

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

M.A. 81/2025

In

ORIGINAL APPLICATION NO. 563 OF 2023

IN THE MATTER OF:

News Item titled "MLA apprised of losses due to illegal mining in Doon Assembly segment" appearing in Dainik Tribune dated 08.09.2023.

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FILED THROUGH
COUNSEL FOR THE RESPONDENTS No. 4



ANIL JARYAL
Chamber No.109, Block-03
Delhi High Court.
Email: aniljaryal07@gmail.com

Dated: 04.10.2025

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

M.A. 81/2025

IN

O. A. No. 563 of 2023

IN THE MATTER OF:

News Item titled "MLA apprised of losses due to illegal mining in Doon Assembly segment" appearing in Dainik Tribune dated 08.09.2023

REPORT IN COMPLIANCE TO THE ORDER DATED
03.07.2025 PASSED BY THE HON'BLE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH, NEW DELHI, ON BEHALF
OF RESPONDENT NO. 4.

MAY IT PLEASE YOUR LORDSHIPS:

I, Dinesh Kumar S/o Sh. Prem Lal, age 36 years, Occupation Government Service and presently posted as Assistant Geologist holding additional charge of Mining Officer, District Solan, Himachal Pradesh, Solan, do hereby solemnly affirm and state on oath as under: -

1. That it is humbly submitted that the above-mentioned Miscellaneous Application 81/2025 in Original Application No. 563/2023 came up for hearing on 03.07.2025 and on the said date, after hearing, the Hon'ble Tribunal, having earlier disposed of the matter, was pleased to re-open the proceedings and pass the following order:

"3. Report though states that environmental compensation has been imposed but no details have been given in respect of the steps taken for the recovery thereof.

4. *It is worth-noting that as per the said report, environmental compensation has been imposed by SHO, Manpura and Mining Officer, Solan, HP. Hence, issue of imposition of environmental compensating is required to be clarified. Thus, we deem it proper to issue notice to the following respondents:*



(i) *Member Secretary, HPPCB, Him Parivesh, Phase-III, New Shimla, Himachal Pradesh 171009;*

(ii) *Sub-Divisional Magistrate, Nalagarh, HP;*

(iii) *SHO, Manpura, Tehsil Baddi;*

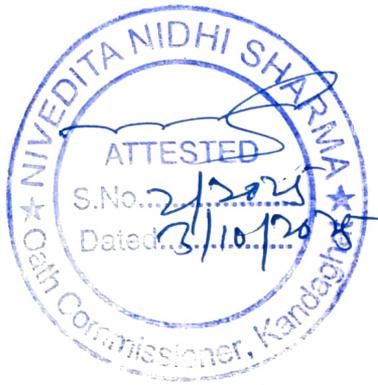
(iv) *Mining Officer, Solan, HP.*

5. *Let notice be issued to above respondents for filing their response by way of affidavit at least one week before the next date of hearing."*

2. That it is respectfully submitted that Respondent No. 4 has duly complied with the directions issued by the Hon'ble Tribunal. The compliance has been carried out in letter and spirit in accordance with the guidelines stipulated under the notification dated 18.08.2022, issued by Department of Environment, Science and Technology, pursuant to the provisions of the Environment Protection Act, 1986.

3. That is humbly submitted that the Hon'ble Tribunal to sought the clarification that:

"4. It is worth-noting that as per the said report, environmental compensation has been imposed by SHO, Manpura and Mining Officer, Solan, HP. Hence, issue of imposition of environmental compensating is required to be clarified. Thus, we deem it proper to issue notice to the following respondents....."



4. That it is respectfully submitted that Respondent No. 4, in compliance with the guidelines stipulated under the Notification dated 18.08.2022, forwarded the mining challans detected under Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 and amendments thereof to the Sub-Divisional Magistrate, Nalagarh, and further apprised the Sub-Divisional Magistrate, Baddi, upon the constitution of Sub-Division Baddi vide Notification dated 02.08.2024, for the purpose of imposition of environmental compensation. It is further submitted that Respondent No. 4 has no authority or competence under the provisions of the Environment (Protection) Act, 1986 to levy or impose environmental compensation. Accordingly, with reference to the averments contained in para 4 of the order dated 03.07.2025 passed by this Hon'ble Tribunal, it is submitted that the imposition of environmental compensation is being undertaken by the concerned Sub-Divisional

Magistrates, in coordination with the State-level departments, and in consonance with the Notification dated 18.08.2022.

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- 5. That the present Affidavit may kindly be taken on record in the interest of justice.



[Signature]
Deponent

VERIFICATION:

I, the above deponent do hereby verify that the contents of this Affidavit from para 1 to 5 are true and correct to the best of my knowledge and belief, as the information has been derived from the official record. No part of it is false and nothing material has been concealed there from.

Verified at Solan/Kandaghat on this day 03.10.2025.

Certified that the above was declared on oath/affirmation before me and.....
on 3/10/2025 at Kandaghat
in the town of Solan by deponent.
I am personally known to me or
Sh. Vishal Kaur, presently posted
as Mining Inspector, Solan, by
Adhar No. 660708149961 who
is personally known to me.

[Signature]
Deponent

Certified that the affidavit has
been read and explained
to deponent who seemed to
understand and so affirmed
it to be correct.

[Signature]
Oath Commissioner

Sh. Vishal Kaur, presently posted as Mining Inspector, Solan, identified the deponent who has signed in my presence
Adhar No. 660708149961
Oath Commissioner

IN THE COURT OF HONBLE NATIONAL GREEN TRIBUNAL, DELHI
Suit/Appeal No. OA- 563 / 2023 - MA-81 / 2025 JURISDICTION OF 201

In re:-
NEW ITEM TITLED 'MLA APPRISED OF LOSSES DUE TO
ILLEGAL MINING IN DOON Plaintiff(s) or Petitioner(s)
Appellant(s) Complainant(s)
ASSEMBLY SEGMENT' APPEARING IN DAINIK TRIBUNE
VERSUS DATED - 08.09.2023.

Defendant (s)/ Respondent(s) / Accused Know all to whom
these Present shall come that I/we DINESH KUMAR, PRESENTLY POSTED AS
ASST. GEOLOGIST, & MINING OFFICER, DISTRICT SOLAN- HP
The above named. RESPONDENT - NO. 4.

do hereby appoint
ANIL JARYAL - ADV, D/3587/16
Ch. 109, Block-03, DHC # 9871277207.
(herein after called the advocate/s) to be my / our Advocate in the above - noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which
may be tried or heard and also in the appellate court including High Court subject to payment of fees \$
for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objection or petitions for execution
revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed
or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences of disputes
that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all
other acts and things which may be necessary to be done for the progress and in the course of the
prosecution on the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and
authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the
power of attorney on our behalf.

And I/we undersigned to hereby agree to ratify and confirm all acts done by the Advocate or
his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/we undertake that I/We or my/our duly authorized agent would appear in court on all
hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the
result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he
shall receive and retain for himself.

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us
to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case
until the same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once
the fee is paid, I /We will not be entitled for the refund of the same in any case whatsoever and if the case
prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have
been understood by me/us on this Day of 201 Accepted subject to the terms of
the fees.

Advocate

D/3587/16.
ANIL JARYAL.

Distt. Mining Officer
SOLAN (H.P.)
Identify the Signature/Thumb Impression of Below Mentioned Person,

Signed in My Presence. The Client.

