

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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Angela
RESPONDENT NO.22

THROUGH COUNSEL

Place: New Delhi
Date: 03.09.2025

ADVOCATE YASHOVARMAN
1019, Naurang House, K.G Marg, New Delhi-110001
(+91) 97169 11111, 85888 94219
e-mail: officeofyashovarma@gmail.com

Shukla

Yashovarma

ATUL SHUKLA & YASHOVARMAN SINGH CHANDEL

Advocate
E.No. UP05469/01
Off: E-7, 15th Floor, Wegmans Business
Park, Knowledge Park III,
Gr. Noida City, U.P - 201308 Mob- 9212738299,
Email- legalconsultants74@gmail.com

Advocates

D-51, Sector 52, Noida
UP, Pin:201301
Mob: (+91) 9212738259

**BEFORE THE HONBLE 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

**REPLY IN COMPLIANCE OF ORDER DATED 20.03.2025 ON BEHALF
OF RESPONDENTS NO. 22 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 22

1. That the **Respondent No 22: M/s Diamond Enterprises Stone Crusher Village Barikhad P.O. Lodhwan Tehsil Nurpur 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.
2. The Respondent obtained **Environment Clearance** from the State level impact assessment authority (SEIAA) issued on **17.04.2023** under EC File No/ Identification No:**SIA/HP/MIN/288901/2022**.
The EC of the Respondent No.22 is hereby annexed as **ANNEXURE R-22/1**.
3. That the Respondent obtained the Consent to Operate (C.T.O) dated **03.01.2024** from the Himachal Pradesh Pollution Control Board which is valid till **31.03.2026**.
The CTO of the Respondent No.22 is hereby annexed as **ANNEXURE R-22/2**.
4. 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.
5. 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.
6. That the Respondent does not indulge in any illegal, unscientific mining/Crushing or transportation of illegally excavated mining material. The Respondent is undertaking Stone crushing operations in compliance with requisite standards provided by the regulating authorities.
7. That the Respondent is not undertaking any action resulting in diversion of river flow or causing any harm to the environment.

8. 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.
9. 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.
10. 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.


RESPONDENT NO.22

THROUGH COUNSEL

Place: New Delhi
 Date: 03.09.2025

ADVOCATE YASHOVARMAN
 1019, Naurang House, K.G Marg, New Delhi-110001
 (+91) 97169 11111, 85869 94219
 e-mail: officeofyashovarma@gmail.com





ATUL SHUKLA & YASHOVARMAN SINGH CHANDEL

ATUL SHUKLA
 Advocate
 E.No. UP05469/01
 Off: E-7, 15th Floor, Wegmans Business
 Park, Knowledge Park III,
 Gr. Noida City, U.P - 201308 Mob- 9212738299.
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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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AFFIDAVIT

I, Arvind Guleria, GPA Holder & Partner M/s Diamond Enterprises Stone Crusher, Village Bari Khad, P. O. Lodhwan, Tehsil Indora, District Kangra, H. P. hereby solemnly affirm and declare as under:

1. I am the authorised representative on behalf of the Respondent No.22 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.

Arvind Guleria
DEPONENT

VERIFICATION

Verified at New Delhi on 03 SEP 2025 day of _____, 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.

Shubh
I identify the Deponent who has signed in my Presence

03 SEP 2025

A Gupta
DEPONENT



CERTIFIED THAT THE DEPONENT
Shri. Shri. K... ..
No. W... ..
identified by Shri... ..
has solemnly affirmed before me at Delhi
on... ..
that the contents of the affidavit which
have been read & explained to me are
true and correct to this & knowledge
No
Arvind Guleria
Arvind Guleria
35



HP State Environment Impact Assessment Authority
HPSEIAA Secretariat, Himachal Pradesh
Ministry of Environment Forest & Climate Change, Government of India,
at Department of Environment Science & Technology,
Paryavaran Bhawan, Near US Club, Shimla-1
 Ph: 0177-2656559, 2659608 Fax: 2659609

F. No. SIA/HP/MIN/288901/2022 -1195-1202

Dated: 17/04/23

To

✓ **M/s Diamond Enterprises,**
 Village Barikhad, PO Lodhwan,
 Tehsil Nurpur, District Kangra, H.P.

Sub: Extension of Validity period of Environmental Clearance- reg.

Sir/ Madam,

This has a reference to your online application No. SIA/HP/MIN/288901/2022 dated 17-08-2022 for seeking extension of validity period of environmental clearance granted vide EC letter No. F.No. J-11015/09/2011.IA-II(M) dated: 27-11-2015 for the project under Environment Impact Assessment Notification, 2006. The application has been examined as per prescribed procedure in the light of provisions under the Environment Impact Assessment Notification, NO. SO-1533 (F) dated 14, September 2006 on the basis of application submitted for extension of period of validity, the application is considered in accordance with office memorandum issued by Ministry of Environment & Forests & Climate Change (IA) vide F.NO. 1A3-22/ 28/2022-1A.111 (E 181584) dated 13-12-2022 and the period of validity is extended till the period of validity of GoHP approved Mining Plan without change in location and with following conditions:

1. The terms and conditions of Environmental Clearance letter shall remain same as imposed in EC letter as referred above.
2. The implementation of terms and conditions shall be sole responsibility of project proponent during the extended period of EC and after the project is commissioned or made functional.
3. The capital cost under CER, the activities to be specified by DEST, GoHP, The project proponent shall take up matter with Director EST for this purpose within one month from issuance of this letter.

Member Secretary,
 State Environment Impact Assessment Authority,
 Himachal Pradesh, Shimla-171001

Endst No. AA

Dated the Shimla

2023

Copy to following for further necessary action:

1. The Secretary, MoEF&CC, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi- 110003.
2. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi- 110032.
3. The Chairman, State Pollution Control Board, Shimla-9.
4. The Director, Env., Sci. Tech., Paryavaran Bhawan, US Club, Shimla-1.
5. The Advisor (IA), Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi- 110003.
6. The Regional Officer, MOEF&CC, at Shimla, HP.
7. Monitoring Cell, MOEF&CC, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi- 110003.
8. Guard File

Member Secretary,
 State Environment Impact Assessment Authority,
 Himachal Pradesh, Shimla-171001

श्रीमान जी,

प्रमाणित किया जाता है कि अरविन्द गुलैरिया
 M/S DIAMOND ENTERPRISE रजिस्ट्रार, मडाल-बडीरगु,
 माका-लोडवा, उपतह-जोधप, जिला-कांगडा, डि. प्र. प्रिनका
 खजान-पट्टा खजाना-1600/617 रकबा-08-55-55 ई. प्र.
 है, जोकि मडाल-पेल, माका-लोडवा में स्थित है। अतः
 खजाना-1600/617 में माका पर पिलर ताम्बूर है। मूलाधिक
 माका पर किसी भी प्रकार का अधिकार कब्जा नहीं है। अतः
 रिपोर्ट सेवा में पेश है X

Name-Rajinder Singh
 Patwari LODHWAN
 Tehsil-LANGATH (S.T.)
 Date-18/03/2025
 Signature-



मौका रिपोर्ट

श्रीमान जी,

प्रमाणित किया जाता है कि अरविन्द गुलेरिया
 M/S DIAMOND ENTERPRISE स्टीन-कैबल मडाल-वाडीसकु,
 मौला-लोधा, उपतह-गंगथ, जिला-काण्डा, हि.प्र.४, जिनका
 खजान पत्रा खनन-1600/617 रकबा-08-55-55 है मी
 है, जो कि मडाल-पैल, मौला-लोधा में स्थित है। उक्त
 खनन-1600/617 में मौके पर पिलर लगी है। मुलावक
 मौका पर किसी भी प्रकार का अवैध-कच्चा नहीं है। अतः
 रिपोर्ट सैक में पेश है x —

Name-Rajinder Singh
 Patwari LODHWAN
 Tehsil DIANGATH (S.T.)
 Date- 12/03/2023
 Signature-

Rajinder Singh

श्रीमान जी,

प्रमाणित किया जाता है कि अरविन्द गुलेरिया
 M/s DIAMOND ENTERPRISE स्टेशन - केशर मंडाल - वाडी रवडु,
 मौजा - लोडवा, उपखंड - गंगथ, जिला - काणडा, डि. प्र. नि. नं. नि. नं.
 खनन - पट्टा खनन - 1600/617 रकबा = 08-55-55 ई. 0 मी.
 ई, जौदा मंडाल - देल, मौजा - लोडवा में स्थित है। (उक्त
 खनन - 1600/617 में मौक पर पिलर लगी है। मूलाधिक
 मौजा पर किसी भी प्रकार का अधिकार कब्जा नहीं है। अतः
 रिपोर्ट सेवा में पेश है X _____

Name-Rajinder Singh

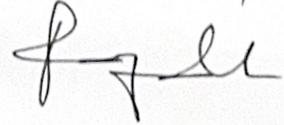
Patwari LODHWAN

Tehsil GANAGATH (S.T.)

Date-

24/04/2024

Signature-





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: -

- 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.
- 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.
- 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 or disputes that may arise touching or in any manner relating to the said case.
- To take execution proceedings.
- 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 be done for the progress and in the course of the prosecution of the said case.
- 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 hereunto 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
1012, Naurang House, K.G Marg, New Delhi-110001
(+91) 97169 11111, 85889 94219
e-mail: officeofyashovarma@gmail.com

YASHOVARMAN SINGH CHANDEL
ENROLMENT NO : D-4027/2023

Client(s)

Atul Shukla
Advocate(s)

ATUL SHUKLA
UP 05469/01

AMAN PARTH SHARMA
HIM/380/2011

ATUL SHUKLA
Advocate
E.No. UP05469/01
Off: E-7, 15th Floor, Wegmans Business
Park, Knowledge Park III,
Gr. Noida City, U.P. - 201301 Mob: 9212738299,
Email- legalconsultants74@gmail.com

D/19/18/2021
RISHAV KAWJAN

D/29/6/2023
AKRITI SINGH

D/19/8/2023
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

M/s
7 Diamond Enterprises Partner Arvind Kumar Guleria *R-22*
Arvind Kumar Guleria Prop.

For Diamond Enterprises
Arvind Kumar Guleria
Partner