

**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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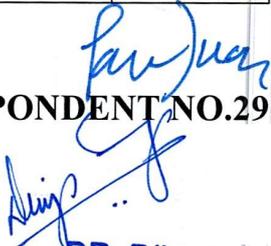
THROUGH COUNSEL

RESPONDENT NO.29

Place: New Delhi

Date: 26.08.2025


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**BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO: 1034 OF 2024**

IN THE MATTER OF

K SANJEEV DOGRA

..... APPLICANT

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STATE OF HIMACHAL PRADESH AND ORS.

.....RESPONDENT

**REPLY IN COMPLIANCE OF ORDER DATED 20.03.2025 ON BEHALF
OF RESPONDENTS NO. 29 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 Respondent is licensed Mining leaseholder, who are undertaking mining operations in adherence with all the applicable rules and regulations made by regulating authorities.
3. That the Respondent is 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 Respondent.

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

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 Respondent is 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 Respondent.

B. Discharge of waste water containing silt

That the Respondent has 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 29

1. That the **Respondent No 14: Bhandral Stone Mining Lease Area (Lodhwan)** was granted mining lease for an area of **03-71-27 Hectares** situated at **Khasra No: 156/1 and 156/2 Village /Mauza/Mohal/ Lodhwan, Tehsil Nurpur, District Kangra, H.P.** for excavation of building stone by way of the duly registered lease **dated 06.03.2024** executed by the government of the state of Himachal Pradesh **valid up to 05.03.2029**. The lease deed of the Respondent No.14 is hereby annexed as **ANNEXURE R-14/1**.
2. The said lease dated 06.03.2024 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 the Respondent No.14 is hereby annexed as **ANNEXURE R-14/2**.
3. That the **Respondent No 15: Bhandral Stone Mining lease Area (bhadroya)** was granted mining lease for an area of **02-03-34 Hectares** situated at **Khasra No:505, 1816/506, 1831/1692/512, 518, 1833/1694/519 & 1823/520 falling in Mauza & Mohal Bhadroya, Tehsil Indora, District- Kangra, H.P.** for excavation of building stone by way of the duly registered lease **dated 05.03.2022** executed by the government of the state of Himachal Pradesh **valid up to 04.03.2032**. The lease deed is annexed as **ANNEXURE R-15/1**.
4. The said lease dated 05.03.2022 was executed in favour of the Respondent after due approval of the mining plan approved by the Govt. of Himachal Pradesh. The **mining plan** is annexed as **ANNEXURE R-15/2**.

5. The Respondent No.14 obtained **Environment Clearance** from the State level impact assessment authority (SEIAA) issued on **08.08.2022** under EC File No/ Identification No: **HPSEIAA/2013/210-602-209** annexed as **ANNEXURE R-14/3**.
6. The Respondent No.15 obtained **Environment Clearance** from the State level impact assessment authority (SEIAA) issued on **18.11.2021** under EC File No/ Identification No: **HPSEIAA/2021/869** annexed as **ANNEXURE R-15/3**.
7. That the Respondent obtained the Consent to Operate (C.T.O) dated **24.03.2025** from the Himachal Pradesh Pollution Control Board which is valid till **11.07.2026**. The CTO is annexed as **ANNEXURE R-29/1**.
8. 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.
9. 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 of Respondent No.14 and 15 are hereby annexed as **ANNEXURE R-14/4 & ANNEXURE R-15/4**.
10. 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.

11. 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.
12. 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.
13. That the Respondent is not undertaking any action resulting in diversion of river flow or causing any harm to the environment.
14. 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.
15. 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.

16. That the Mining operations of the Respondent No.15 do not involve any such activities that result in unintended ejection of rock fragments, potentially causing damage to property or injury to people and therefore require retaining structures that can obstruct rock projectiles. The construction of retaining structures where it is not imperative on the river bed, can interfere with the natural flow of the river and disturb its environment.

17. That it is humbly submitted on the issue of construction of retaining structures that the Mining plan of the Respondent No. 14, specifically mentions on Page 60 of Annexure R-14/2 that the same is not required to be constructed, thus the same has not been done.

“1.3. Preventive Retaining Structures.

No Preventive measures have been proposed.”



RESPONDENT NO.29

THROUGH COUNSEL

Place: New Delhi

Date: 26.08.2025



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AFFIDAVIT

I, Pawan Kumar Prop:- M/s Bhandral Stone Crusher, Village Gagwal, P. O. Bhadroya, Tehsil Nurpur, Distt. Kangra, H. P hereby solemnly affirm and declare as under: *Presently at New Delhi*

1. I am the authorised representative on behalf of the Respondent No.29 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.

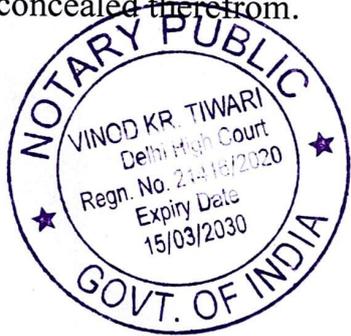
Q.w.s.g.
I identify the Deponent who has signed the above affidavit and have taken his thumb impression in my presence

VERIFICATION

27 AUG 2025

Pawan Kumar
DEPONENT

Verified at New Delhi on ____ 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.



CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT EXECUTANT WHO IS SEEMED PERFECTLY TO UNDERSTAND AFFIRMED & DEPOSED BEFORE ME AT NEW DELHI
Pawan Kumar
IDENTIFY THE EXECUTANT/DEPONENT WHO HAS SIGNED IN MY PRESENCE
VINOD KUMAR TIWARI, Advocate, Reg. No. 21416/2020
NOTARY PUBLIC (NEW DELHI)

Pawan Kumar
DEPONENT

127 AUG 2025



H.P.STATE POLLUTION CONTROL BOARD

HIM PARIVESH, PHASE-III, NEW SHIMLA-171009

HPSPCB No : 13174199

Date: 24/03/2025

Industry Registration ID: 19062

Application No : 13174199

To,

Bhandral Stone Crusher
Vill.Hagwal,PO BhadroyaVPO Hagwal, Tehsil-Nurpur, Distt.KangraHagwal
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/2025/13174199
Consent valid from:	01/04/2024
Consent valid upto:	11/07/2026
Certificate Type :	RENEW
Previous CTE/CTO No. & Validity :	

2. Particulars of the Industry

Name & Designation of the Applicant	Pawan Kumar, (Proprietor)
Address of Industrial premises	Bhandral Stone Crusher, Vill.Hagwal,PO BhadroyaVPO Hagwal, Tehsil-Nurpur, Distt.KangraHagwal, Nurpur,Kangra-176201
Capital Investment of the Industry	26.0 lakhs
Category of Industry	Orange
Type of Industry	2064-Stone crushers
Scale of the Industry	Micro
Office District	Kangra
Capacity	The capacity should be confined @ 63000 TPA

Raw Materials (Name with quantity per day)

Raw Materials	Quantity	Unit
Sand, Stone and Bajri	63000 MT + 24750 MT = 87750 MT/year and PMT valid upto 11-07-2026 vide letter no. 2808, dated 12-07-2024	M.T./Year

Products (Name with quantity per day)

Name of Products	Unit	Quantity	Intermediate Product	Principal Use
Sand and Bajri	M.T./Year	87700	63000 MT for Khasra no. 505, 1816/506 etc and 24750 Mt for Khasra no. 156	As per Ec report 24750 MT (123750 MT for 05 year) Khasra No. 156 which is valid upto 07-08-2027 as per Mining plan vide letter no. 602-609, dated 08-08-2022 and EC report 63000 MT for Khasra no. 505, 1816/506 etc valid upto 17-11-2026 as mining plan

Details of the Effluent Treatment Plant

Type of Effluent	Capacity	Quantity
Septic Tank	15	1

Mode of Disposal

Description	Quantity(in KLD)	Method of Treatment	Method of Disposal
Domestic	.9	Soak Pit/Septic Tank	Soak Pit/Septic Tank
Industrial Process	4	Recycled	Recycle

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

Type	No.of Boiler/'Heater /Evaporator/Incinerator/D G Set/Other	Capacity	Type of Boiler/'Heater s/Evaporators /Incinerator/D GSets/Others	Type of Fuel	Fuel consumption rate in MT/hour or KL/hour or M3 /hour
DG Sets	N.A	N.A	N.A	N.A	N.A
Chimney/ hood	N.A	N.A	N.A	N.A	N.A
Heaters/Evaporators	N.A	N.A	N.A	N.A	N.A
Boilers	N.A	N.A	N.A	N.A	N.A
Incinerator	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
Water Sprinkler	Others	2016-01-01	90%	SPM<25mg/m ³ and SO ₂ =50mg
Wind Breaking Wall	Others	2016-01-01	90%	SPM<25mg/m ³ and SO ₂ =50mg
Shed,Jaw, Roto Pactor,Vibrator	Others	2016-01-01	90%	SPM<25mg/m ³ and SO ₂ =50mg
Plantation	Others	2016-01-01	90%	SPM<25mg/m ³ and SO ₂ =50mg

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



Approved By
Member Secretary
(H. P. State Pollution Control Board)

Endst. No.:

Copy To:-

1, The Regional Officer,HPSPCB,Kangra for information and shall ensure to operate the unit as per consent condition with adequate PCDs.



Anil Joshi,IFS

**Member Secretary
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-10,11,12,13,14,15,21,24,25,26,27,28,29

the above-named Respondents do hereby appoint

YAGYAWALKYA SINGH, Advocate

Enrollment No. (UP4143A/2014)

Ch: 203, Setalvad Lawyers Block, Supreme Court

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Email: yagyawalkya@dylawchambers.com

Mob no. 7838848157

(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.

Bligh
Advocate(s)

YAGYAWALKYA SINGH(UP4143A/2014)

Dr. D. VASWAMY

ADVOCATE

Reg. No. D/1160/2014

Ch. No. 203, Setalvad Lawyers Block,

Supreme Court of India, New Delhi-110001

Off: A-131, Sector-46, Noida, Ph. 8860050449

For Om Stone Crusher

Honey
Client(s)

Partner

D/3273/2023
NIDHI KUMAR
Nidhi Kumar

D/3493/2023
YASH JAIN
Yash Jain

For Om Stone Crusher

1) Om Stone Crusher Harsaran S. Maini Partner. R-10, 26

Harsaran S. Maini
Partner

2) J. V. Stone Crusher Vishal Chavhal Prop. R-12, 27

M/s. J.V. Stone Crusher

3) Mankotia Stone Crusher Rajinder Singh Mankotia Prop. R-28

Rajinder Singh Mankotia

4) Goldmine Stone Crusher Sudhir Singh Prop. R-10, 25

M/s. Gold Mine Stone Crusher

Sudhir Singh

5) Bhandral Stone Crusher Brijendra Kumar Prop. R-14, 15, 29

Bhandral Stone Crusher

M/s. Bhandral Stone Crusher
Pawan Kumar Vill. Gagwal (Tipri) Teh. Nurpur

Distt. Kanara (H.P.)

For SCS Stone Crusher Gramin Udy.

6) SCS Stone Crusher Gramin Udyog

Mankaran Singh Prop. R-24

Proc

7) Shivam Stone Crusher Mahinderpal Partner. R-13, 21

Partner.

R-13, 21

For Shivam Stone Crusher
Mahinderpal
Partner

For Om Stone Crusher