

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No: 1034 of 2024**

IN THE MATTER OF

K SANJEEV DOGRA

..... APPLICANT

-VERSUS-

STATE OF HIMACHAL PRADESH AND ORS.

.....RESPONDENT

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R. Shukla
RESPONDENT NO. 18

THROUGH COUNSEL

Place: New Delhi

Date: 03.09.2025

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**BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL
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ORIGINAL APPLICATION NO: 1034 OF 2024**

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**REPLY IN COMPLIANCE OF ORDER DATED 20.03.2025 ON BEHALF
OF RESPONDENTS NO. 18 IN THE MATTER OF K. SANJEEV DOGRA
V. STATE OF HIMACHAL PRADESH AND ORS. (O.A NO. 1034/2024)**

1. The present Affidavit is being filed in terms of the order dated 20.03.2025 passed by this Hon'ble Tribunal in captioned O.A No. 1034 of 2024, wherein the Hon'ble Tribunal held: *"In view of averments made in the original application and the observations made in the reports of the Joint Committee, following 11 mining lease holders and 14 stone crushers are impleaded as respondents no. 5 to 29"*
2. That the Respondents are licensed Mining leaseholders, who are undertaking mining operations in adherence with all the applicable rules and regulations made by regulating authorities.
3. That the Respondents are not undertaking conventional riverbed sand mining wherein natural sand is extracted directly from the banks of the river. They are instead, extracting stone and bajra from the river bed and producing M-SAND (Manufactured Sand) which is a by-product of crushed stone.
4. That the Joint Committee in its Final report dated 18.03.2025, made observations in response to the illegal and unscientific mining alleged by the Applicants. Majority of the Illegal mining cases detected by mode of illegal

extraction/storage and transportation have nothing to do with the Respondents.

5. That the Joint Committee raised the following issues pertaining to the activities of the Respondents:

- A. Non-demarcation of 6 Mining leases.**
- B. Discharge of waste water containing silt.**
- C. Installation of Dry extraction cum bag filter followed by cyclone in stone crushing units.**
- D. Absence of retaining Structures.**

6. Para wise reply to each of the issues pointed out by the Joint Committee in respect of the activities of the Respondents are as follows:

A. Non-demarcation of 6 Mining leases.

That the subject of Demarcation of mining leases comes under the purview of mining department. The Mining leases in question are river bed mining leases and therefore demarcation of river bed mining lease is an annual exercise conducted by the Mining Department. The annual demarcation reports of previous years are annexed in the individual replies of the Respondents.

B. Discharge of waste water containing silt

That the Respondents have installed a desilt water treatment plant for waste water discharge and the same has been verified by the Joint Committee in its Final report on page no.10.

2.3.2. "8. It was observed during 1st inspection that stone crusher were discharging waste water containing silt directly and/or indirectly into the river. However, it was observed during 2nd and 3rd site inspection that out of 14 stone crushers, 13 stone crushers have made arrangements to desilt the waste water and also for storage for recycling by constructing earthen

ponds. Whereas, one crusher namely M/s Bhandral Stone Crusher is using channels for settling the silt followed by pond to store and recycle the clear water. ”

C. Installation of Dry extraction cum bag filter followed by cyclone in stone crushing units.

The dry extraction cum bag filter and cyclones are installed in dry-stone crushers to control/reduce dust emissions generated from dry-stone crusher. It is pertinent to mention, that the Respondents are undertaking stone crushing by way of wet stone crusher plants and not dry-stone crusher plants. Wet stone crusher plants produce stone aggregate and coarse sand through a water-based system that does not lead to emission of dust and air pollutants. The installation of dry extraction cum bag filter followed by cyclone in a wet stone crusher plant is unnecessary and redundant. The Respondents have also provided water sprinkling systems on the periphery of the stone crusher units to curb dust emissions. The same is an inevitable and integral part of the wet stone crusher plant.

D. Absence of retaining Structures.

That the Respondents are undertaking mining of stones accumulated on the river bed. Such operations do not involve any activity that may result in unintended ejection of rock fragments/ rock projectiles, potentially causing damage to property or injury to people and therefore do not require retaining structures. That the requirement/ need of construction of retaining structures is specific to the location of the mining lease. The construction of retaining structures where it is not imperative, may disturb the river ecology. It is need based and thus the same has not been constructed when there is no specific direction.

REPLY ON BEHALF OF RESPONDENT NO 18

1. That the **Respondent no. 8, Shiva Stone Crusher Mining Lease Area** was granted mining lease for an area of **3-87-80 Hectares** situated at **Khasra No 731/1&732 Village/Mohal/Mauza Maira Batrah/Maira Doomal, Tehsil Nurpur, District Kangra, H.P.** for excavation of building stone by way of the duly registered lease **dated 09.12.2022** executed by the government of the state of Himachal Pradesh **valid up to 08.12.2027.**

The lease deed of Respondent No.8 is hereby annexed as **ANNEXURE R-8/1.**

2. That the **Respondent No 18: M/s Shiva Stone Crusher Village & P.O. Kandwal Tehsil Indora Distt Kangra H.P.** is operating a Wet Stone Crusher that produces Stone Aggregate and Coarse Sand using building stones/ Bajra from the licensed mining leases.
3. The said lease dated 09.12.2022 was executed in favour of the Respondent after due approval of the mining plan approved by the Govt. of Himachal Pradesh.

The **mining plan** of Respondent No.8 is hereby annexed as **ANNEXURE R-8/2.**

4. The Respondent obtained **Environment Clearance** from the State level impact assessment authority (SEIAA) issued on **22.11.18** under EC identification No. **HPSEIAA/2018/588-5785.**

The EC of Respondent No.8 is hereby annexed as **ANNEXURE R-8/3.**

5. That the Respondent obtained the Consent to Operate (C.T.O.) dated **23.01.2023** from the Himachal Pradesh Pollution Control Board which is valid till **21.11.2025.**

The CTO of Respondent No.18 is hereby annexed as **ANNEXURE R-18/1.**

6. That the aforementioned facts with respect to the permissions obtained by the Respondent also stand duly confirmed by the report of the Joint Committee constituted by this Hon'ble Tribunal in the present O.A vide order dated 07.11.2024.
7. That the Respondent is carrying out operations of mining /excavation at the allotted mining lease site as per the terms and conditions listed in the required permissions and clearances. The annual demarcation reports are Annexed as **ANNEXURE R-8/4**.
8. That the Respondent does not indulge in any illegal, unscientific mining/Crushing or transportation of illegally excavated mining material. The Respondent is undertaking mining/stone crushing operations in compliance with requisite standards provided by the regulating authorities.
9. That the Respondent is carrying out operations of Stone crushing using excavated stones from the allotted mining lease site as per the terms and conditions listed in the required permissions and clearances.
10. That the Respondent has installed a desilt treatment plant for waste water discharge and the same has been verified by the Joint Committee in its Final report on page 10.
11. That the Respondent is not undertaking any action resulting in diversion of river flow or causing any harm to the environment.
12. That the Respondent is undertaking stone crushing by way of wet stone crusher plants and not dry-stone crusher plants. Wet stone crusher plants produce stone aggregate and coarse sand through a water-based system that does not involve emission of dust and air pollutants. The unnecessary installation of dry extraction cum bag filter followed by cyclone in a wet stone crusher plant will choke the filter and result in improper functioning.
13. That the Respondent has provided water sprinkling systems on the periphery of the stone crusher units and is using a wet process for the

production of Stone Aggregate and Coarse Sand due to which no dust emission is caused.

1. That it is humbly submitted on the issue of construction of retaining structures that the Mining plan of the Respondent No. 8, specifically mentions on page 51 of Annexure R8/2 that the same is not required to be constructed, thus the same has not been done.

“1.3. PREVENTIVE RETAINING STRUCTURES

No retaining structures have been proposed as whole of mining lease area lies within highest flood level.”


RESPONDENT NO.18

THROUGH COUNSEL

Place: New Delhi
Date: 03.09.2025

ADVOCATE YASHOVARMAN

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AFFIDAVIT

I, Ranbir Singh, S/o Sh. Swadesh Singh, Propreiter M/s Shiva Stone Crusher, Village & P.O. Kandwal, Tehsil Nurpur, Distt. Kangra H. P. hereby solemnly affirm and declare as under:

1. I am the authorised representative on behalf of the Respondent No.18 in the aforesaid matter and am well conversant with the facts and circumstances of the case and competent to swear the present affidavit.
2. That the contents of the accompanying reply have read over to me ,which I understood and I state that the contents of the accompanying reply is based on the records.
3. That the documents filed along with the Reply are true copies of their respective originals.

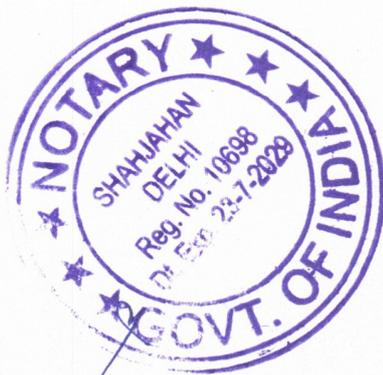
Ranbir Singh
DEPONENT

VERIFICATION

I identify the Deponent who has signed in my Presence

Verified at New Delhi on 03 SEP 2025 day of 03 SEP 2025, 2025 that the contents of para 1 of 3 of the above affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.

Ranbir Singh
DEPONENT



03 SEP 2025
I hereby certify that the deponent Ranbir Singh has solemnly affirmed before me at Delhi on 03 SEP 2025 that the contents of the affidavit which have been read & explained to me are true and correct to this & knowledge

33

No

Yashdeep


H.P.STATE POLLUTION CONTROL BOARD
 HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

HPSPCB No : 808

Date: 23/01/2023

Industry Registration ID: 10785

Application No : 8018267

To,

 Shiva Stone Crusher
 V & P.O. Kandwal-Kandwal
 Nurpur
 Kangra
 176201

Subject: Renewal of 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981.

With reference to your application for obtaining Renewal of 'Consent to Operate' u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of Air (Prevention & Control of Pollution) Act, 1981, you are hereby, authorized to operate an industrial unit subject to the Terms and Conditions as mentioned in this Consent letter.

1. Particulars of Consent to Operate under the Water Act, 1974 and Air Act, 1981 granted to the industry

Consent No.	CTO/BOTH/RENEW/RO/2023/8018267
Consent valid from:	23/01/2023
Consent valid upto:	21/11/2025
Certificate Type :	RENEW
Previous CTE/CTO No. & Validity :	

2. Particulars of the Industry

Name & Designation of the Applicant	Ranbir Singh, (Proprietor)
Address of Industrial premises	Shiva Stone Crusher, V & P.O. Kandwal-Kandwal, Nurpur, Kangra-176201
Capital Investment of the Industry	39.7 lakhs
Category of Industry	Orange
Type of Industry	2064-Stone crushers
Scale of the Industry	Micro
Office District	Kangra
Capacity	Sand, Stone & Bajri - 74147 MT/Year (As per EC)

Raw Materials (Name with quantity per day)

Raw Materials	Quantity	Unit
sand, Stone Boulders etc.	74147	M.T./Year

Products (Name with quantity per day)

Name of Products	Unit	Quantity	Intermediate Product	Principal Use
Sand, Stone, Bajri	M.T./Year	74147	As per EIA No. 5785 dt22-11-2018 valid upto 21-11-2025	PMT No. Ind/Bhu/Regn/M/ S Shiva St.Cr.Nurpur/949 8 dt 30-12-2022 valid up to 21-11-2025

Details of the Effluent Treatment Plant

Type of Effluent	Capacity	Quantity
Septic Tank	10 KLD	1 KLD

Mode of Disposal

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Industrial Process	4	Recycled	Recycle
Domestic	1.8	Soak Pit/Septic Tank	Other

Quantity of fuel required (in TPD) and capacity of boilers/ Furnace/Thermo heater etc.

Type	No.of Boiler/'Heater /Evaporator/Incinerator/DG Set/Other	Capacity	Type of Boiler/'Heater s/Evaporators /Incinerator/DG Sets/Others	Type of Fuel	Fuel consumption rate in MT/hour or KL/hour or M3 /hour
Boilers	N.A	N.A	N.A	N.A	N.A
Heaters/Evaporators	N.A	N.A	N.A	N.A	N.A
Incinerator	N.A	N.A	N.A	N.A	N.A
DG Sets	N.A	N.A	N.A	N.A	N.A
Chimney/hood	N.A	N.A	N.A	N.A	N.A

Type of Air Pollution Control Devices installed

Equipment Type	Equipment Name	Date/proposed date of installation	Efficiency(%reduction)	Final concentration of pollution being emitted
Wind breaking Wall	Others	Mon Jan 09 00:01:00 IST 2023	90%	As per HPSPCB Norms
Water Sprinkler	Others	Mon Jan 09 00:01:00 IST 2023	90%	As per HPSPCB norms
Shed, Jaw, Rotto Pactor	Boilers	Mon Jan 09 00:01:00 IST 2023	90%	As per HPSCB norms
Plantation	Others	Mon Jan 09 00:01:00 IST 2023	90%	As per HPSPCB Norms

Sources of emissions and type of pollutants

Name and location of the process vessel to which the stack/ vent is attached	Rate of emission in Kg./hr	Concentration of pollution like SO ₂ , NOX, H ₂ S, Cl, HCl etc. in mg/NM ³	Height of Vent/outlet/stack from ground level in meters
N.A	N.A	N.A	N.A



Er. Varun Gupta
Asth. Env. Engineer
For & on behalf of
(H. P. State Pollution Control Board)

Endst. No.:

Copy To:-

- (i) The Member Secretary HP State Pollution Control Board Shimla for favour of kind information and necessary action pl.
(ii) The Mining Officer, Nurpur for kind information and necessary action please.

Varun Gupta
Digitally signed
by Varun Gupta
Date: 2023.01.23
16:53:38 +05'30'

Er. Varun Gupta
Asth. Env. Engineer
For & on behalf of
(H. P. State Pollution Control Board)



VAKALATNAMA

IN THE COURT OF Hon'ble National Green Tribunal.

IN THE MATTER OF O.A. NO. 1034 of 2024

K Sanjeev Dogra Plaintiff/ Appellant/ Petitioner/ Complainant

VERSUS

State of Himachal Pradesh & ORS. Defendant/ Respondent/ Opposite Party

KNOW ALL TO whom these presents shall come that I/We R-5,6,7,8,9,16,18,19,20
22,23

the above-named respondents do hereby appoint

ATUL SHUKLA

Enrollment Number- UP 05469/01

Off: D-51, Sector 52, Noida UP-201301

Mob: (+91) 9212738299

(Hereinafter called the advocates) to be my/our Advocate(s) in the above-noted cause, to do all the following acts, deeds and things or any of them, that is to say: -

1. To act, appear and plead in the above-noted cause on my/our behalf, in this Court or in any other Court/ Tribunal in which the same may be tried or heard and also in the Appellate Court subject to payment of fees separately for each Court by me/us.
2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions, review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said cause in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise, touching or any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive money, cheques, cash and grant receipt thereof and to do all other acts and things which may be necessary to done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whatever he may think fit to do so and to sign the power of attorney on our behalf.

AND I/we the undersigned do 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 purposes.

AND I/we undertake that I/we or my/our duly authorized agent would appear in the 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 & other costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.

AND I/we the 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.

IN WITNESS WHEREOF I/we do here unto set my/our hand these presents the contents of which have been understood by me/us on this date -

Accepted subject to the terms of the fees.

ADVOCATE YASHOVARMAN

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YASHOVARMAN SINGH CHANDEL
ENROLMENT NO : D-4027/2023

Client(s)

Advocate(s)

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Email- legalconsultants74@gmail.com

AMAN PARTH SHARMA
HM/380/2011

[Signature]

D/19/18/2021
ASHAV KUMAR

D/19/15/2023
AKRITI SINGH

D/19/83/2023
SIDDHANT THAKUR

1) New Nurpur stone crusher Partner Parlad Singh *PF* Partner
M/s New Nurpur Stone Crusher
R-6, 20

2) Pawan Singh Prop. m/s Mahadev stone crusher *R-19*
For Mahadev Stone Crusher
Pawan Singh Prop.

3) Subash Singh Partner m/s Nandi stone crusher *R-9, 16*
M/s Nandi Stone Crushing Co
Subash Singh Partner

4. Rabin Singh Prop SHIVA Stone Crusher *R-8, 18*
Shiva Stone Crusher
Rabin Singh Prop.

5 Dharmvir Singh Prop New Shiva Stone Crusher *R-7*
For New Shiva Stone Crusher
Dharmvir Singh Proprietor

6. Ashok Andolia Prop. m/s Ankur stone crusher *R-5, 23*
For ANKUR STONE CRUSHER
Ashok Andolia Prop.

7 ^{m/s} Diamond Enterprises Partner Arvind Kumar Guleria *R-22*
For Diamond Enterprises
Arvind Kumar Guleria Partner