

**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.

**INDEX**

Sr. No.	PARTICULARS	PAGES
01.	Response by way of affidavit in compliance to the order dated 03.07.2025 on behalf of Respondent no. 3, i.e. SHO-Manpura, Police District- <del>D</del> addi, HP.	1-4

FILED THROUGH  
COUNSEL FOR THE RESPONDENTS No. 3



**ANIL JARYAL**  
Chamber No.109, Block-03  
Delhi High Court.  
Email: [aniljaryal07@gmail.com](mailto:aniljaryal07@gmail.com)

Dated: 04.10.2025

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



RESPONSE BY WAY OF AFFIDAVIT 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. 3.

Most Respectfully Showeth:

I, Sub-Inspector Vipin Kumar S/o Late Sh. Khushi Ram, age 52 years, resident of Village & Post Office Jakhera, Tehsil & District Una (HP), presently posted as Officiating Station House Officer, Police Station Manpura, Police District Baddi, Himachal Pradesh, do hereby solemnly affirm and state on oath as under: -

ATTESTED

*[Signature]*  
Oath Commissioner  
Nalagarh, Dist. Una  
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.

**ATTESTED**  
Oath Commissioner  
Nalagarh, Dist. Solan, H.P.

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. 3/deponent 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 it is humbly submitted that the Hon'ble Tribunal has pleased 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. In this regard, it is specific to mention here that the deponent/ respondent No. 3, being a Police official is neither competent nor has ever imposed 'environmental compensation' on the defaulters of Mining related issues. The replying respondent No. 3 has curbed menace of illegal Mining under his jurisdiction in compliance of the provisions of law laid down in Himachal Pradesh Minor Mineral (Concession) and Minerals (Prevention of illegal Mining, Transportation and Storage) Rules 2015 made under The Mines and Minerals (Development and Regulation) Act, 1957 and imposed fines upon the defaulter under this Act only.



5. That in compliance of the notification dated 18.08.2022 issued by Department Environment, Science and Technology pursuant to the provisions of the Environment Protection Act, 1986, the replying respondent had forwarded the Mining challans to Ld. Sub-Division Magistrate (being an administrative authority for Ld. NGT) for imposing the Environmental Compensation, therefore, it is humbly submitted that the replying respondent has not imposed the environmental compensation with respect to the averments made in the para 4 of the order dated 03.07.2025 passed by this Hon'ble Tribunal and the environmental compensation has been further imposed by Ld. SDM in coordination with state-level departments.

ATTESTED  
 Oath Commissioner  
 Nalagarh, Distt. Sol. 1 (H.P.)

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

*[Signature]*  
Deponent



**VERIFICATION:**

The above deponent do hereby verify that the contents of this Affidavit from Para 6 of the above response affidavit 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 Nalagarh on this 2<sup>nd</sup> day of October, 2025.

**ATTESTED**

*[Signature]*  
Oath Commissioner  
Nalagarh, Distt. Sol. n (H.P.)

*[Signature]*  
Deponent

Certified that the above affidavit is read and explained to the deponent who seems perfectly to understand the same and signed the same in my presence at the line of making thereof No...4690

*[Signature]*  
Oath Commissioner  
Nalagarh (H.P.)

Certified that above was declared on oath/solemn affirmation before me at...N.C. this day of 02-10-2025 by Sh./Smt...VIPAN KUMAR deponent, who is personally known to me/identified by Sh.H.C. Krishna Dhinan who is personally known to me.

*[Signature]*  
Oath Commissioner  
Date...02-10-2025  
Time...12.00



IN THE COURT OF HON'BLE NATIONAL GREEN TRIBUNAL - DELHI  
Sui/Appeal No. 04 - 563 / 2023 - MA - 81 / 2023 JURISDICTION OF 201

In re:-  
NEWS 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 DATED - 08.09.23  
VERSUS

Defendant (s)/ Respondent(s) / Accused Know all to whom  
these Present shall come that I/we VIPIN KUMAR, POST AS SHO MANPURA, TEH - BAODI  
POLICE DISTRICT - BAODI, DIST- SOLAN.

The above named RESPONDENT - NO. 03

do hereby appoint  
ANIL JARYAL, ADV - D/3587/16  
Ch- 109, BLOCK- 3, DHC #987127207  
(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

Client  
Client  
I Identify the Signature/Thumb Impression of   
Police Station Manpura  
Signed in My Presence. The Client  
Police Dist. Beddi (H.P.)

