Number and Email id were affixed on the Notice Board of office of Deputy Commissioner as well Mining Officer of these three Districts.

17. This Tribunal found that helpline was functional but email id did not work. The web-portal was also in the process of development. No report has been filed regarding progress made for making the same functional.

18. The helpline, email id and web-portal for making complaints regarding illegal mining and transportation be made functional by the Department of

Mining and Geology within two months from the date of receipt of a copy of this order. Facility of uploading photographs and videos with complaints be provided on the web portal. All relevant information regarding information given/complaints made and action taken on the same be uploaded on the website of the Department of Mining and Geology. Information regarding action taken be also provided to the complainant within reasonable time.

**Constitution of Authority for integrated environment management and sustainable development of the Aravalli range**

19. This Tribunal had, vide order dated 10.10.2022 and 29.11.2022, given directions for constitution of Special Cell, setting up of Control Room and constitution of Authority for integrated environment management and sustainable development of the Aravalli range.

20. Mr. Sanjeev Kaushal, Chief Secretary to Government Haryana has filed his Affidavit dated 26.09.2023 in compliance of directions of this Tribunal in order dated 28.04.2023. The relevant part of the affidavit reads as under:-

**“AFFIDAVIT OF MR. SANJEEV KAUSHAL, CHIEF SECRETARY HARYANA IN COMPLIANCE OF ORDER DATED 28 APRIL 2023**

X X X X  
5. That with regard to the constitution of ‘Aravalli Rejuvenation Board’, it is submitted that for addressing the concerns relating to environment in Districts Faridabad, Gurugram and Nuh and in order to achieve the integrated Environment Management and Sustainable Development of the Aravalli Range in these districts of the State of Haryana, ‘the State Government has constituted a Board viz., “Aravalli Rejuvenation Board” vide order dated 13 June 2023 comprising of the following officers:-

Sr. No.	Designation	Remarks
1	Deputy Commissioner of the district concerned.	Chairman
2	DRO of the district concerned	Member
3	CEO Zila Parisad of the district concerned	Member

4	<i>RO HSPCB of the district concerned</i>	<i>Member</i>
5	<i>MO/AME of the district concerned</i>	<i>Member</i>
6	<i>DFO of the district concerned</i>	<i>Member</i>
7	<i>Any other members as the Deputy Commissioner of the respective district may deem fit</i>	<i>Member</i>

*The functions of the "Aravalli Rejuvenation Board" shall be as under:-*

- *Ensuring co-ordination between Administrative Agencies, which are required to deal with complaints of illegal mining and their impact on environment.*
- *Formulating policies for prohibition of illegal mining as well as preservation and management of areas in Aravalli Hills.*
- *Planning and implementation of programs for integrated environment management and sustainable development of Aravalli Range.*
- *Taking steps for maintaining ecological balance and preserving the flora, fauna and rich biodiversity in area of Aravalli Range.*
- *Ensuring prevention of eco-sensitive zones.*

*To achieve the desired functions of the Board and the effective monitoring of the Aravalli Range, the infrastructure requirement shall arise including the use of Drone as well as installation of CCTV Cameras over the sensitive areas/locations/Nakas and the amount (in Rs.) required for said purpose shall be utilized from the Faridabad Metropolitan Development Authority (FMDA) Fund as well as Gurugram Metropolitan Development Authority (GMDA) Fund respectively. A copy of order dated 13 June 2023 is annexed as Annexure-R/2...."*

21. In the reply filed vide email date 18.10.2023 the applicant has raised objections to the constitution of the Aravalli Rejuvenation Board. The objection will be considered on the next date of hearing and respondent no. 1 may also file response to the same if so desired before the next date of hearing.

22. This Tribunal noticed the grim fact situation and observed in its order dated 28.04.2023 as under :-

*"54. It may be observed here that detailed directions have already been given by this Tribunal in number of cases including OA No.360 of 2015 National Green Tribunal Bar Association Applicant Versus Virender Singh (State of Gujarat). Guidelines Sustainable Sand Mining Management Guidelines, 2016 (SSMG-*

2016) and Enforcement, Monitoring Guidelines for Sand Mining, 2020 (EMGSM-2020) have also been issued by the Ministry of Environment, Forest and Climate Change (MoEF & CC). In his affidavit Mr. Sanjay Kumar, I.P.S., Inspector General of Police, Law and Order, Haryana has submitted that para No. 9 and 10 of order dated 10.10.2022 passed by this Tribunal have also been circulated to all units concerned vide office memo No. 19689-720/L&O-4 dated 22.11.2022 for meticulous compliance. In the said affidavit, it has also been mentioned that Standard Operating Procedure regarding investigation of cases related to illegal mining has been issued on 10.10.2019 by the Director General of Police, Haryana to all the Additional Director Generals of Police, all Commissioners of Police, all Inspector General's of Police and all Superintendents of Police in Haryana for meticulous compliance. In his affidavit dated 28.11.2022, Mr. Mukul Kumar, IAS, Director Mines and Geology, Department of Haryana has mentioned in his affidavit dated 28.11.2022 that Standard Operating Procedure (SOP) has been framed and the order in this regard has already been issued to all the field offices vide letter dated 23.08.2022. The District Level Task Force (DLTF) Committee is functioning in all the three Districts Gurugram, Faridabad and Nuh which examines the issues relating to illegal mining at District Level and the meeting of DLTF Committee are conducted regularly to monitor the action taken against the illegal mining/transportation. Yet from the fact situation we find that in some cases despite legal obligation FIRs have not been registered at all without any lawful justification. Investigations and trials are pending for long periods. The relevant provisions of law are not added in the FIRs and charge-sheets. Relevant evidence is not collected and produced before the Courts resulting in acquittal. Proceedings for imposition and realization of environmental damage compensation are not taken against the persons indulging in illegal mining and illegal transportation. Seven criminal cases pertaining to illegal transportation/illegal mining in Aravalli area have ended in acquittal with exception of one case of conviction which is stated to have been recorded on confession. Environmental compensation and even price of the illegally mined minor mineral has not been recovered from the owners of the vehicles seized for illegal transportation of minor mineral in most of the cases. No steps have been taken for reclamation/rehabilitation of the land where illegal mining has been done. There is no question of any deficiency in the legal frame work and the problem is that of inaction/negligence/non-compliance by the concerned officers/officials due to incompetence/lack of training/corruption. The statutory provisions referred to above, directions given by Hon'ble Supreme Court and this Tribunal, the Guidelines issued by MoEF & CC and SoPs issued by Director, Mining and Geology and Director General of Police, Haryana need to be strictly followed and complied with and any violation by the concerned officer/official needs to be visited not only with disciplinary action against him but also his prosecution in accordance with law..."

23. In his reply filed vide email dated 18.10.2023 the applicant has mentioned that illegal mining is still continuing and has made reference to specific incidences with relevant documents.

24. In the facts and circumstances of the case we are constrained to and do hereby constitute the following Committee for looking the aspects of enforcement and monitoring of compliance with environmental norms, guidelines and directions issued by Hon'ble Supreme Court of India and This Tribunal:-

<b>Sr. No.</b>	<b>Name of the officers</b>	<b>Chairman/Member</b>
1	Additional Chief Secretary/Principal Secretary, Environment, Forest and wildlife Department, Haryana	Chairman
2	Divisional Commissioner, Gurugram Division, Gurugram	Member
3	Divisional Commissioner, Faridabad Division, Faridabad	Member
4	Inspector General of Police, law and Order, Haryana	Member
5	Director, Mining and Geology Department, Haryana	Member
6	Member Secretary, HSPCB	Member Secretary
7	Chief Conservator of Forest (South) Haryana	Member

The Committee shall meet periodically with such intervals as may be considered appropriate with at least one meeting every quarter and look into all relevant aspects of enforcement and monitoring to prevent illegal mining and transportation, reclamation/rejuvenation of illegally mined areas and imposition and realization of environmental compensation. Member Secretary, HSPCB being the Member Secretary of the Committee shall be the nodal officer for coordination and compliance. All expenses of the Committee will be borne by HSPCB out of environmental Damage Compensation lying deposited with it. The Committee may

submit its recommendations to this Tribunal for issuance of appropriate directions. The Minutes of the meeting and reports/recommendations made by the Committee will be uploaded by the Department of Mining and Geology on its website.

**Information regarding Stone Crushers**

25. Vide order dated 28.04.2023, this Tribunal directed the Director Mining and Geology, Haryana and the District Magistrates, Faridabad, Gurugram and Nuh to file affidavits giving the following information:-

“(i) Number of stone crushers/screening plants operating in District, Faridabad, Gurugram and Nuh;

(ii) The mechanism evolved regarding monitoring of procurement/purchase of minor minerals by the stone crushers/screening plants and sharing/cross checking/verification of the information supplied by the concerned Project Proponents with the concerned regulatory authorities and the suppliers regarding originating source of the minor minerals;

(iii) Number of Nakas setup in District Faridabad, Gurugram and Nuh for checking of vehicles carrying minor minerals for supply to the stone crushers/screening plants in the area;

(iv) Whether entry of vehicles carrying minor mineral is made and whether any record is kept regarding vehicles entering in District Faridabad, Gurugram and Nuh with minor minerals with all requisite details as to the number of the vehicle, name of the owner, weight of the minor

mineral carried, number, date and other details of the transportation permit and name of the supplier from whom/mine from which the material has been brought; and

(v) Whether all the vehicles carrying such minor mineral for supplying the same to the stone crushers/screening plants in the Aravalli region in the State of Haryana are required to be equipped with GPS.

26. In compliance thereof Dr. Narhari Singh Banger, Director Mines and Geology, Department of Haryana has filed affidavit dated 12.08.2023 and Mr. Nishant Kumar Yadav, Deputy Commissioner, Gurugram, Mr. Dharendra Khadgata, Deputy Commissioner, Nuh and Mr. Vikram Singh, Deputy Commissioner, Faridabad have also filed affidavits dated 17.10.2023. The relevant part of the affidavit of the Dr. Narhari Singh Banger, Director Mines and Geology, Department of Haryana is reproduced as under:-

**“AFFIDAVIT OF DR. NARHARI SINGH BANGER (IAS),  
DIRECTOR MINES AND GEOLOGY, DEPARTMENT OF  
HARYANA IN COMPLIANCE OF ORDER OF HON'BLE NGT  
NEW DELHI DATED 28.04.2023**

X X X X X X

2. That in compliance of order dated 28.04.2023, the point-wise requisite information is as under:-

(i) That there are total 206 number of stone crushers/screening plants operating in District Faridabad, Gurugram and Nuh.

ii) That in respect to the mechanism evolved regarding monitoring of procurement/purchase of minor minerals by the stone crushers/screening plants and sharing/cross checking/verification of the information supplied by the concerned project proponents with the concerned regulatory authorities and the suppliers regarding originating source of the minor minerals can be checked/verified through e-Rawanna generated by the lease holder to the stone crushers/screening plants, whereby mentioning the registration number of vehicles, date and time of generating e-Rawanna/Transit Pass and date and time of validity of said e-Rawanna/Transit pass. The said e-Rawanna/Transit pass can be checked/ verified upon the e-Rawanna portal of Mining Department of concerned states.

*iii) That in respect to number of Nakas, there is one naka setup in Pali Crusher Zone, District Faridabad and one naka setup in Village Dondal at Nuh Haryana-Bharatpur, Rajasthan Boarder for checking of vehicles carrying minor minerals for supply to the stone crushers/ screening plants in the area and all the details/records of vehicles transporting minor minerals are kept in a separate register maintained at aforesaid nakas.*

*iv) That in respect of records of vehicles entering in District Faridabad, Gurugram and Nuh with minor minerals with all requisite details as to the number of vehicle, name of the owner, weight of the minor mineral carried, date, time and other details of the transportation permit and name of the supplier from whom or mine from which the material has been brought are kept through e-Rawanna generated by the lease holder from the e-Rawanna portal of mining department of concerned states.*

*v) That in respect to the query raised in point No. 5, there is no stone crusher/ screening plants in the Aravalli region in the State of Haryana.*

*3. That in compliance of the direction passed in Para no. 20 of the order dated 28.04.2023, in all FIR cases, complaints has already been filed under Section 195 Cr.P.C in district Nuh and Gurugram.....”*

27. **Para 1.213.2 Level 2-Transportation Monitoring** of the **Sand Mining Frame Work, 2018** issued by **Ministry of Mines** (extracted in Enforcement and Monitoring Guidelines for Sand Mining, 2020 at page 39) provided that to make transportation monitoring effective and useful, all the sand carrying vehicles (tractors/trucks) should be registered with the Department and GPS equipment should be installed in all the sand carrying vehicles. The High Power Committee constituted by this Tribunal also made recommendation no. vii (extracted in Enforcement and Monitoring Guidelines for Sand Mining, 2020 at page 43) that the route of the vehicle form source to destination shall be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags, and Global Positioning System (GPS) tracking. Guideline 9.5 vi of the Enforcement and Monitoring Guidelines for Sand Mining, 2020 also requires that the route of the vehicle form source to destination shall be tracked through the system using checkpoints, RFID tags and GPS tracking.

28. This Tribunal had pointedly asked the information as to whether all the vehicles carrying such minor mineral for supplying the same to the stone crushers/screening plants in the Aravalli region in the State of Haryana are required to be equipped with GPS. In respect of the above said query it has been replied that there is no stone crusher/screening plants in the Aravalli region in the State of Haryana by taking advantage of the fact that this Tribunal did not specify the names of the three Districts in the query. No information has been provided as to whether all the vehicles carrying such minor mineral for supplying the same to the stone crushers/screening plants in all the three Districts- Faridabad, Gurugram and Mewat at Nuh are equipped with GPS or not.

29. The respondents no. 2 and 3 are directed to ensure strict implementation of Enforcement and Monitoring Guidelines for Sand Mining, 2020 and issue appropriate directions and take requisite measures for ensuring that all the vehicles carrying minor mineral for supplying the same to the stone crushers/screening plants in all the three Districts- Faridabad, Gurugram and Nuh are equipped with GPS latest by 28.02.2024 and vehicles without GPS shall not be allowed to carry any minor mineral in all the three Districts- Faridabad, Gurugram and Nuh to any destination including the stone crushers/screening plants. The route of the vehicle from source to destination be tracked through the system using checkpoints, Radio-frequency identification (RFID) tags and Global Positioning System (GPS) tracking. The requisite facilities be provided, systems be installed and control room/monitoring station be set up for this purpose accordingly.

#### **Imposition and Utilization of Environmental Compensation**

30. Vide order dated 28.04.2023 this Tribunal directed HSPCB, (i) to initiate proceedings for imposition and realization of environmental damage compensation from all persons involved in illegal mining throughout the State

of Haryana including Aravali and file consolidated Action Taken Report and (ii) submit an Action Plan regarding utilization of environmental compensation for reclamation/rehabilitation of the land illegally mined in the Aravalli region in the State of Haryana and concerned respondents are also directed to submit their response to suggestions given by the applicant.

31. In compliance thereof interim report has been filed by HSPCB the relevant part of which reads as under:-

***“Interim Action Taken Report of Pardeep Kumar, Member Secretary, Haryana State Pollution Control Board***

X X X X

*2 That Mining Department has imposed Environment Compensation and the amount of EC is approx. Rs. 16.89 crore and shall be utilized in rejuvenation of Aravali area as per upgraded Rejuvenation Plan.*

*3. That the Chairman, HSPCB held a meeting on 06.12.2023 with officers Forest Department, Mining Department and various experts in the field of Bio-diversity, Wildlife, Forestry, Water Conservation along with the members of "Aravali Bachao Citizen Movement". In the meeting, the issue of Aravali Rejuvenation was discussed thoroughly. The proceedings of the meeting are enclosed as Annexure R-I. It has been decided the Aravali Rejuvenation Plans of districts shall be upgraded on the template given by experts and shall be presented by respective DFOs on 16.12.2023 in a workshop to be organized at Gurugram. The DFOs shall update the rejuvenation plan as suggested by the experts and get it approved from the District Committee comprising of the following:-*

- i. Deputy Commissioner (Head of Committee)*
- ii. RO HSPCB (Convener)*
- iii. District Mining Officer*
- iv. District Forest Officer*

*The Rejuvenation Action Plans prepared by the District Committees shall be examined by the State Committee comprising of the following:-*

- i. Dr. Babu Ram, Technical Expert, HSPCB (Head of the Committee-cum-Convener)*
- ii. Smt. Madhavi Gupta, State Mining Officer,*
- iii. Dr. Sumeet Dookia, Sr. Scientist, Wildlife Research, Indraprast, University,*
- iv. Col. Sarrvadamman Singh Oberoi, Mrs. Neelam Ahluwalia from Aravali Bachao Citizen Movement*
- v. One officer each dealing with Forests and Wild Life to be nominated by the concerned departments*

*Subsequently, the action plan shall be submitted before Govt. for approval and implementation.*

*4. That preparation of Aravali Rejuvenation Action Plan for reclamation/rehabilitation of the land illegally mined in the Aravali region likely to take further two months time.”*

32. In the Interim Report there is no mention as to initiation of proceedings. for imposition on and realization of environmental damage compensation from all persons involved in illegal mining throughout the State of Haryana including Aravali. It may be observed here that the proceedings for imposition and realization of environmental damage compensation do not originate from and are not dependent on criminal proceedings. In fact the same originate from and are dependent on illegality of mining and transportation and derive their jurisdiction, validity and authority from the environmental laws including the Environment (Protection) Act, 1986, the Air (Prevention and Control of Pollution) Act, 1981, the Water (Prevention and Control of Pollution) Act, 1974 and the Mines And Minerals (Development and Regulation) Act, 1957 and Rules made thereunder and the directions given by Hon'ble Supreme Court of India and this Tribunal. There is no valid justification for not initiating the same. The HSPCB is directed to prepare SOP for the same and issue instructions within two months from the receipt of a copy of this order to all its Regional Officers for initiating and conclude the proceedings for imposition of environmental compensation in all cases of illegal mining and transportation in accordance with law within two months. Aravali Rejuvenation Action Plan for reclamation/rehabilitation of the land illegally mined in the Aravali region be also prepared and filed within two months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

33. List the matter for further consideration on 09.01.2024 for hearing regarding objections taken in the reply filed by the applicant.

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Aravalli Bachao Citizens Movement  
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-19-

34. Interim injunctive orders passed by this Tribunal in the course of hearing on 10.10.2022 shall continue till further orders to the contrary. The Director Mines and Geology Department, Haryana, the Deputy Commissioners, Faridabad, Gurugram and Mewat, Commissioners of Police Faridabad and Gurugram and Superintendent of Police, Mewat are directed to take requisite steps for ensuring compliance with directions given by this Tribunal from time to time including directions given vide order *dated 26.02.2021 passed by this Tribunal in O.A No. 360/2015 titled as NGT Bar Association Vs. Virender Singh* for preventing illegal mining.

35. It may be mentioned here that non-compliance with the directions issued by this Tribunal is an offence punishable under section 26 of the National Green Tribunal Act, 2010 and any disobedience of directions of law regarding investigation of cognizable offences by any Police Officer/Official is also an offence punishable under Section 166 A of the Indian Penal Code, 1860 and action against the defaulting officers/officials be taken accordingly.

36. In view of the facts and circumstance of the case, we also consider personal appearance of the Senior Officers duly authorised by Director General of Police, Haryana, Director Mining and Geology Department, Haryana and Member Secretary, HSPCB on the next date of hearing to be essential for assisting this Tribunal in just and proper adjudication of the questions involved in the case. Accordingly they are directed to remain present before this Tribunal on that date.

37. A copy of this order, along with a copy of the complaint, be forwarded to the Chief Secretary, Government of Haryana, Director General of Police, Haryana, Principal Chief Conservator of Forest (HoFF), Government of Haryana, Director, Mining and Geology, Haryana, Commissioner of Police Gurugram, Commissioner of Police, Faridabad, Superintendent of Police, Nuh

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and Deputy Commissioners, Gurugram, Faridabad and Nuh respectively by email for information/requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 11<sup>th</sup> 2023  
AG

Item No.09

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC  
Option) Original Application No.362/2022

Aravalli Bachao Citizens Movement

Applicant

Versus

Union of India &amp; Ors.

Respondents

Date of hearing: 9.01.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI,  
JUDICIAL  
MEMBER HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Rahul Chaudhary and Ms. Itisha Awasthi  
Advocates for the Applicant.  
Respondent: Mr. Rahul Khurana Advocate for Respondents No.  
1 to 6.  
Mr. Vikrant Panchanda Advocate for CPCB  
(through VC).  
Ms. Madhvi Gupta, Mining Engineer (through VC).  
Mr. Balraj Ahlawat, Sr. EE HSPCB.  
Mr. Abhishek Jorwal, IPS, DCP (HQ), Faridabad  
Haryana (through VC).

**Application has been filed under sections 14 and 15 of the  
National Green Tribunal Act, 2010.**

**ORDER**

1. Vide order dated 11.12.2023 the matter was adjourned for today i.e. 09.01.2024 for hearing regarding objections taken in the reply filed by the applicant.
2. The Case is adjourned to **22.03.2024** for submission of reports as directed vide order dated 11.12.2023 and consideration on all aspects involved including objections taken in the reply filed by the applicant.
3. Interim injunctive orders passed by this Tribunal in the course of hearing on 10.10.2022 shall continue till further orders to the

O. A. No. 362/2022

Aravalli Bachao Citizens Movement  
Vs. Union of India & Ors.

-2-

contrary. The Director Mines and Geology Department, Haryana, the Deputy Commissioners, Faridabad, Gurugram and Mewat and Commissioners of Police Faridabad and Gurugram and Superintendent of Police, Mewat are directed to take requisite steps for ensuring compliance with directions given by this Tribunal from time to time including directions given vide order *dated 26.02.2021 passed by this Tribunal in O.A No. 360/2015 titled as NGT Bar Association Vs. Virender Singh* for preventing illegal mining.

4. The Senior Officers duly authorised by Director General of Police, Haryana, Director, Mining and Geology Department, Haryana and Member Secretary, HSPCB are directed to remain present before this Tribunal on that date.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 9<sup>th</sup> 2024.

आवश्यक सूचना  
 सर्व साधारणको सूचित किया जाता है की जिस  
 फरीदाबाद गुरुग्राम व नूँह मेवात मे अवैध  
 स्वनन को रोकनेके लिए विभाग द्वारा एकतेर  
 फ्री नं 1800-180-5530 व ई मेल आई डी  
 arvavalibacharofgn@gmail.com जोसे किरा  
 गए है। जिस पर आमजन अवैध स्वननबारे अपनी  
 शिकायत 24x7घंटे कभी भी ऊपर दिये गये टोल  
 फ्री नं व ईमेल आई डी पर दर्ज करवा सकते है।

 GPS Map  
Camera Lite

C4GF+PM7, Baliawas, Haryana 122003, India

Latitude

28.42508943°

Longitude

77.12376983°

Local 01:33:05 PM

GMT 08:03:05 AM

Altitude 253 meters

Wednesday, 27.12.2023



आवश्यक सूचना  
 सर्वसाधारण को सूचित किया जाता है की  
 जिला फरीदाबाद गुरुग्राम व नूह में अवैध  
 स्वनन को रोकने के लिए विभाग द्वारा एक टोल  
 फ्री नं 1800-180-5530 व ई मेल आई डी  
 aravallibachan@gmail.com जारी किए  
 गए हैं। जिस पर आमजन अवैध स्वनन बारे  
 अपनी शिकायत 24x7 घंटे कभी भी उपर दिये  
 गये टोल फ्री नं व ई मेल आई डी पर दर्ज करवा सकते हैं

 GPS Map  
 Camera Lite

94R4+5Q, Kadarpur Road, Kadarpur, Haryana 122102, India

Latitude

28.3909375°

Longitude

77.10824848°

Local 12:07:38 PM

GMT 06:37:38 AM

Altitude 250 meters

Wednesday, 27.12.2023



Unnamed Road, Haryana 122102, India

Latitude

28.36191397°

Longitude

77.10228802°

Local 03:01:03 PM

GMT 09:31:03 AM

Altitude 244 m

Monday, 06.11.2023

246° SW

COURSE SW 207° GPS



LAT 28° 20' 4.650" N SATURDAY 02.03.2024

LONG 76° 59' 35.020" E LOCAL TIME 16:40:47

47

ALTITUDE  
221.6 m

221

285° W

COURSE NW 319° GPS



LAT 28° 25' 31.155" N SATURDAY 02.03.2024

LONG 77° 7' 22.851" E LOCAL TIME 15:35:24

Wisteria Club Rd, Baliawas, New Delhi,  
Haryana 122102, India

# Toll-free number launched to check mining in Aravallis

Leena Dhankhar

leena.dhankhar@hindustantimes.com

**GURUGRAM**: The Haryana mining department launched a toll-free number on Friday where the public at large will be able to register complaints on illegal mining in the Aravallis.

The public can lodge their complaints 24/7 at 1800-180-5530. Three officials will be deployed in three shifts of eight hours each at the control room that has been set up in Faridabad, officials said.

Nuh-Gurugram mining officer Anil Kumar on Friday said that the mining department has deployed three officials in three shifts to ensure all calls are answered.

"We have set up a control room at the department's district mining office in Faridabad's Neelam Chowk. Three officials will be deployed in an eight-hour shift each and will maintain records of the calls received. The information will be passed on to senior officers who will conduct raids with the help of the police," Kumar said, adding that the identity of the callers will not be revealed.

The National Green Tribunal (NGT) in November last year had directed the state government to set up a control room and notify a phone number as per directives that came after a petition was filed by the Aravalli Bachao Citizens' Movement. The forum had alleged that stones were being cleaved off from hills in 16 locations across Gurugram, Nuh and Faridabad despite a Supreme Court ban on mining in the protected area.

The NGT bench of Justice Arun Kumar Tyagi and expert member Afroz Ahmad had also summoned senior officials of the Haryana Police, forest and wildlife department, mining department and the Haryana Pollution Control Board, asking



The control room in Faridabad will be receiving complaints against illegal mining. HT PHOTO

them to clarify details about illegal mining and measures taken against it.

An eight-member committee formed by the NGT in May last year had "noticed signs of mining" during its inspection of the Aravallis and had said that it suggested "illegal mining was still continuing".

The committee had told the tribunal that it had spotted nine mining sites in Gurugram and Nuh.

The Supreme Court in 2009 had banned mining in the Aravallis of south Haryana, but illegal quarrying of stones for construction has continued unabated. According to available data, 81 vehicles were seized for illegal mining in Gurugram and ₹75 lakh was imposed as penalties, while in Nuh, 93 vehicles were seized and ₹34 lakh was imposed as penalties last year.

The managing trustee of the Aravalli Bachao Citizens' Movement, Jyoti Raghavan said, "We are pleased to hear that the Haryana government has acted on the NGT directives to check illegal mining in the Aravallis. We also urge the government to use drones for regular surveillance and monitoring of all Aravalli areas in Gurugram, Faridabad, Nuh, Palwal, Rewari and Mahendragarh so that illegal mining can be nipped in the bud".

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## अवैध खनन को रोकने के लिए टोल फ्री नंबर के बाद ई-मेल आईडी जारी

फरीदाबाद, 10 अप्रैल, सत्यजय टाइम्स/गोपाल अरोड़ा। जिले में अवैध खनन को रोकने के लिए खनन एवं भू-विज्ञान विभाग की ओर से टोल फ्री नंबर के बाद अब ई-मेल आईडी भी जारी की गई है। मेल आईडी पर फरीदाबाद, गुडगांव व नूह जिले में अवैध खनन करने वालों की लिखित शिकायत दी जा सकेगी। फरीदाबाद की जिला खनन अधिकारी कमलेश ने बताया कि अवैध खनन पर अंकुश लगाने के लिए विभाग की ओर से ई-मेल aravalibachaofgn@gmail.com जारी की गई। इस मेल आईडी पर खनन करने वालों की शिकायत और फोटो भेजे जा सकते हैं। जिस पर विभाग की ओर से तत्काल रूप से कार्रवाई की जाएगी। इससे पहले जिला फरीदाबाद, गुडगांव व नूह में अवैध खनन को रोकने के लिए एक टोल फ्री नंबर भी जारी किया गया है, जोकि 1800-180-5530 है। इस नंबर पर कोई भी व्यक्ति 24 घंटे अवैध खनन की शिकायत दे सकता है। सूचना देने वाले व्यक्ति की जानकारी को पूरी तरह से गुप्त रखा जाएगा।

# अवैध खनन होता दिखे तो करें शिकायत

■ एनबीटी न्यूज, फरीदाबाद : ज़िले में अवैध खनन रोकने के लिए खनन एवं भू-विज्ञान विभाग की ओर से टोल फ्री नंबर के बाद अब ई-मेल आईडी भी जारी की गई है। मेल आईडी पर फरीदाबाद, गुड़गांव व नूंह में अवैध खनन करने वालों की लिखित शिकायत दी जा सकेगी। फरीदाबाद की ज़िला खनन अधिकारी कमलेश ने बताया कि [aravalibachaofgn@gmail.com](mailto:aravalibachaofgn@gmail.com) पर अवैध खनन करने वालों की शिकायत और फोटो भेजे जा सकते हैं। इससे पहले फरीदाबाद, गुड़गांव व नूंह में अवैध खनन रोकने के लिए टोल फ्री नंबर 1800-180-5530 भी जारी किया गया है।

## अवैध खनन पर अंकुश के लिए ईमेल आइडी जारी

जासं, फरीदाबाद: जिले में अवैध खनन रोकने के लिए खनन एवं भू-विज्ञान विभाग ने टोल फ्री नंबर के बाद अब ई-मेल आइडी भी जारी की है। मेल आइडी पर फरीदाबाद, गुरुग्राम, नूंह जिले में अवैध खनन करने वालों की लिखित शिकायत दी जा सकेगी। जिला खनन अधिकारी कमलेश ने बताया कि अवैध खनन पर अंकुश लगाने के लिए ई-मेल [aravalibachaofgn@gmail.com](mailto:aravalibachaofgn@gmail.com) जारी की गई।

इस पर खनन करने वालों की शिकायत और फोटो भेजे जा सकते हैं। विभाग की तरफ से तत्काल कार्रवाई की जाएगी। इससे पहले तीनों जिलों में अवैध खनन रोकने के लिए टोल फ्री नंबर भी जारी किया गया है, जोकि 1800-180-5530 है। इस पर कोई भी व्यक्ति 24 घंटे शिकायत दे सकता है। सूचना देने वाले की जानकारी गुप्त रखी जाएगी।

# Now, file your complaints on illegal mining in Aravalis via this helpline

Ipsita.Pati

@timesgroup.com

**Gurgaon:** The government launched a helpline number on Friday where citizens can complain about illegal mining in the Aravalis. This toll-free helpline — 1800-180-5530 — will cater to complaints from Gurgaon, Faridabad and Nuh.

A control room with six members has been set up by the mining department, which will share details of mining related complaints with the field staff.

On November 27, the National Green Tribunal (NGT) directed Haryana to set up a control room and notify its mobile number for compla-



File Photo

In the past 11 months, 25 FIRs have been filed for illegal mining

ints regarding illegal mining by any member of the public.

“The control room is in Faridabad. It will share complaints with the ground staff in Gurgaon, Faridabad

and Nuh. Action to curb mining incidents will be taken quickly with the help of the control room,” said Anil Atwal, mining officer, Gurgaon.

In the past 11 months, the

mining department has seized 40 vehicles in the city that were found to be engaged in illegal mining in the Aravalis. It has imposed fines amounting to nearly Rs 1 crore on illegal miners in the city and has got 25 FIRs registered against them.

Meanwhile, NGT also directed that senior government officials — Haryana DGP PK Agarwal, director for mining and geology Mukul Kumar, principal chief conservator of forests Jagdish Chandar and Haryana State Pollution Control Board’s regional officer Kuldeep Singh — appear before the tribunal in person or via video conferencing on March 13.

## Detail of FIR's lodged in theft of stone by Mining, Forest &amp; Police Deptt. In Distt. Nuh

(October 2023 to January 2024)

Sr. No	Date of Occurance	Fir No & Dt.	Name of Accused	Complainant	Name of Police station	Name of Village of Gair Mumkin Pahar
1	07.12.2023	90dt. 11.01.2024	Irfan, Irshad, Aarif, Aamin, Arshad, Vaaris R/o Shekhpur (Under investigation)	Mining Deptt.	Haryana State Enforcement Bureau	Kheri Kala & Shekhpur
2	23.12.2023	91 dt. 11.01.2024	Haffij, Najakat, Rahis R/o Chilla (Under Investigation)	Mining Deptt.	----do----	Chilla Charora
3	27.12.2023	92 dt. 11.01.2024	Hannu, Sallam, Tahir, Kalla, Istum R/o Jhimrawat	Mining Deptt.	--do----	Jhimrawat
4	07.10.2023	219 dt. 07.10.2023	Aslam, Harun, Assar R/o Taid, Sajid, Tahir, Usman, Sharif, Jakir R/o Jhimrawat 02 accused arrested ( Under investigation)	Police Deptt.	Pinagwa	Taid
5	01.11.2023	399 dt. 01.11.2023	Sahbudeen, Jahul, Aarif, Aas Mohd. R/o Rawa, Assu R/o Dhulate (RJ), Tahir R/o Pahari (RJ) & 8-10 unknown persons 01 accused arrested (Under investigation )	Police Deptt.	Firozpur hikra	Rawa
6	15.12.2023	211 dt. 15.12.2023	Jamshed , Wajid, Sahid, Khannu, Yassin, Jamshed, Nasim, Kamma & 8-10 unknown persons R/o	Police Deptt.	Bichore	Hathangaon

				Hathangaon (Under Investigation)					
7	26.10.2023	401 dt. 03.11.2023		Sakir, Rahul, Irshad R/o Bhond Nuh 02 accused arrested (Under investigation)	Forest Deptt.	Fireozepur hiFKâ	Bhond		
8	01.12.2023	415 dt. 06.12.2023		Samadeen, Irfan, Irshad, Javed, Arif, Varis R/o Village Shekhpur Nuh. ( Under investigation)	Forest Deptt.	Punhana	Tigaon		
9	01.12.2023	271 dt. 06.12.2023		Sallam, Jafru, Tahir, Kalla, Ruggal, Isslum R/o Jhimrawat ( 01 accused arrested (Under investigation)	Forest Deptt.	Pinagwa	Pinagwa		



District Mining Officer  
Deptt. Of Mines & Geology  
Nuh

## DISTT. NUH

Sr. No.	Date of seizing	Type of vehicle / machinery	Vehicle No.	Name of mineral	Name of police station where vehicle seized	FIR NO. / P.S	Remarks
1	06.10.2023	Tractor Trolley	Ch. No. MBNAAAEXAKJB 04736	Stone	Pinagwa	93 /2024 HSEnB	-----
2	17.10.2023	HYWA	HR 74B- 5968	Stone	Police Chowki Khori	144 /2023 HSEnB	Released on Superdari CRM No. 2433/2023 dt. 06.12.2023
3	17.10.2023	HYWA	RJ 14GJ- 5407	Stone	Police Chowki Khori	145 /2023 HSEnB	Released on Superdari CRM No. 2434/2023 dt. 06.12.2023
4	18.10.2023	Tractor Trolley	RJ02RG- 1041	Stone	Traffic Mandikhera	94 /2024 HSEnB	-----
5	18.10.2023	Tractor Trolley	Ch. MBNGAAEDUPRL 04399	No. Stone	Traffic Mandikhera	94 /2024 HSEnB	-----
6	22.10.2023	Tractor Trolley	Ch. No. MYUDH916144 S3	Stone Dust	Punhana	172/2023 HSEnB	-----
7	23.10.2023	HYWA	RJ 02GC- 0834	Stone	Ferozepur Jhikra	GRN No. 110108225 dt. 06.12.2023	Released after deposited Rs. 430300/- on dt. 06.12.2023
8	23.10.2023	Tractor Trolley	HR 93- 9527 (Illrd time)	Stone	Punhana	34/ 2024 HSEnB	-----
9	24.10.2023	Tractor Trolley	Ch No. T2171703	Stone	Pinagwa	33/2024 HSEnB	-----
10	27.10.2023	HYWA	HR 55AP- 4443	Stone	Ferozepur Jhikra	152/2023 HSEnB	Released on Superdari CRM No. 2869/ 2023 dt. 05.12.2023
11	27.10.2023	HYWA	RJ 02GD- 5001	Stone	Ferozepur Jhikra	163/2023 HSEnB	-----
12	27.10.2023	HYWA	Ch. No. 479118D3P22693 MAT	Stone	Sadar Tauru	1572023 HSEnB	-----
13	02.11.2023	Tractor Trolley	Ch. No. T052532516KK	Gitti	Sadar Tauru	153/2023 HSEnB	-----
14	02.11.2023	Tractor Trolley	Ch. DZCDH963579S3	Dust	Sadar Tauru	153/2023 HSEnB	-----

15	06.11.2023	Dumper	HR 73B- 1174	Rodi	Mandikhera	GRN No. 109520363 dt. 16.11.2023	Released after deposited Rs. 219261/- on dt. 16.11.2023
16	8.11.2023	Hole machine	Ch. No. MHN 10012857/2012	Stone	Ferozpur Jhikra	399/ 2023 Ferozpur Jhikra	----
17	17.11.2023	HYWA	HR 55AR- 3971	Stone	Ferozpur Jhikra	187 dt. 23.12.2023 HSEnB	Released on Superdari CRM 3123/ 2023 dt. 02.01.2024
18	18.11.2023	Tractor Trolley	Ch. No. T052627012LM	Stone	Ferozpur Jhikra	146/2024 HSEnB	----
19	21.11.2023	JCB	HR 26ET- 0545	Stone	Sadar Nuh	179/2023 HSEnB	----
20	23.11.2023	Tractor Trolley	HR 96A- 3676	Dust	Nuh City	185/2023 HSEnB	----
21	23.11.2023	HYWA	HR 74B- 1024	Stone	Traffic Mandikhera	180/2023 HSEnB	----
22	27.11.2023	Tractor Trolley	HR 28H- 1287	Stone	Ferozpur Jhikra	Memo No. 1755 dt. 02.02.2024 HSEnB	----
25	06.12.2023	HYWA	HR 55T- 3857	Stone	Punhana City Police Chowki	41/2024 HSEnB	----
26	08.12.2023	Tractor Trolley	T2086805	Stone	Chowki Punhana	43/ 2024 HSEnB	----
27	09.12.2023	Tractor Trolley	HR 12AF- 7683	Stone	AVT Mining Rojka Meo	42/2024 HSEnB	----
28	14.12.2023	HYWA	RJ 02GD- 3310	Stone	Ferozpur Jhikra	39/2024 HSEnB	----
29	15.12.2023	HYWA	HR 55AG- 2586 (IIND TIME)	Stone	Ferozpur Jhikra	38/2024 HSEnB	----
30	15.12.2023	HYWA	HR 52 H- 9129	Stone	Ferozpur Jhikra	311/2024 HSEnB	----
31	22.12.2023	Tractor Trolley	Ch. No. DZCDH861654S3	Stone	Chowki Punhana	Memo No. 1756 dt. 02.02.2024 HSEnB	----
32	04.01.2023	Tractor Trolley	Ch. No. T2050665	Stone	Chowki Punhana		----
33	04.01.2023	Tractor Trolley	Ch. No. SN209544	Stone	Chowki Punhana		----
34	04.01.2023	Tractor Trolley	RJ 02RE- 8982	Stone	Bichore		----
35	05.01.2023	Dumper	HR 55AP- 4454	Rodi	Ferozpur Jhikra	247/2024 HSEnB	----
36	17.01.2024	Dumper	HR 55AK- 2588	Stone Dust	City Tauru		----
37	17.01.2024	HYWA	HR96B- 4931	Stone Dust	City Tauru		----

38	17.01.2023	Tractor Trolley	HR 72E- 9188	Stone	AVT Rojka Meo	----
39	17.01.2023	Tractor Trolley	Ch. No. NVBY00447	Stone	Punhana	----
40	24.01.2024	Tractor Trolley	HR 28H- 2778	Rodi	City Punhana	----
41	24.01.2024	HYWA	RJ 40CA- 6164	Stone	Ferozepur Jhikra	----
42	24.01.2024	Tractor Trolley	HR 93- 5438	GSB	City Chowki Punhana	----
43	24.01.2024	Tractor Trolley	Ch. No. BSN222514	Stone	AVT Rojka meo	----
44	27.01.2024	Tractor Trolley	HR 72E- 1804	Stone	AVT Rojka meo	----

## DISTT. GURUGRAM

Detail of Vehlices seized in llegal transportation of Stone, Rodi & Stone Dust from October 2023 to January 2024

Sr. No.	Date of seizing	Type of vehicle / machinery	Vehicle No.	Name of mineral	FIR NO. / P.S	Remarks
1	19.10.2023	HYWA	RJ 32GC-4101	Rodi	GRN No. 108610110 dt. 20.10.2023	Released after deposited Rs. 443432/- on dt. 20.10.2023
2	20.10.2023	HYWA	HR 55AL-1338	Stone	190/2023 HSEnB	Released on superdari CRM No. 10257/2023 dt. 15.01.2024
3	05.11.2023	HYWA	RJ 32GC-9452	Rodi	249/2024 HSEnB	Released on superdari CRM No. 1162/2024 dt 06.02.2024
4	04.01.2024	Dumper	HR 74B-8134	Rodi	127/2024 HSEnB	Released on superdari CRM No. 371/2024 dt. 29.01.2024
5	13.01.2024	Dumper	HR 55AN-9227	Stone Dust	195/2024 HSEnB	Released on superdari CRM No. 460/2024 dt. 31.01.2024
6	17.01.2024	HYWA	HR 61C-5166	Stone Dust	GRN No. 112216729 dt. 25.01.2024	Released after deposited Rs. 321890/- on dt. 25.01.2024
7	19.01.2024	Dumper	HR 55AC-6757	Stone Dust	GRN No. 112354191 dt. 30.01.2024	Released after deposited Rs. 214510/- on dt. 30.01.2024
8	24.01.2024	Dumper	HR 55AN-2756	Stone Rodi	251/2024 HSEnB	---
9	24.01.2024	Dumper	HR 38AC-5221	Rodi	252/2024 HSEnB	Released on superdari CRM No. 854/2024 dt. 05.02.2024
10	24.01.2024	HYWA	RJ 32GC-8717	Rodi	248/2024 HSEnB	---
11	25.01.2024	HYWA	RJ 32GC-3075	Rodi	250/2024 HSEnB	Released on superdari CRM No. 1163/2024 dt. 06.02.2024

  
**Mining Officer**  
 Deptt. Of Mines & Geology,  
 Gurugram

Detail of Seized vehicle Action Taken from 01.10.2023 To 31.01.2024 Distrcit Faridabad						
Sr No.	Date of seizing	Vehicle Type	Vehicle Reg No.	Mineral	FIR No.	Remarks
1	01.10.2023	Truck	RJ-32-GC-8667	RODI 20 MM	379/2024 PS HSEnB	Released on Court Superdari
2	16.10.2023	Hyva	HR-38-AA-9113	Stone	11/2023 PS HSEnB	Released on Court Superdari
3	26.10.2023	DUMPER	HR-38-AG-6760	Stone	578/2024 PS HSEnB	Released on Court Superdari
4	26.10.2023	DUMPER	HR-38-AF-5573	RODI 20 MM	575/2024PS HSEnB	Released on Court Superdari
5	26.10.2023	Hyva	HR-55-R-8562	RODI 20 MM	576/2024 PS HSEnB	Released on Court Superdari
6	26.10.2023	DUMPER	HR-38-AC-5094	Stone	579/2024 PS HSEnB	Released on Court Superdari
7	06.11.2023	Hyva	HR-38-T-7346	Stone	32/2023 PS HSEnB	Released on Court Superdari
8	14.11.2023	DUMPER	UP-16-KT-9444	Stone	49/2023PS HSEnB	Released on Court Superdari
9	23.11.2023	Truck	HR-67-B-7295	RODI	39/2023 PS HSEnB	Released on Court Superdari
10	28.11.2023	DUMPER	HR-38-AF-0540	Stone	171/2024 PS HSEnB	Released on Court Superdari
11	30.11.2023	Hyva	HR-38-X-8438	RODI	172/2024 PS HSEnB	Released on Court Superdari
12	05.12.2023	DUMPER	HR-74-A-2115	Stone	89/2024 PS HSEnB	Released on Court Superdari
13	12.12.2023	Hyva	HR-38-AC-4211	Stone	479/2024 PS HSEnB	Released on Court Supardari
14	14.12.2023	Hyva	HR-38-T-9925	Stone	538/2024 PS HSEnB	Seized in Police Station
15	26.12.2023	DUMPER	HR-38-AB-2635	Stone	348/2024 PS HSEnB	Seized in Police Station
16	30.12.2023	Hyva	HR-38-S-3466	Stone	539/2024 PS HSEnB	Seized in Police Station

17	11.01.2024	DUMPER	HR-38-V-0016	Stone Dust	577/2024 PS HSEnB	Released on Court Superdari
18	23.01.2024	DUMPER	HR-74-A-3619	Stone Dust		Seized in Police Station
19	23.01.2024	Dumper	HR-38-AB-9749	Stone Dust		Seized in Police Station
20	24.01.2024	Dumper	HR-38-Y-6741	Stone Dust		Seized in Police Station
21	30.01.2024	Dumper	UP-16-DT-6793	Stone Dust		Seized in Police Station

  
MINING OFFICER  
Department of Mines & Geology  
Haryana, FARIDABAD



**HARYANA STATE POLLUTION CONTROL BOARD**  
**C-11, SECTOR-6, PANCHKULA**  
**Ph-0172-577870-73, Fax No. 2581201**  
**E-mail: [hspcbwatercell@gmail.com](mailto:hspcbwatercell@gmail.com)**



No. HSPCB/ WC/2023/8642- 8666

Dated:-07.12.2023

To

1. Director, Mines & Geology Department, Panchkula.
2. Principal Chief Conservator of Forest, Panchkula.
3. Dr. Babu Ram, Technical Expert, HSPCB.
4. District Forest Officers of Gurugram, Faridabad, Nuh, Mohindergarh, Rewari, Bhiwani and Charkhi Dahri.
5. Regional Officers, HSPCB, Gurugram (North), Gurugram (South), Faridabad, Ballabgarh, Nuh, Mohindergarh, Rewari, Bhiwani and Charkhi Dadri.
6. Mining Officers of Gurugram, Faridabad, Nuh, Mohindergarh, Rewari, Bhiwani and Charkhi Dahri.

**Sub: Proceedings of the meeting in the matter of OA No. 362 of 2022 titled as Aravali Bachao Citizens Movement Vs Union of India & Others on dated 06.12.2023 at 02:30 PM to discuss the issue of Aravali Rejuvenation Plan.**

Kindly refer to the subject noted above.

In this connection, I have been directed to enclose herewith the copy of proceedings of the meeting held on 06.12.2023 at 02:30 PM under Chairmanship of Sh. P. Raghavendra Rao, Chairman, HSPCB to discuss the issue of Aravali Rejuvenation Plan for your kind information and further necessary action please.

DA/As above

  
 Sr. Env. Engineer (HQ)  
 For Chairman

Endst. No. HSPCB/WC/8667-8672

Dated 07.12.2023

A copy of above is forwarded to the following for information and further necessary action please:-

1. Aravali Bachao Citizens Movement.
2. Dr. Sumit Dookia.
3. Dr. Vijay Dhasmana.
4. Dr. Ankila Hiremath.
5. Sh. Rajendra Singh.
6. Dr. Faiyaz Ahmad Khudsar.

DA/As above

  
 Sr. Env. Engineer (HQ)  
 For Chairman

**Proceedings of meeting held on 06.12.2023 at 2:30 PM under the Chairmanship of Sh. P. Raghavendra Rao, Chairman, HSPCB at the Conference Hall, HSPCB, C-11, Sec-06, Panchkula in the matter of OA No. 362 of 2022 titled as Aravali Bachao Citizens Movement Vs Union of India & Others to discuss the issues of Aravali Rejuvenation.**

A meeting was held under the Chairmanship of Sh. P. Raghavendra Rao, Chairman, HSPCB in the Conference Hall, HSPCB to discuss the issues of Aravali Rejuvenation. The list of participants is attached as **Annexure**.

Right at the outset, the Chairman welcomed all the participants. He emphasized that the rejuvenation of Aravali can be accomplished effectively by the State Govt. only with the active participation of the members of Civil Society and other stake holders. Therefore, the State Govt. Officers, Experts and members of Aravali Bachao Citizens Movement have been invited in this meeting. The Forest Department officers informed that they have prepared action plans for their respective areas of jurisdiction but it was felt the plans need a lot of up-gradation and additions.

Dr. Faiyaz Ahmed, Expert observed that the plans prepared so far primarily address the issue of plantation only but the subject now involves higher matrix i.e. ecology rejuvenation of Aravali area, which is much broader in scope and involves the site details, history of the site, the reference eco system, extent of degradation alongwith mapping & land ownership details. Dr. Vijay Dashmana, Expert Aravali Bio-Diversity agreed to the observations of Dr. Faiyaz and suggested to draw baselines. He also stressed for close monitoring during the implementation phase of the Rejuvenation Plan.

DFO, Nuh & DFO, Gurugram informed that they have planted various varieties of trees/ plants suitable for the environment of Aravali area. Some of these are fruit bearing which are useful for the animals found in the Aravali area.

Dr. Rajender Singh, (popularly known as waterman of India) emphasized that the water conservation is an important issue and should be included in the Rejuvenation Plan. Chairman HSPCB clarified that this component is already in the State Govt. policy and an action plan is already in place for entire State. Water conservation must be a part of the Rejuvenation Plan.

Dr. Ritu Rao, Trustee of "Aravali Citizen Movement" suggested that the issue of protection of Aravali and other measures should also be made a part of the Rejuvenation Plan for Aravali. Drone monitoring should also be employed for this.

*raj*

Dr. Faiyaz and Dr. Vijay Dashmana agreed to prepare a template for the Rejuvenation Plan so that the Rejuvenation Plan can be prepared accordingly. They assured to prepare and circulate to the DFOs concerned latest by 11.12.2023.

The Chairman, HSPCB desired that detailed district-wise draft Aravali Rejuvenation Plans should be prepared in consultation with various experts in this field on the suggested template, and discussed a workshop to be conducted on 16.12.2023 at Gurugram. The experts may further go through and give their suggestions for further upgradation of the plans. The DFOs shall update the plans accordingly and place before the State Committee, headed by Dr. Bahu Ram, Technical Expert, HSPCB with Dr. Sumit Dookia, Sr. Scientist, Wildlife Research, Indraprast University, Delhi, Mrs. Neelam Ahluwalia, Col. Sarrvadaman Singh Oberoi, Smt. Madhavi Gupta, State Mining Officer and one officer each dealing with Forests and Wild Life to be nominated by the concerned departments.

After detailed discussion the following decisions were taken for Aravali Rejuvenation Plan:-

1. District Level Committee will be headed by concerned Deputy Commissioner, RO HSPCB (Convener), Mining Officer, District Forest Officer as members.
2. State Committee will comprising Dr. Sumeet Dookia, Sr. Scientist, Wildlife Research, Indraprast, University, Col. Sarrvadaman Singh Oberoi and Mrs. Neelam Ahluwalia from Aravali Bachao Citizen Movement shall be headed by Dr. Babu Ram, Technical Expert, HSPCB.
3. The workshop to present the draft rejuvenation action plan before experts shall be held on 16.12.2021 at Gurugram and shall be organized by the DFO, Gurugram and the Regional Officer, Gurugram South. The DFO concerned shall present the plan before the experts and other participants.
4. The Rejuvenation Plan shall be updated by the District committees as suggested by the experts and thereafter, the updated plan shall be presented before the State Committee.
5. The updated plan, as ratified by the State Committee will be placed before Govt. for final approval and implementation.

The meeting ended with thanks to Chair and all the participants.

*Toti*

## Annexure

List of participants of meeting held on 06.12.2023 at 2:30 PM under the Chairmanship of Sh. P. Raghavendra Rao, Chairman, HSPCB at Conference Hall, HSPCB, C-11, Sec-06, Panchkula in the matter of OA No. 362 of 2022 titled as Aravali Bachao Citizens Movement Vs Union of India & Others.

Sr. No.	Name and Designation
1.	Sh. P. Raghavendra Rao, Chairman.....in the Chair.
2.	Dr. Babu Ram, Technical Expert, HSPCB
3.	Sh. Balraj Ahlawat, CEE, HSPCB
4.	Smt. Madhavi Gupta, State Mining Officer, Mining Department, Haryana, Chandigarh (through VC)
5.	Sh. JP Singh, SEE, HSPCB
6.	Sh. Raj Kr, DFO, Faridabad (through VC)
7.	Sh. Rajiv, DFO, Gurugram (through VC)
8.	Sh. Deepak, DFO, Rewari (through VC)
9.	Sh. Vijender, DFO, Nuh (through VC)
10.	Sh. Sandeep, RO, Faridabad (through VC)
11.	Sh. Akanasha, RO, Ballabgarh (through VC)
12.	Sh. Vipin, RO, Nuh (through VC)
13.	Sh. Krishan Kumar, RO, Mahendergarh (through VC)
14.	Sh. Harish Kumar, RO, Rewari (through VC)
15.	Sh. Shakti Singh, RO, Charkhi (through VC)
16.	Sh. Anil Kumar, Mining Officer, Gurugram/ Nuh (through VC)
17.	Sh. Bhupender, Mining Officer, Mahendergarh (through VC)
18.	Sh. Niranjana Lal, Mining Officer, Faridabad/ Panchkula (through VC)
	<b>Other Participants</b>
19.	Dr. Rajender Singh (through VC)
20.	Dr. Faiyaz Ahmad Khudsar (through VC)
21.	Dr. Ankila Hiremath, Ecologist, (through VC)
22.	Dr. Vijay Dashmana, Expert, Aravali, Biodiversity (through VC)
23.	Col. Sarvadaman Singh Oberoi, Member Aravali Bachao Citizen Movement
24.	Mrs. Neelam Ahluwalia, Trustee, Aravali Bachao Citizen Movement
25.	Dr. Sumeet Dookia, Sr. Scientist, Wildlife Research, Indraprast University, Delhi
26.	Dr. Ritu Rao, Trustee, Aravali Bachao Citizen Movement (through VC)