

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 546 of 2023**

IN THE MATTER OF:

Puran Singh

Applicant

Vs.

Vinod Kaushal

Respondent

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haz

(Nazimuddin)

Scientist F

Central Pollution Control Board

Delhi-110032

Dated: 15.01.2024

Place: Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 546 of 2023**

IN THE MATTER OF:

Puran Singh

Applicant

Vs.

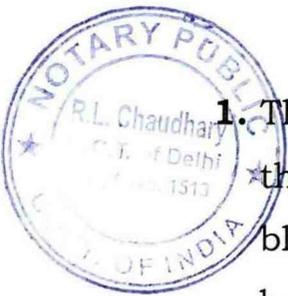
Vinod Kaushal

Respondent

REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT No. 1 i.e. CPCB (CENTRAL POLLUTION CONTROL BOARD).

MOST RESPECTFULLY SHOWETH:

I Nazimuddin s/o Ifitah Uddin, aged about 57 years working as Scientists 'F' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, I am fully conversant with the facts and circumstances of the present case and hence competent to depose and swear the present affidavit on behalf of the Central Pollution Control Board (hereinafter referred as CPCB):-



1. That OA No 546 of 2023 has been registered on the basis of the letter petition dated 26.08.2023 in respect of the heavy blasting by the Project Proponent causing damage to the houses of nearby residents and also illegal felling of the trees, and the mining Project Proponent, District Magistrate Mahendragarh, Haryana SPCB and the CPCB have been impleaded as respondents by order dated 05.12.2023 annexed as **Annexure I**.

2. That, earlier the Hon'ble Tribunal by order dated 12.09.2023 in this matter constituted a joint Committee comprising of the Director deputed by Member Secretary, Central Pollution Control Board (CPCB), Member Secretary, Haryana State Pollution Control Board (HSPCB), Director, Mining, State of Haryana and the concerned Divisional Forest Officer (DFO) as also the District Magistrate, Mahendragarh District to carry out spot inspection and ascertain nature of activities being carried out and its impact on environment, life and property of nearby residence as also to examine the allegation of illegal felling of trees and formulating environmental restoration. The DFO was directed to act as a coordinating agency between the members of the Committee.



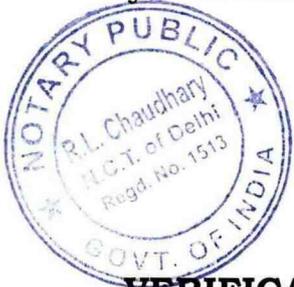
That Mr Suneel Dave, Scientist 'F', presently posted in CPCB RD Chandigarh was nominated as member of the joint Committee constituted by the order dated 12.09.2023 and he has participated in the site visit and meeting of the joint Committee on 14.11.2023.

4. That in compliance of the order dated 12.09.2023 a report dated 04.12.2023 has been filed by State of Haryana and HSPCB (annexed as **Annexure-II**) providing the environmental clearance and consent status of the concerned mining project, submitting that - i) mining activities were not being carried out during the said inspection dated 14.11.2023 due to implementation of GRAP stage III directions of CAQM, ii) SCN dated 21.11.2023 has been issued for the various deficiencies observed during the inspection by HSPCB on 20.11.2023,

and iii) DFO Mahendragarh has submitted a report on the same mining project on 27.10.2023 in OA 514 of 2023 (main part and conclusion of the said report have been quoted/reproduced), and praying that the present matter may be considered with OA 514/2023.

5. That, the observations and recommendations on environmental violations of the committee member Mr Suneel Dave, Scientist 'F', RD- Chandigarh, CPCB is enclosed herewith annexed as **Annexure-III**.

In view of the above facts and circumstances, it is respectfully prayed that this Respondent no. 1 shall abide by the directions/ order passed by this Hon'ble tribunal.



VERIFICATION

15 JAN 2024

Verified at Delhi on this day of January, 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

ATTESTED
NOTARY PUBLIC
GOVT. OF INDIA

15 JAN 2024

Large
DEPONENT
नाज़िमउद्दीन / Nazimuddin
वैज्ञानिक 'एफ' / Scientist 'F'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest And Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Large
DEPONENT
नाज़िमउद्दीन / Nazimuddin
वैज्ञानिक 'एफ' / Scientist 'F'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
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(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
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परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Secretary, Haryana State Pollution Control Board (HSPCB), Director, Mining, State of Haryana and the concerned Divisional Forest Officer (DFO) as also the District Magistrate, Mahendragah District. The DFO will act as a coordinating agency between the members of the Committee. The Committee will carry out spot inspection and ascertain nature of activities being carried out and its impact on environment, life and property of nearby residence as also examine the allegation of illegal felling of trees and formulating environmental restoration. Let the report be submitted by the Committee within 8 weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

3. List on 05.12.2023.

4. A copy of this order be forwarded to Member Secretary, CPCB, Member Secretary, HSPCB, concerned DFO and the District Magistrate, Mahendragah by e-mail for compliance.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

September 12, 2023
Original Application No. 546/2023
DV

Item No.09

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No.546/2023

Puran Singh

Applicant

Versus

Vinod Kaushal

Respondent

Date of hearing: 05.12.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Mansi Chahal, Adv.

Respondent: Mr. Rahul Khurana, Adv. for R - 2 & 3
Mr. Uday Nath Tiwari & Mr. Abhishek Tiwari, Advs. for Project Proponent

ORDER

1. The issue involved in this Original Application is in respect of the heavy blasting by the Project Proponent causing damage to the houses of nearby residents and also illegal felling of the trees. The Tribunal by order dated 12.09.2023 had constituted a joint Committee. The joint Committee has filed the report dated 04.12.2023 disclosing the illegal mining and damage to the flora and fauna in that process.

2. Learned Counsel appearing for the Project Proponent seeks three weeks' time to file objection to the report of the joint Committee. He has also informed that another OA being OA No. 514/2023, *Shishram vs. Vinod Kuasal* with the same allegation is registered against the present Project proponent which is pending for consideration before the Tribunal and listed on 16.01.2024. He has prayed for analogous hearing of both the OAs.

3. Since, the OA has been registered on the basis of the letter petition, therefore we deem it proper to impleaded the following as respondent in this OA:-

- i. CPCB through the Member Secretary
 - ii. HSPCB through the Member Secretary
 - iii. District Magistrate, Mahendragarh
 - iv. M/s Maas Santoshi Khanij Udyog, Musnota, District Mahendragarh, through Shri Raman Sokhal and Aman Sokhal, S/o Vinod Kumar Sokal, R/o B-74, Shakti Apartment, Sector-9, Rohini, New Delhi
4. Let notice be issued to the unrepresented respondents.
5. List this matter along with OA No. 514/2023 on 16.01.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

December 05, 2023
Original Application No.546/2023
SN

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH NEW DELHI****Original Application No. 546/2023**

Puran Singh

Applicant

Versus

Vinod Kaushal

Respondent

**CORAM:- HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA,
CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL,
JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER.**

The Report in compliance with Hon'ble NGT directions in the order dated 12.09.2023 in OA No. 546/2023 titled as Puran Singh versus Vinod Kuashal:-

The Hon'ble NGT vide order dated 12.09.2023 directed ".....Having regard to the allegations made in the application, we deem it proper to constitute a Committee comprising of the Director deputed by Member Secretary, Central Pollution Control Board (CPCB), Member Secretary, Haryana State Pollution Control Board (HSPCB), Director, Mining, State of Haryana and the concerned Divisional Forest Officer (DFO) as also the District Magistrate, Mahendragarh District. The DFO will act as a coordinating agency between the members of the Committee. The Committee will carry out spot inspection and ascertain nature of activities being carried out and its impact on environment, life and property of nearby residence as also examine the allegation of illegal felling of trees and formulating environmental restoration. Let the report be submitted by the Committee within 8 weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. List on 05.12.2023".

The unit in question is M/s Maa Santoshi Khanij Udyog Vill-Musnota, Nangal Chaudhary District Mahendragarh is already under consideration with another Original Application No. 514 of 2023 titled as Shishram Vs Vinod Kaushal order dated 23.08.2023 was passed by Hon'ble NGT and joint report in the same matter was filed on dated 27.10.2023 (Annexure-1) by District Magistrate, Mahendragarh and HSPCB. Said report was considered by this Hon'ble Tribunal on 01.11.2023 and vide order dated 01.11.2023 (Annexure-2), it has been directed to serve the notice to Mining Lease Holder in OA No. 514/2023. Notice of proceedings in OA No.514/2023 has been served to M/s Maa Santoshi Khanij Udyog (Annexure-3).

The unit M/s Maa Santoshi Khanij Udyog Vill-Musnota, Nangal Chaudhary District Mahendragarh is a mining project of area 8.107 Ha. and has obtained consent to establish from the Board on dated 26.08.2015 after obtaining Environmental Clearance on 14.05.2015. Unit has obtained consent to operate upto 30/09/2021. Thereafter, the unit obtained consent to establish for expansion on 04.12.2020 after obtaining Environmental Clearance vide No. SEIAA(125)/HR/2020/461 dated 20.10.2020 and accordingly obtained consent to operate upto 30/09/2025. The unit has intimated that the operation of the mining project has been closed from 2019 to 2023 and resumed operation in May 2023. Accordingly, in compliance of above order, a meeting was scheduled by the Divisional Forest Officer, Mahendragarh vide letter No. 4032-35 dated 09.11.2023 (Annexure-4) to be held on 14.11.2023 with the members of joint committee constituted by Hon'ble NGT in the Sub Divisional Magistrate Office, Narnaul and also conducted site visit. Accordingly, during inspection unit was found non-operational due to implementation of GRAP stage-III directions issued by CAQM and for the various deficiencies observed an show cause notice was also issued vide letter No. HSPCB/MG/2023/1755 dated 21.11.2023 (Annexure-5). Further action will be taken after expiry of stipulated time period of SCN as per policy of the Board against the defaulting unit. Also Divisional Forest Officer, Mahendragarh vide letter No 4255 dated 24.11.2022 (Annexure-6) submitted report again as already submitted on 25.10.2023.

The status submitted in the Hon'ble NGT in OA No. 514 of 2023 titled as Shishram Vs Vinod Kuasal on dated 27.10.2023 is again re-produced as below:-

1. Divisional Forest Officer, Mahendragarh vide letter dated 25.10.2023 has intimated that the lease area at Khasra No. 550 is covered surrounding from Aravali

Plantation. As per the demarcation ¹⁷report of the revenue department dated 16.09.2023, the leaseholder has mined the 15,648 Sq.ft. of illegal mining surrounding the Khasra No. 550 and transpired that 162 numbers shrubs like muskat have illegally been damaged and accordingly Forest Offence Report (FOR) No. 22/0586 dated 02.10.2023 was prepared under Section 32-33 of Indian Forest Act, 1927 and also granted sanction for filing prosecution case against offenders in the Special Environment Court at Faridabad vide Memo No. 3877 dated 30.10.2023.

2. The Mining Officer, Mines & Geology Department, Narnaul vide letter No. Mining/NNL/3432-34 dated 20.10.2023 has intimated the following status report in this matter: -
 - a) The constituted committee visited the mining lease area of Musnota Mines Khasra No. 550 along with Tehsildar Nangal Choudhary and field Kanungo on 14.09.2023. As per the demarcation report by field Kanungo on 16.09.2023, the leaseholder encroached the area of 15,648 sq. ft. in the Khasra No. 487 & 551 and Senior Surveyor, Surveyor (H.Q) Director, Mines and Geology Haryana, Panchkula again jointly surveyed/demarcated along with field Kanungo, Halka Patwari of village Musnota and Mining Inspector, Narnaul in the presence of representative of Project Proponent and Private Surveyor were also present on 05.10.2023. After the demarcation, it is found that the total excavation outside the lease /contract area i.e Khasra No. 487 & 551 is 15,648 Sq.ft. and the quantity of excavated mineral is 24,812.50 M.T. A demand notice is issued to the leaseholder of M/s Maa Santoshi Khanij Udyog of Musnota stone Mine vide memo no. MO/Narnaul/3369 dated 17.10.2023 to deposit the penalty, royalty and price of mineral illegally excavated minor mineral i.e Rs 42,28,125 (Fourty Two lakh Twenty-Eight Thousand One hundred Twenty-five only).
 - b) Mining officer, Narnaul has intimated that during the survey conducted from the Google Earth map, the complaints house at Dhani Jokhla Wali of Musnota Village was located at 693 meters from the place of working (Site of Blasting) in the Musnota Calcite Mine. Further, it was observed that another hutment/ camp of Dhani Maliya had 4 houses existing within 300 meters of the mine boundary that was closer to the mine than the complainant's houses. During the enquiry, the villagers of Dhani Maliyala stated that they had no problem due to the blasting conducted in the Mine. During the inspection, it was found that primary school Dhani Maliyala existed within about 200 meters from the boundary mine and about 200-300 meters from the working place of machinery used for mining and also found that cracks are seen in the RCC beam on the door level of the school building, no any cracks found on other walls of the primary school and also seems that ceiling plaster is found defective due to construction material used in the school building.
 - c). Recently, a joint inspection was carried out in the presence of complainants of the said mining project by Deputy Director, DGMS Ghaziabad along with Mining

Officer Namaul on dated 01.09.2023 and conducted to examine the ground vibration by two rounds of blast and observed the values of induced ground vibrations recorded in seismography. The GPS Co-ordinates of the location of the Mini Super graph (Seismograph) and the location of the place of blasting of Mine were taken by the hand-held GPS instrument and the co-ordinates were Northing: 2752.96259'N & Easting: 7600.17948' E respectively. Director, Mines Safety, Ghaziabad sent an action taken report along with comments vide letter dated 13.10.2023 with direction to the management of Musnota Calcite mines regarding violation vide letter dated 03.10.2023 for rectification of contraventions observed during inspection and enquiry of the mine. Mine management was directed that no blasting other than the blasting specified in Regulation 164(1B)(a) of the Metalliferous Mines Regulations (MMR), 1961 shall be conducted within 300 m of such hutments/structures of permanent nature not belonging to the owner of the mine till controlled blasting permission under regulation 164(1B)(a) of the Metalliferous Mines Regulations, 1961 is obtained from this Directorate in writing based on scientific study report from a reputed scientific agency.

Conclusion: - In view of the above facts, allegations w.r.t. to the effect of heavy blasting were not established as per the report submitted by the Deputy Director, DGMS, Ghaziabad and Mining Officer, Namaul to a nearby residence and school as mentioned above. However, the other allegations mentioned in the complaint w.r.t. illegal mining and cutting of trees as per the report submitted by DFO, Mahendragarh and Mining Officer, Namaul were found correct and accordingly necessary action as mentioned above have already been taken by the concerned department under applicable laws/rules.

PRAYER:-

Hon'ble NGT in above OA No. 514/2023 issued order on dated 01.11.2023 (already annexed above as Annexure-2) that "In view of the above report, we deem it proper to implead the Project Proponent as respondent against the same mining project. The next date of hearing is 16.01.2024.

It is, therefore, prayed that in the above OA No. 546/2023 titled as Puran Singh Vs Vinod Kaushal may kindly be considered with OA No. 514/2023 titled as Shishram Vs Vinod Kuasal in this same Principal Bench of Hon'ble Tribunal.


Mining Officer,
Mines & Geology
Department, Namaul


Regional Officer
HSPCB,
Mahendragarh


Divisional Forest Officer
Mahendragarh

DATE - 4-12-2023

PLACE - Mahendragarh.

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH NEW DELHI****Original Application No. 514/2023**

Shishram

Applicant

Versus

Vinod Kuasal

Respondent

**CORAM:- HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA,
CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH,
JUDICIAL MEMBER
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI,
JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER.**

Joint Report in compliance with Hon'ble NGT directions in the order dated 23.08.2023 in OA No. 514/2023 titled as Shishram versus Vinod Kuasal: -

".....This Original Application has been registered on the basis of the letters dated 15.07.2023 sent to the Tribunal by Shishram and others, who are stated to be the residents of Village Mosnota, Tehsil Nangal Chaudhary, District Mahendragarh, Haryana. The allegation in the letter is that illegal mining is being done in Maa Santoshi Khanij Udyog Lease by cutting the trees and causing environmental hazard. It is also alleged that due to heavy blasting, residential houses are damaged and the agricultural fields are effected. Further allegation is that about 200-250 mtrs. away from the mining area, there is a primary school and the education of the children is affected.

*At the first instance, to ascertain the correctness of the allegation, we direct District Magistrate, Mahendragarh, Haryana and the Haryana State Pollution Control Board (HSPCB) to submit the joint report. DM, Mahendragarh will act as nodal officer to file the report. Let the report be submitted within four weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. List for further consideration on **01.11.2023**".*

In compliance of the above direction, the status report in this matter is as follows:-

1. The unit M/s Maa Santoshi Khanij Udyog Vill-Musnota, Nangal Chaudhary District Mahendragarh is a mining project of area 8.107 Ha. and has obtained consent to establish from the Board on dated 26.08.2015 after obtaining Environmental Clearance from MoEF&CC vide No. J-11015/401/2012-IA. II (M) dated 14.05.2015. The unit has obtained consent to operate for the period 01/10/2015 to 30/09/2021. Thereafter, the unit obtained consent to establish for expansion of the mining project from the Board on 04.12.2020 after obtaining Environmental Clearance from SEIAA, Haryana vide No. SEIAA(125)/HR/2020/461 dated 20.10.2020 and accordingly obtained consent to operate for the period 04/01/2021 - 30/09/2025. The unit has intimated that the operation of the mining project has been closed from 2019 to 2023 and resumed operation in May 2023.
2. In compliance with the Hon'ble NGT order dated 23.08.2023, Deputy Commissioner, Mahendragarh vide order No. 1268/DA dated 06.09.2023 constituted a committee of the following officers under the chairmanship of the Sub Divisional Magistrate, Narnaul to carry out the inspection of the site and submit report. A copy of the letter dated 06.09.2023 is attached as **Annexure-1**.
 - a) The Divisional Forest Officer, Mahendragarh.
 - b) The Regional Officer, HSPCB, Mahendragarh Region
 - c) The Mining Officer, Narnaul
3. Accordingly, the site was inspected on 14.09-2023 by the members of the Committee i.e. Sub Divisional Magistrate Narnaul, Divisional Forest Officer Mahendragarh and Regional Officer Mahendragarh Region and other officers. Thereafter, a meeting of the above-said Committee was held on 17.10.2023 at 10:00 AM in the office of the Sub Divisional Magistrate, Narnaul to review the status in compliance with Hon'ble NGT directions. Copy of letters dated 12.09.2023 & 12.10.2023 are attached as **Annexure-2 & 3**.

4. Divisional Forest Officer, Mahendragarh vide letter dated 25.10.2023 has intimated w.r.t. inspection dated 14.09.2023 that the lease area at Khasra No. 550 is covered surrounding from Aravali Plantation. As per the demarcation report of the revenue department dated 16.09.2023, the leaseholder has mined the 15,648 Sq.ft. of illegal mining surrounding the Khasra No. 550 and transpired that 161 numbers shrubs like muskat have illegally been damaged and accordingly Forest Offence Report (FOR) dated 02.10.2023 was prepared under section 32-33 of Indian Forest Act, 1927 and also granted sanction for filing prosecution case against offenders in the Special Environment Court at Faridabad. Copy of report along with relevant documents submitted by DFO, Mahendragarh are attached as **Annexure-4**.
5. Mining Officer, Mines & Geology Department, Narnaul vide letter No. Mining/NNL/3432-34 dated 20.10.2023 (**Annexure-5**) has intimated the following status report in this matter: -
- a) The constituted committee visited the mining lease area of Musnota Mines Khasra No. 550 along with Tehsildar Nangal Choudhary and field Kanungo on 14.09.2023. As per the demarcation report by field Kanungo on 16.09.2023, the leaseholder encroached the area of 15,648 sq. ft. in the Khasra No. 487 & 551 and Senior Surveyor, Surveyor (H.Q) Director, Mines and Geology Haryana, Panchkula again jointly surveyed/demarcated along with field Kanungo, Halka Patwari of village Musnota and Mining Inspector, Narnaul in the presence of representative of Project Proponent and Private Surveyor were also present on 05.10.2023. After the demarcation, it is found that the total excavation outside the lease /contract area i.e Khasra No. 487 & 551 is 15,648 Sq.ft. and the quantity of excavated mineral is 24,812.50 M.T. A demand notice is issued to the leaseholder of M/s Maa Santoshi Khanij Udyog of Musnota stone Mine vide memo no. MO/Narnaul/3369 dated 17.10.2023 to deposit the penalty, royalty and price of mineral illegally excavated minor mineral i.e **Rs 42,28,125 (Fourty Two lakh Twenty-Eight Thousand One hundred Twenty-five only) (Annexure-6)**
- b) Mining officer, Narnaul has intimated that during the survey conducted from the Google Earth map, the complaints house at Dhani Jokhla Wali of Musnota Village was located at 693 meters from the place of working (Site of Blasting) in the Musnota Calcite Mine. Further, it was observed that another hutment/ camp of Dhani Maliya had 4 houses existing within 300 meters of the mine boundary that was closer to the mine than the complainant's houses. During the enquiry, the villagers of Dhani Maliyala stated that they had no problem due to the blasting conducted in the Mine. During the inspection, it was found that primary school Dhani Maliyala existed within about 200 meters from the boundary mine and about 200-300 meters from the working place of machinery used for mining and also found that cracks are seen in the RCC beam on the door level of the school building, no any cracks found on other walls of the primary school and also seems that ceiling plaster is found defective due to construction material used in the school building.

6. Recently, a joint inspection was carried out in the presence of complainants of the said mining project by Deputy Director, DGMS Ghaziabad along with Mining Officer Narnaul on dated 01.09.2023 and conducted to examine the ground vibration by two rounds of blast and observed the values of induced ground vibrations recorded in seismography. The GPS Co-ordinates of the location of the Mini Super graph (Seismograph) and the location of the place of blasting of Mine were taken by the hand-held GPS instrument and the co-ordinates were Northing: 2752.96259'N & Easting: 7600.17948' E respectively. Director, Mines Safety, Ghaziabad sent an action taken report along with comments vide letter dated 13.10.2023 with direction to the management of Musnota Calcite mines regarding violation vide letter dated 03.10.2023 for rectification of contraventions observed during inspection and enquiry of the mine. Mine management was directed that no blasting other than the blasting specified in Regulation 164(1B)(a) of the Metalliferous Mines Regulations (MMR), 1961 shall be conducted within 300 m of such hutments/structures of permanent nature not belonging to the owner of the mine till controlled blasting permission under regulation 164(1B)(a) of the Metalliferous Mines Regulations, 1961 is obtained from this Directorate in writing based on scientific study report from a reputed scientific agency. (A copy of a letter dated 13.10.2023 is attached as **Annexure 7**).

Conclusion: -

In view of the above facts, allegations w.r.t. to the effect of heavy blasting were not established as per the report submitted by the Deputy Director, DGMS, Ghaziabad and Mining Officer, Narnaul to a nearby residence and school as mentioned above. However, the other allegations mentioned in the complaint w.r.t. illegal mining and cutting of trees as per the report submitted by DFO, Mahendragarh and Mining Officer, Narnaul were found correct and accordingly necessary action as mentioned above have already been taken by the concerned department under applicable laws/rules.

It is, therefore, prayed that the above Joint Report in compliance with the directions issued by this Hon'ble Tribunal vide order dated 23.08.2023, may kindly be considered please.


Regional Officer
HSPCB, Mahendragarh Region


Sub Divisional Magistrate
Narnaul


Deputy Commissioner
Mahendragarh at Narnaul

Annexure-1 89

23
GOVERNMENT OF HARYANA
OFFICE OF THE DEPUTY COMMISSIONER, MAHENDRAGARH

ORDERS

Narnaul, the 06th Sept., 2023

No. 1268/DA : Whereas an order has been passed on 23.08.2023 by Hon'ble National Green Tribunal, New Delhi in O.A. No. 514/2023, Shishram Vs. Vinod Kuasai, as per copy attached herewith.

2. And whereas the said report is to be submitted to the Tribunal within four weeks and needs to be complied with immediately.

3. Therefore, a committee of the following officers is hereby constituted under the Chairmanship of the Sub Divisional Magistrate, Narnaul to carry out the inspection of the site with relevant record and submit the report latest by 11.09.2023 for further necessary action.

- i) Divisional Forest Officer, Mahendragarh;
- ii) Regional Officer, HSPCB, Mahendragarh Region;
- iii) Mining Officer, Narnaul.


Deputy Commissioner,
Mahendragarh.

Copy alongwith enclosure to:

1. Sub Divisional Magistrate, Narnaul.
2. Divisional Forest Officer, Mahendragarh.
3. Regional Officer, HSPCB, Mahendragarh Region.
4. Mining Officer, Narnaul.

प्रेषक

उपमण्डल अधिकारी(ना0)
नारनौल।

प्रेषित

1. Divisional Forest Officer, Mahendragarh.
2. Regional Officer, HSPCB, Mahendragarh Region,
3. Mining Officer, Narnaul.

यादी क्रमांक 1017-19 / स्टैनों

दिनांक 12/9/23

विषय :-

Before the National Green Tribunal Principal Bench .
.....

उपरोक्त विषय पर उपायुक्त महेन्द्रगढ़ स्थित नारनौल के आदेश क्रमांक 1268/डी0ए0 दिनांक 06.09.2023 के द्वारा आप सभी की संयुक्त कमेटी गठित की है, जो कि आपको भी प्रेषित है। जिसमें अधोहस्ताक्षरी को अध्यक्ष नियुक्त किया हुआ है। जिसकी अनुपालन में आपको लिखा जाता है कि आप सभी दिनांक 14.09.2023 को प्रातः 10.00 बजे गांव मौसनूता तहसील नांगल चौधरी के सम्बन्धित स्थान पर उपस्थित होना सुनिश्चित करें।


उपमण्डल अधिकारी(ना0)
नारनौल।

पृ0 क्रमांक 1020 / स्टैनों

दिनांक 12/9/23

इसकी एक प्रति तहसीलदार, नारनौल को भेजकर लिखा जाता है कि आप व सम्बन्धित कानूनगों व पटवारी सहित निश्चित समय व स्थान पर उपस्थित होना सुनिश्चित करें।


उपमण्डल अधिकारी(ना0)
नारनौल।

प्रेषक

उपमण्डल अधिकारी(ना10)
नारनौल।

प्रेषित

1. Divisional Forest Officer, Mahendragarh.
2. Regional Officer, HSPCB, Mahendragarh Region,
3. Mining Officer, Narnaul.
4. Tehsildar Nangal Chaudhary.

यादी क्रमांक:- 1223-26 / स्टैनों

दिनांक:- 12-10-2023

विषय :-

Regarding meeting in the matter of Original Application No. 514/2023 titled as Shishram Versus Vinod Kuasal in Hon'ble National Green Tribunal, Principal Bench, New Delhi in compliance of order dated 23-08-2023.

उपरोक्त विषय पर उपायुक्त महेन्द्रगढ़ स्थित नारनौल के आदेश क्रमांक 1268/डी0ए0 दिनांक 06.09.2023 के द्वारा आप सभी की संयुक्त कमेटी गठित की है, जो कि आपको भी प्रेषित है। जिसमें अधोहस्ताक्षरी ने अपने कार्यालय में एक बैठक का आयोजन सुनिश्चित किया है अतः आपको लिखा जाता है कि उक्त माईन्स के सम्बन्ध में अपने-अपने विभाग की स्पष्ट रिपोर्ट सहित दिनांक 17.10.2023 को प्रातः 10.00 बजे अधोहस्ताक्षरी कार्यालय में उपस्थित होना सुनिश्चित करें। इसक अति-आवश्यक समझें।


उपमण्डल अधिकारी(ना10)
नारनौल।

A committee is constituted vide Deputy Commissioner Mahendergarh vide order no. 1268/DA dated 06-09-2023 in compliance of Hon'ble NGT order in OA no. 514/2023.

In compliance of above order Sub Divisional Magistrate, Narnaul, Regional Officer, Haryana State Pollution Control Board, Mahendergarh at Rewari, Mining Officer, Narnaul and Divisional Forest Officer, Mahendergarh inspected the site on dated 14-09-2023. During the site visit following observation found and action taken in the regarding.

- 1- The lease area khasra no. 550 is covered surrounding from Aravalli Plantation. The lease holder has violated the order of Hon'ble Supreme Court of India in WP (C) No. 4677 of 1985 dated 18-03-2004 "No mining activity can be carried out on area over which plantation has been undertaken under Aravalli project by utilization of foreign funds". As per demarcation report of Revenue Department on dated 16-09-2023 the lease holder has mined the 15648 square feet of illegal mining surrounding the khasra no. 550. Copy of demarcation are attached here with Annexure, R-1

The Forest Offence Report no. 023/0586 dated 02-10-2023 was prepared at the spot in accordance under section 32-33 of Indian Forest Act 1927, but the offenders refused to sign the same, copy of the said FOR (Forest Offence Report) are attached here with as Annexure-R-2

- 2- That thereafter, vide memo no. 3793 dated 25-10-2023, the Divisional Forest Officer, Mahendergarh, while granting sanction for filing prosecution case against the Sh. Aman Kumar S/o Sh. Vinod Kumar Sokal in the Special Environment Court, at Faridabad, directed the Range, Forest Officer, Nangal Chaudhary to file challan in the said court at the earliest with a further direction that Sh. Jai Bhagwan, Dy. Ranger Incharge Nangal Choudhary cum-Prosecutor of the Mahendergarh Forest Division will attend the court hearing on behalf of the State. Attached copy as Annexure-R-3.

- 3- During the inspection, it transpired that 161 number shrubs like muskat have illegally been damaged. Thereafter the Forest Offence Report No. 23/0586 dated 02-10-2023 was prepared of the spot in accordance under section 32-33 of Indian Forest Act, 1927 but the offenders refused to sign, the same copy of the said FOR and the details of the offence are attached here with as Annexure-R-4
- 4- The lease holder must be maintained the green belt as per approved mining plan, during the inspection. It transpired that the lease holder not maintained the Green Belt, action is being taken regarding.



Divisional Forest Officer,
Mahendergarh.

ई-मेल के माध्यम से।

प्रेषक

उपमण्डल अधिकारी (ना०),
नारनौल।

प्रेषित

1. जिला खनन अधिकारी, नारनौल,
2. जिला वन अधिकारी, नारनौल,
3. R.O. Pollution Control Board, Mahendergarh.

यादी क्रमांक: 1110-12/स्टैनों

दिनांक :- 29-09-2023
~~28-09-2023~~

विषय:- पैमाईश रिपोर्ट भेजने बारे।

उपरोक्त विषय के अन्तर्गत आपको पैमाईश रिपोर्ट व नक्शा भेजकर लिखा जाता है कि आप अपनी स्पष्ट रिपोर्ट आज ही लौटती डाक के साथ इस कार्यालय को भिजवाना सुनिश्चित करें, ताकि समय पर जवाब प्रस्तुत किया जा सके।

संलग्न:- पैमाईश रिपोर्ट व नक्शा।


उपमण्डल अधिकारी (ना०),
नारनौल।

रिपोर्ट नं० 29
पंचायत समिति

श्रीमान् जी, आज दिनांक 16-09-2023 को बाबत जलने निशान देरी बाहु-
 मोखिक आदेश श्रीमान् उममण्डल अधिकारी (ना०) नमनोल खन्ना नम्बर 5
 वाणा नगला मौजा मौखिकता में मौजा पर पहुंचा। मौजा पर श्री शशिषा
 हल्ला पटवारी मम राजकव दिगाडि पूर्ण गांव मौखिकता तथा श्री लालच-
 पुत रतीराम वासी पांचनोरा, श्री कालाशचन्द पुत धूडाराम वासी मौ-
 श्री दुधयन्त शुक्ल पुत जगदीशगुप्त वासी सिरता, श्री बाहुल्य-
 पुत विमलेश शर्मा वासी पड़ादिम तहसील रिधीगंज बिहार, श्री बन्धी-
 पुत भद्रानाम वासी नांगल दगरे, श्री शशिराम पुत कामकिवास पर
 हाणी जोयला मौखिकता, श्री दुर्गेनाम पुत चोडू लाल वासी मौखिक
 श्री प्रवीणकुमार पुत विवेन्द्रसिंह वासी केवूपुर तहसील बावल, श्री
 दिग्वज्ज DGP इन्स्पेक्टर आदि मौजा पर हाजिर मिले। हाणी सूची
 व सूचना परवाना साथ संलग्न है।

आदेश नं० 89
 पंचायत समिति जलने के पूर्व

मौजा पर हाजिर जमीनियों को सक्षम न्यायालय के कक्षी / स्थान आदि
 कोर पूछा गया। मौजा पर हाजिर जमीनियों ने ऐसा आदेश जिनकी
 पैदा नहीं किया। राजकव दिगाडि जमाबंदी, बाजरा पारना व फील्ड बु-
 का मिलान किया गया। राजकव दिगाडि का अवलोकन करने पर
 मौजा पर हाजिर जमीनियों की मौजदूगी में सर्वे लाल पटवारी-पुत
 तलाश लिये गये। तलाश करने पर पाया कि पहला सर्वे लाल
 पटवारी-पुतवाकी मुह तहसील व जिला नम्बर $\frac{89}{5}$ उत्तरी-पूर्वी कोना
 दूसरा सर्वे लाल पटवारी $\frac{89}{5}$ उत्तरी-पश्चिमी कोना पर व तिसराने
 लाल-पुतवाकी $\frac{89}{21}$ दक्षिणी-पश्चिमी कोना पर मौजा पर मौ-
 मिले। उपरोक्त सर्वे लाल पटवारी को वही जामम माना। अ. नं०
 89/21

ख- अब मौला पैसादिवा के लिए भी रिजवान Dhp S मशीन सर्वेयर ने राजस्व डाटा के अनुसार Dhp S मशीन में राजस्व डाटा फीड किया। राजस्व डाटा फीड करने के बाद Dhp S मशीन के उपरोक्त सर्वे लाल पत्थरों की जांच की गई। जांच करने पर पाया कि उपरोक्त सर्वे लाल पत्थर अपनी-अपनी जगह मौला पर ठीक जामम मिले। अब Dhp S मशीन की सहायता से मौला पर

खसरा नम्बर 550 कायम करके निशानात लगवाए गए। कायम हुआ निशानात की पैसादिवा बदरिये कीता 100 फीट प्रीमियम माफिक से मौला पर करके हाजवीग की तालवी करवाई गई। खसरा नम्बर

550 की पैसादिवा करने पर पाया कि जैसा जफशा तलावत में माफिक A में पूर्व - पश्चिम - दक्षिण - उत्तर = 1087 वर्ग फीट पर

खसरा नम्बर 487 में मां सन्तोषी खनीज उद्योग ने खनन करके अर्धव्य लाया गया हुआ है। माफिक A₁ में पूर्व - पश्चिम - दक्षिण - उत्तर = 2450 वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज

उद्योग ने खनन करके अर्धव्य लाया गया हुआ है। माफिक A₂ में पूर्व - पश्चिम - दक्षिण - उत्तर = 3093 वर्ग फीट पर खसरा

नम्बर 551 में मां सन्तोषी खनीज उद्योग ने खनन करके अर्धव्य लाया गया हुआ है। माफिक A₃ में पूर्व - पश्चिम - दक्षिण - उत्तर = 3645 वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी

खनीज उद्योग ने खनन करके अर्धव्य लाया हुआ है।

P.T.O.

✕- मार्क A 4 में पूर्व - पश्चिम - दक्षिण - उत्तर = 1940 वर्ग
 $\frac{40'0''}{40'0''} - \frac{40'0''}{40'0''} - \frac{47'0''}{47'0''} - \frac{50'0''}{50'0''}$

फीट पर खासता नम्बर 551 में मां सन्तोषी खानेज उद्योग ने खनन करके अर्ध-ध लकड़ा किया हुआ है। मार्क A 5 में पूर्व

पश्चिम - दक्षिण - उत्तर = 3433 वर्ग फीट पर खासता नम्बर
 $\frac{55'8''}{55'8''} - \frac{65'0''}{65'0''} - \frac{47'0''}{47'0''}$

551 में मां सन्तोषी खानेज उद्योग ने खनन करके अर्ध-ध लकड़ा किया हुआ है। जिसकी पीले रंग से बनाया गया है। खासता नम्बर

487 व 551 की मलकीयत राजस्व विभाग में ग्राफ पंचायत है। खासता नम्बर

नम्बर 550 से साइमरी स्कूल की दूरी 206.40 मीटर है। खासता नम्बर

550 से चन्दानाम पुत्र प्रेमा के मकान की दूरी 153 मीटर है।

चन्दानाम पुत्र प्रेमा का मकान खासता नम्बर 258 में बना हुआ है।

जिसकी मलकीयत ग्राफ पंचायत में पांचमोता है। मां सन्तोषी

खानेज उद्योग ने खासता नम्बर 258 में वास्ता बना रखा है। जिसकी

मलकीयत ग्राफ पंचायत में पांचमोता है। मां सन्तोषी खानेज

खासता नम्बर $\frac{112}{5} - \frac{113}{9-10-11-12-13-17}$ में मां सन्तोषी खानेज

उद्योग ने वास्ता बना रखा है। जिसकी मलकीयत निस्तुरी पुत्री

जिन्दी व प्रेमदास-हंसराज आदि की है। जिसमें वास्ता बना हुआ है।

राजस्व विभाग में कोई वास्ता नहीं है।

लगभग लगातार श्री रिजवान DGPD मशीन सर्वेयर द्वारा मां सन्तोषी पर पैमाने करके के बाद दिया गया प्रिन्ट

अनुसार लगातार खनन मां सन्तोषी पर लगे हुए धोके लगे हुए बरताने

गये, अर्ध-ध लकड़ा च्यारी के नाम खनन बरताने के लिए

*- आचार प्रव रिपोर्ट प्रमावेश तयार करके जी लॉड / बाद
 प्रमावेश मीला रिपोर्ट प्रमावेश तयार करके आगामी कार्यावली
 हेतु आपकी सेवा में पेश है।

Pragya Firo
 M/30mpu

16/09/2023

luy
 16/9/23

सूचना 33 परवाना

प्रेषक :- गिरदावर हल्का,

~~निवासी~~

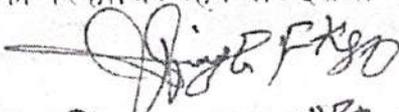
प्रेषित :- पटवारी हल्का,

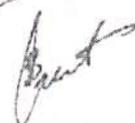
गाँव- ~~मोसकूना~~

विषय :- इतलायाबी परवाना बाबत करने निशान देही।

उपरोक्त विषय के संदर्भ में आपको भेजकर लिखा जाता है कि बाहुकम आदेश श्रीमान मन्वरदार ~~मोसकूना~~ (गाँव) मोसकूना वरदरखास्त वासी गाँव ~~मोसकूना~~ खसरा नंबर 550 वाका रकवा मौजा ~~मोसकूना~~

की पैमाईश दिनांक 16-09-2023 को मोका पे की जानी है। अतः आप स्वयं मय राजस्व रिकार्ड पूर्ण गाँव ~~मोसकूना~~ तथा प्रार्थी, परोसियान, सरपंच, नम्बरदार, चौकीदार व अन्य मौजिजान की बबत पैमाईश मोका पर हाजिर रहने बारे इतला करें। बाद इतला परवाना निश्चित तिथि से पूर्व भेजें।


गिरदावर हल्का
14/09/2023


मोसकूना
मोसकूना
Pehus


मोसकूना
Pehus-kumar

श्रीमान जी,
मुद्राधिकार आदेश गाम मुसकूना में मुद्राधिकार मन्वरदार मोसकूना की
सुचना 33 गदि

15/9/2023

सूची हाजिरान बरकत पैमाईश ब... 34 ... (नाम) ...
 गाँव तहसील जिला महेंद्रगढ़,
 हरियाणा।

दिनांक 16/09/2023

हस्ताक्षर

- | क्रम संख्या | नाम हाजिर व्यक्ति | हस्ताक्षर |
|-------------|---|-------------|
| 1 | श्री. लालचन्द S10 श्री कृष्णराम वासी प्रायंगन | ली. अ. च. 5 |
| 2 | 11 श्री. लालचन्द S10 " श्री. रामदास वासी सुसनी | Available |
| 3 | 11 सुभाष चंद्र S10 " जगदीश कुमार वासी सिद्धा | |
| 4 | 11 बाबुल कुमार S10 " विमलेश शर्मा
वासी पट्टीमा लक्ष्मी शिवांगी बिहार | |
| 5 | 11 बंशीराम S10 " अश्वराम
वासी नागांज इन्डिया | |
| 6 | 11 श्री. राम S10 श्री रामानंद
वासी जालंधर सुसनी | |
| 7 | 11 सुभाष चंद्र S10 श्री चौकलाल वासी सुसनी | |
| 8 | 11 प्रवीण कुमार S10 " विरन्दी
वासी क... त... बा... | |
| 9 | 11 शिशुपाल पट्टीमा इन्डिया | |
| 10 | 11 रजवान DGPS आउटर | |



वन अपराध रिपोर्ट

वन विभाग, हरियाणा सरकार

0586

FOR No. 023

FOR Book No.

वन मण्डल	भैंसगाँव
नेज/ब्लॉक/बीट	नमल चौधरी / निजामपुर / पंचगोता
रीच/जगह का नाम	कुम्भौता सुरक्षा वन क्षेत्र, जखरा नं. 487, 551
FOR No. (Date, Day & Time)	02-10-2023, दिन
रिपोर्ट जारी करने वाले का नाम	श्री अनिल कुमार वर खसक
अपराध की जानकारी का स्रोत	स्वयं द्वारा गस्त/ मुखबीर द्वारा/ शिकायत
अपराध होने के तारीख/दिन/समय	खलन कार्य के दौरान
जांच अधिकारी का नाम व पद	श्री जयधिराज वर खसक
अपराध/घटना का विवरण संलग्न	नहीं/यदि हां तो पृष्ठ संख्या (पिछे अंकित है)
उपरोक्त किया गया अधिनियम	संश्लेषण
भारतीय वन अधिनियम 1927	की धारा 32, 33
वन्य प्राणी (संरक्षण) अधिनियम 1972	
पंजाब भूमि संरक्षण अधिनियम 1900	
भारतीय दण्ड संहिता	

अपराधी का विवरण	नाम	पिता का नाम	उम्र	जाति	पता
	अमन बोरजल	श्री विनोद कुमार बोरजल	30 वर्ष	पुजापत्र	पुजापत्र 1/0-B-74 श्री जयधिराज वर खसक - 9 रोहिली - नई दिल्ली

जब्त वन उपज का विवरण	जब्त किये गये सामान का विवरण				
	प्रजाति	किस्म/माइज	संख्या	मूल्य	मुआवजा राशि
जब्त कीकल का विवरण	प्रकार	रजिस्ट्रेशन नं०	रंग	मॉडल	उत्पादन वर्ष
औजार/ हथियार					
अन्य, यदि कोई हो					
सही को चिन्हित करें	नजरी- नक्शा जी.पी.एम. मैपिंग सहित 27.5238.6 N	संलग्न किया है/तैयार नहीं किया गया	यदि हां तो पृष्ठ संख्या		
	फोटोग्राफ 16.00.06.2 E	संलग्न/तैयार नहीं किया गया			
	विडियोग्राफी	संलग्न/तैयार नहीं किया गया			

R.O.A.C.

Amal Kumar
बीट इन्चार्ज

मुखबीर/ शिकायतकर्ता/गवाह के हस्ताक्षर/अंगुठे का निशान

व० न० अ० *Ravi*
नाम *जयधिराज*
रैंक *व० प०*
दिनांक

Amal Kumar
मुख्य शिफ्ट अधिकारी
कार्यालय

आरोपी का हस्ताक्षर/अंगुठे का निशान

माननीय राष्ट्रीय हरित अधिकरण में लगी O.A.No.514/2023, Sh. Shishram (Applicant) V/S Sh. Vinod Kuasal (Respondent) की अनुपालना में, श्रीमान् उप मण्डल अधिकारी (ना0) नारनौल द्वारा फिल्ड कानूनगों निजामपुर श्री महावीर को दिए गए मौखिक आदेशों के अनुसार मां सन्तोषी खनिज उद्योग, मुसनौता, खसरा नं0 550 की दिनांक 16.09.2023 को सम्बन्धित हल्का पटवारी श्री शीशपाल के साथ Nahar Survey Design & Construction द्वारा उपरोक्त खनिज उद्योग, मुसनौता की पैमाईश की गई । उप मण्डल अधिकारी (ना0) नारनौल ने ई-मेल के माध्यम से जिला वन अधिकारी, महेन्द्रगढ को पत्र क्रमांक 1111/ स्टेनों दिनांक 29.09.2023 को पैमाईश रिपोर्ट भेजी गई । उक्त पैमाईश रिपोर्ट का अध्ययन करने पर पाया गया कि उक्त खनिज उद्योग के नुमाईदो द्वारा ग्राम पंचायत मुसनौता के अरावली के खसरा न0. 487 में 1087 Sqr. feet या 100.9856 Sqr.meter और खसरा न0. 551 में 14561 Sqr. feet या 1352.7612 Sqr.meter में अवैध खनन किया हुआ है। इन परिस्थितियों के मध्य नजर व हमारी जांच पडताल में यह सिद्ध होता है कि मां सन्तोषी खनिज उद्योग, मुसनौता द्वारा उपरोक्त खसरा नं0 के मुसनौता सुरक्षित वन क्षेत्र में 15648 Sqr. feet या 1453.7468^{Sqr. meter} में अवैध खनन किया हुआ है। उपरोक्त लीज उद्योग द्वारा भारतीय वन अधिनियम 1927 की धारा 32-33 की उल्लंघना की गई है। वन अपराधी द्वारा जंगल जुर्म ईकबाल किया तथा FOR पर हस्ताक्षर करने से इंकार किया ।

R. R. R.

Am/Sum
I.C - PanchNote

Am/Sum
वन राज्यक अधिनियम
भाग 10

37

OFFICE OF THE DIVISIONAL FOREST OFFICER
FOREST COMPLEX, MAHENDERGARH

Tel./Fax:+ 91 01285-220229, E-Mail:- dfomgarh@yahoo.co.in

No. 3793

Dated 25/10/23

To,

Range Forest Officer,
Nangal Choudhary.

Sub. **Approval for filling of Prosecution case in the Special Environment Court, Faridabad.**

Sanction is hereby accorded for filling of prosecution case against the offenders in the Special Environment Court, Faridabad, as per detail given below.

Sr. No.	P.C. No.	Damage Report No. and Date	Name & Address of Offender
2.	03NCH/2023-24	023/0586 Dated 02/10/2023	Aman Sokal S/O Vinod Kumar Sokal R/O -B-74 Shakti Apartment, Sector-9, Rohini, New Delhi.

You are hereby directed to file challan in the Special Environment Court at the earliest Range forest officer-Cum Prosecutor of Mahendergarh Forest Division with attend the Court hearing on behalf of the state.

Divisional Forest Officer,
Mahendergarh. o/c

25/10/23.

25/10/2023

Wch P.R.R NO. - 38
03 MCH (2023-24)



वन अपराध रिपोर्ट

0586

वन विभाग, हरियाणा सरकार

022

FOR No.

FOR Book No.

वन मण्डल	मण्डल 1				
रेज/ब्लॉक/वीट	नाचो थरी, नौगापुर, पाँच नोला				
रीच/जगह का नाम	मुसनीता सुरावत वन क्षेत्र स्वमं-पहा/551				
FOR No. (Date, Day & Time)	02/10/2023 Time 3.30 दिन				
रिपोर्ट जारी करने वाले का नाम	अमन कुमार				
अपराध की जानकारी का स्रोत	स्वयं द्वारा गस्त/मुखवीर द्वारा/शिकायत				
अपराध होने के तारीख/दिन/समय	खनक काय के दौरान				
जांच अधिकारी का नाम व पद	श्री रिमीश 0050				
अपराध/घटना का विवरण संलग्न	नहीं/यदि हां तो पृष्ठ संख्या पृष्ठ अंकित है				
उल्लंघना किया गया अधिनियम	संवर्षन				
भारतीय वन अधिनियम 1927	की धारा 32, 33				
वन्य प्राणी (संरक्षण) अधिनियम 1972					
पंजाब भूमि संरक्षण अधिनियम 1900					
भारतीय दण्ड संहिता					
अपराधी का विवरण.	नाम	पिता का नाम	उम्र	जाति	पता
	अमन शोखला 310	विनीत शोखला	30 वर्ष	प्रजापति	R/O B-14
		कुमार		शुक्ति	अपार्टमेंट
				सेक्टर - 4	
				शेहणी - नई दिल्ली	
जप्त किये गये सामान का विवरण					
जप्त वन उपज का विवरण	व्युजाति	किसम/साइज	संख्या	मूल्य	मुआवजा राशि
	अमन शोखला 310	विनीत कुमार शोखला			
जप्त वस्तु का विवरण -	प्रकार	रजिस्ट्रेशन नं०	रंग	मॉडल	उत्पादन वर्ष
आँजार/हथियार					
अन्य, यदि कोई हो					
सही को चिह्नित करें	नजरी-नक्शा/जी.पी.एम. रीडिंग सहित 27.52.38.6 N	संलग्न किया है/तैयार नहीं किया गया	यदि हां तो पृष्ठ संख्या		
	फोटोग्राफ 000062 E	संलग्न/तैयार नहीं किया गया			
	विडियोग्राफी	संलग्न/तैयार नहीं किया गया			

R.O.A.C.

Ambedkar
बीट इन्चार्ज

मुखवीर/शिकायतकर्ता/गवाह के हस्ताक्षर/अंगुठे का निशान

व० स० अ०

नाम

रैंक

दिनांक

आरोपी का हस्ताक्षर/अंगुठे का निशान

माननीय राष्ट्रीय हरित अधिकरण में लगी 39 No.514/2023, Sh. Shishram (Applicant) V/S Sh. Vinod Kuasal (Respondent) की अनुपालना में, श्रीमान् उप मण्डल अधिकारी (ना0) नारनौल द्वारा फिल्ड कानुनगों निजामपुर श्री महाबीर को दिए गए मौखिक आदेशों के अनुसार मां सन्तोषी खनिज उद्योग, मुसनौता, खसरा नं0 550 की दिनांक 16.09.2023 को सम्बन्धित हल्का पटवारी श्री शीशपाल के साथ Nahar Survey Design & Construction द्वारा उपरोक्त खनिज उद्योग, मुसनौता की पैमाईश की गई । उप मण्डल अधिकारी (ना0) नारनौल ने ई-मेल के माध्यम से जिला वन अधिकारी, महेन्द्रगढ को पत्र क्रमांक 1111/स्टेनों दिनांक 29.09.2023 को पैमाईश रिपोर्ट भेजी गई । उक्त पैमाईश रिपोर्ट का अध्ययन करने पर पाया गया कि उक्त खनिज उद्योग के नुमाईदो द्वारा ग्राम पंचायत मुसनौता के अरावली के खसरा न0. 487 में 1087 Sqr. feet और खसरा न0. 551 में 14561 Sqr. feet में अवैध खनन किया हुआ है तथा इस अवैध खनन के कारण बहुत सारे झाडीनुमा मस्कट उखाडकर भी मौके से खुर्द - बुर्द कर दिए गए है । तत्पश्चात उपरोक्त अवैध खनन की हुई भूमि के बराबर साथ लगते सुरक्षित वन क्षेत्र की पैमाईश की गई तथा उस में खडे झाडीनुमा मस्कट की भी गिनती की गई ताकि यह पता चल सके कि उपरोक्त खनिज उद्योग के नुमाईनदो द्वारा कितने झाडीनुमा मस्कट को नुकसान करके खुर्द - बुर्द कर दिए गए है। इस दौरान पाया गया कि उपरोक्त खनिज उद्योग द्वारा खसरा नं0 487 में 1087 Sqr. feet अवैध खनन करने के कारण 11 झाडीनुमा मस्कट तथा खसरा न0. 551 में 14561 Sqr. feet अवैध खनन के कारण 151 झाडीनुमा मस्कट के वृक्षों को क्षति पहुंचाकर खुर्द - बुर्द करने का आकलन है। इन परिस्थितियों के मध्य नजर व हमारी जांच पडताल में यह सिद्ध होता है कि मां सन्तोषी खनिज उद्योग, मुसनौता द्वारा उपरोक्त खसरा नं0 के मुसनौता सुरक्षित वन क्षेत्र में 15648 Sqr. feet में अवैध खनन करके 162 झाडीनुमा मस्कट को क्षति पहुंचाई गई है। उपरोक्त लीज उद्योग द्वारा भारतीय वन अधिनियम 1927 की धारा 32-33 की उल्लंघना की गई है। वन अपराधी द्वारा जंगल जुर्गा ईकवाल किया तथा FOR पर हस्ताक्षर करने से इंकार किया ।

Am/ku
11/09/2023

From

Mining Officer,
Mines and Geology Department,
Narnaul.

To

Sub Divisional Officer(c) ,
Narnaul.

Memo No. Mining/NNL/.....3431

Dated 20/10/2023

Sub. Original Applicaton No. 514/2023-regarding.

Kindly refer to your office memo no. 1223-26/Steno dated 12.10.2023 on the above noted subject.

1. The Original Application No. 514/2023 has been registered. The above case hearing on dated 23.08.2023 passed order on the basis of the letters dated 15.07.2023 sent to the Tribunal by Shishram and others, who are stated to be the residents of Village Musnota, Tehsil Nangal Choudhary, District Mahendergarh, Haryana. The allegation in the letter is that illegal mining is being done in Maa Santoshi Khanij Udyog Lease by cutting the trees and causing environmental hazard. It is also agreed that due to heavy blasting, residential houses are damaged and the agricultural fields are affected. Further allegation is that about 200-250 mtrs. Away from the mining area, there is a primary school and the education of the children is affected.

2. On the basis of complaint of Shri Shish Ram, Ram Sawrup S/o Sultan, Parkash s/o Jatha Ram, Kailash S/o Jatharam and others. A joint inspection is done by Sh. Aderla Ram Babu Deputy Director, DGMS Ghaziabad alongwith Sh. Bhupinder Singh Mining Officer Narnaul and Smt Tanu Joshi Mining Inspector Narnaul on dated 01.09.2023 in which inspection, inquiry and observation is that the values of two rounds of blast induced ground vibrations were record seismography in front of complaint house in presence of complaints, Shri Shish Ram, Ram Sawrup S/o Sultan, Parkash s/o Jatha Ram, Kailash S/o Jatharam and Shri Bhupinder Singh Mining Officer and Smt Tanu Joshi Mining Inspector Department of Mines and Geology Narnaul Haryana Government and persons belonging to mine. The GPS Co-ordinates of the location of Mini Super graph(Seismograph) and location of place of blasting of Musnota Calcite Mine were taken by the hand-held GPS instrument and the co-ordinates were Northing: 2752.96259'N & Easting: 76o 0.17948' E respectively.

3. During enquiry it was observed that another hutment Musno Blastin Enclose
Dhanimaliya having 4 houses existing within 300 m of the mine boundary that was more closer to the mine than the complaints houses. During enquiry the villagers of Dhani Maliyala stated that they had no problem to them due to the blasting conducted in Musnota Calcite Mine. They also stated that they are getting water for agriculture purpose and getting employment in the mine was repeatedly lodging complaint against the mine management though there were no problems from the mine.

Comments given by the Deputy Director, DGMS Ghaziabad given as under :-

- I. The cracks observed in the Shiv Mandir (Stage Type) were very minor cracks and appeared to be normal cracks. No cracks were observed at its compound wall which is more near to mine than the Shiv Mandir.
- II. A crack was observed in one of the roof slabs of rear side house & filling material between two adjoining slabs was found disturbed. No cracks were observed in any slabs of the front side house which was nearer to the mine. No cracks were observed in the walls of the both the houses of the complaint.
- III. It cannot be ascertained that the cracks in wall of Shiv Mandir and roof slab were occurred due to blasting done in the mine as the blast induced ground vibration was observed within the prescribed limits for blasts conducted in the mine. That may be due to other factor like ageing effect, quality of construction /material etc.
- IV. However some houses of Dhani Maliyala were found existed within 300m of the mine boundary and 4 houses of Panchnota village were found existed at a distance of 106 m from the west side mine boundary and 248 m from the mine workings. Therefore a contravention to restrict blasting as stated in the Regulation 164(1-B) (a) of the MMR, 1961 (where surface structures not belonging to the owner of the mine exist within 300 m danger zone) till a permission under Regulation 164(1-B)(a) of the MMR, 1961 for controlled blasting is obtained from this Directorate in writing was interred in Form VI as required under Regulation 108A of the MMR, 1961.
- V. From the Google Earth map, the complaints house at Dhani Jokhla Wali of

Musnota Village was located at a 693 m from the place of working (Site of Blasting) in the Musnota Calcite Mine. (Screenshot of Google Earth Map Enclosed) Copy of report of DGMG Gaziabad dated 03.10.2023.

4. In addition of the above the Director, Mines Safety, Gaziabad region, Gaziabad sent a action taken report vide memo no. 2764 dated 13.10.2023 (copy attached) with direction to the management of Musnota Calsite mines regarding violation vide memo no. 2067 dated 03.10.2023 for rectification of contraventions observed during inspection & enquiry of the mine. Mine management was directed that no blasting other than the blasting specified in the Regulation 164(1B)(a) of the Metalliferous Mines Regulations (MMR), 1961 shall be conducted within 300 m of such hutments/structures of permanent nature not belonging to the owner of the mine till controlled blasting permission under regulation 164(1B)(a) of the Metalliferous Mines Regulations, 1961 is obtained from this Directorate in writing on the basis of scientific study report from a reputed scientific agency.(Copy of the action taken report attached) In Compliance of the action taken report sent by the Director, Mines Safety Gaziabad this office is directed to the lease holder M/s Maa Santoshi Khanij Udyog, Musnota to not violated the directions issued on DGMS Gaziabad vide 2069 dated 03.10.2023.(Copy Attached). This office is also issued a notice to the Maa Santoshi Khanij Udhyog, Musnota mining lease holder to compliance the direction issued by the DGMS Gaziabad vide memo no. 3261 dated 13.10.2023.(Copy of action taken report of DGMS, Gaziabad dated 13.10.2023 and memo no. 3261 dated 13.10.2023 Attached)

5. In compliance of the direction issued by the worthy Deputy Commissioner Mahendergarh a joint committee is consisting of DFO Mahendergarh, RO HSPCB Mahendergarh, Mining Officer Narnaul was constituted by Sub Divisional Narnaul and the joint committee visited the mining lease area of Musnota Mines Khasra No. 550 alongwith tehsildar Nangal Choudhary and field Kanungo on 14.09.2023. As per the demarcation report is submitted by field Kanungo on 16.09.2023 that the lease holder encroached the area 15648 sq. feet in the Khasra No. 487 & 551 and Sh. U. Narasimulu Senior surveyor Sh. Mohit Surveyor(H.Q), Director, Mines and Geology Haryana, Panchkula again also jointly surveyed/demarcated alongwith field Kanungo, Halka Patwari of village Musnota and Smt.Tanu Joshi Mining Inspector, Narnaul in the presence of Sh. Dushyant Sokhal representative of Project Proponent and Private Surveyor were also present on 05.10.2023. After the demarcation it is found that the

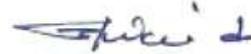
total excavation outside lease /contract area i.e Khasra No. 487 & 551 is 1556 meters and quantity of excavated mineral is 24,812.50 M.T. A demand notice is to issued to lease holder of M/s Maa Santoshi Khanij Udyog of Musnota stone Mine vide this office memo no. MO/Narnaul/3369 Dated 17.10.2023 to deposit the penalty, royalty and price of mineral illegally excavated minor mineral i.e Rs 42,28,125 (Copy Attached)

6. During the inspection it is found that primary school Dhanimaliyala existed within about 200 meter from the boundary mine and about 200-300 meter from working place of machinery used for mining and also found that cracks are seen in RCC beam on door level of the school building, no any cracks found on other walls of the primary school and also seems that ceiling plaster is found defective due to construction material used in the school building.

The report is submitted for your kind perusal.

The next date of hearing is fixed for 01.11.2023.

D/A:- As above.



Mining Officer
Mines & Geology Department
Narnaul.

Endst No. Mining/NNL/.....3432-34

Dated. 20/10/2023

A copy is forwarded to following for your kind information please.

1. Director, Mines and Geology Department Haryana, Panchkula.
2. Deputy Commissioner, Narnaul.
3. Regional Officer, HSPCB, Mahendergarh.



Mining Officer
Mines & Geology Department
Narnaul.

Annexure-6

From Mining Officer,
Mines and Geology Department Haryana,
Narnaul.

To M/s Maa Santoshi Khanij udyog,
Musnota, District Mahendergarh.

Owner: Sh. Raman Sokhal & Aman Sokhal,
S/o Sh. Vinod Kumar,
R/o B-74 Shakti apartment,
Sector-09, Rohini, New Delhi.

Memo. No/MO/Narnaul/ 3369

Dated:- 17/10/2023

Subject: - Demand notice of Royalty, Price of Mineral and Penalty for carrying illegal mining out of lease area in Khasta No.487,551 of village Musnota beyond Lease hold Area of Khasra No. 550 i.e 8.107 Hect. in respect to M/s Maa Santoshi Khanij udyog, Musnota Mine.

On the subject noted above.

1. As you are aware that you were granted a mining lease for extraction of Calcite along with associated Minor Minerals' over an area of 8.107 hectares of land in Khasra No. 550 in village 'Musnota', Tehsil Narnaul, District Mahendergarh for extraction of Calcite along with associated minor mineral for a period of 50 years w.e.f 16.11.1994 to 15.11.2044 as per provisions of the Mines and Minerals (Development & Regulation) Act, 1957. In this regard, a lease deed was executed by you with the State Government on Form 'K' appended to the Mineral Concession Rules. 1960. And the Central Government through an Ordinance dated 12.01.2015 has made certain amendments in the mines and minerals (Development & Regulation) Act, 2015 as notified on 27.03.2015.
2. As you are also aware that a joint inspection team consisting of Sh. U. Narasimulu Senior surveyor Sh. Mohit Surveyor(H.Q), Director, Mines and Geology Haryana, Panchkula were also jointly surveyed/demarcated alongwith field Kanungo, Halka Patwari of village Musnota and Smt.Tanu Joshi Mining Inspector, Narnaul in the presence of Sh. Dushyant Sokhal representative of Project Proponent and Private Surveyor were also present on 05.10.2023. After the jointly demarcation it is found that you have



excavated 24,812.50 M.T. minor mineral beyond the leased hold area under tantamount to illegal mining. Whereas, by carrying out mining beyond permissible limit and encroachment in Khasta No.487, 551 of village Musnota, you have violated /breached terms and conditions lease agreement. Whereas per provision of Section 21.5 of Mines and Mineral(D&R) Act 1957 and rule 104(1) of the Haryana Minor Mineral Concession, Stocking, Transportation of Mineral & prevention of illegal Mining Rules 2012 (herein after referred as state Rules) any act of illegal/unauthorized mining shall be liable to the following.

- (i) For first time violation the said mineral shall be liable to be seized the impounding of all such tools, equipment, vehicles or any other things used for such unauthorized operation, which may be released only upon realization of the payment of price of the mineral and the applicable royalty for the mineral extracted and, in addition, a fine which shall not be less than Ten thousand Rupees; along with seized along.
 - (ii) For second time violation the said mineral shall be liable to be with the impounding of all such tools, equipment, vehicles or any other things used for such unauthorized operation for a minimum period of seven days, which may be released only upon realization of the payment of price of the mineral and the applicable royalty for the mineral extracted and, in addition, a fine which shall not be less than fifteen thousand Rupees;
 - (iii) Wherever a person is found to be indulging in such offence from the third time or more, the officer concerned shall register an FIR and handover all such tools, equipment, vehicles or any other things used for such unauthorized operation to the Police. Any such offence shall entail (a) confiscation of all such tools equipments, vehicles or any other thing used for such unauthorized operation for a period of minimum thirty days or more and (b) pecuniary penalty and punishment for the offence as provided under Section 21 of the mine and minerals (Development & Regulation) act 1957.
3. (i) Assessment of quantity of mineral illegally excavated and disposed off;
As per the inspection report dated 05.10.2023 the quantity of the stone excavated and disposed of by excavating outside of the lease Musnota is 24812.50 MT.
 - (ii)- Assessment of price of Mineral illegally excavated;

[Handwritten Signature]

As the rate of stone vary at different sites (varying from 150 Rs. Per ton to 190 Rs per ton) thus, taking the average as Rs. 170/- per ton is the average price of selling the mineral at pit head with royalty, after deducting of royalty accordingly, price of the stone Rs. 125/- per. M.T. Accordingly, total price of stone illegally removed is $24812.5 \times 125 =$ Rs. 3101562.5/-

(iii) Assessment of Royalty illegally excavated:

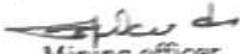
The rate of royalty of the stone as prescribed in the first Schedule in the Haryana Minor Mineral Concession, Stocking Transportation of Mineral & prevention of illegal Mining Rules 2012 is Rs. 45/- per MT, Total royalty of the quantity of stone illegally removed Rs. 1116562.5/-.

As per provision of Rule 104(1) Haryana Minor Mineral Concession, Stocking Transportation of Mineral & prevention of illegal Mining Rules 2012, for first violation fine of Rs. 10000/- in addition to price and royalty is also recoverable.

In view of the above you are liable to pay an amount as per details given below.

- | | |
|---|------------------|
| a) Total amount of the royalty of 24812 MT of stone | = 11,16,562.50/- |
| b) Total amount of price of mineral | = 31,01,562.50/- |
| c) Amount of penalty under rule 104(1) Total | = 10,000.00/- |

In the view of above you are liable to pay an amount Rs. 4228125/- and you are directed to deposit Rs. 4228125/- (Forty Two Lakh Twenty Eight Thousand One hundred Twenty Five Only.) within 20 days from the issuance of this letter, if you failed to deposit the above said outstanding amount, further proceeding will initiated against you.


Mining officer,
Mines & Geology Department Haryana,
Narnaul.

Dated 17/10/2023

Endst No. - 3370

A copy of the above is forwarded to the Director, Mines & Geology Department, Haryana, Panchkula for information and necessary action please.


Mining officer,
Mines & Geology Department Haryana,
Narnaul.



कार्यालय खान एवं भूविज्ञान विभाग, नारनौल
Office of Mines & Geology Department, Narnaul



प्रेषित

मैसर्ज माँ संतोषी खनिज उद्योग,
मुसनोता।

क्रमांक :- खनन/नारनौल/3262-64

दिनांक 13/10/2023

विषय : High Intensity Blasts at Mining sites a threat to Mahendergarh villages.

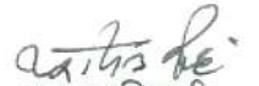
जैसा कि आपको विदित है कि दिनांक 01.09.2023 को श्री ए.रामबाबू उपनिदेशक, खान सुरक्षा निदेशक गाजियाबाद द्वारा श्री शीशराम, पूर्ण सिंह व अन्य की शिकायत के सम्बन्ध में निम्नहास्ताख्तर कर्ता व श्रीमती तनु जोशी खनन निरीक्षक के साथ सिस्मोग्राफी स्थापित करके ब्लास्टिंग की कम्पनता को मापा गया था। निरीक्षण उपरांत खान एवं सुरक्षा क्रमांक 2066 दिनांक 03.10.2023 के द्वारा रिपोर्ट भेजते हुए निम्नलिखित निर्देश जारी किये गये हैं:-

Management of Musnota Calsite Mine was issued violation letter vide letter no.डीडी//गा.क्षे/मुसनोता/वी.एल / 2023/ 2067 dated 03.10.2023 for the rectification of contraventions observed during inspection & enquiry of the mine. Mine management was directed that no blasting other than the blasting specified in the Regulation 164(1B)(a) of the Metalliferous Mines Regulations (MMR), 1961 shall be conducted within 300 m of such hutments/structures of permanent nature not belonging to the owner of the mine till controlled blasting permission under regulation 164(1B)(a) of the Metalliferous Mines Regulations, 1961 is obtained from this Directorate in writing on the basis of scientific study report from a reputed scientific agency.

उपरोक्त के मध्य नजर रखते हुए आपको निर्देश दिए जाते हैं कि आप खान सुरक्षा निदेशक द्वारा जारी किये गये आदेशों की पालना दृढ़ता से करें, यदि इसमें कोई कोताही करते हुए आदेशों की उलंघना की गई तो आप स्वयं जिम्मेवार होंगे।

यह आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

सन्तोषी - मौपी


खनन अधिकारी,

खान एवं भू-विज्ञान विभाग,

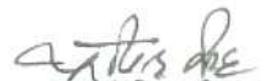
नारनौल।
13/10/23

पृष्ठ क्रमांक : खनन/नारनौल/3262-64

दिनांक 13/10/23

उपरोक्त की एक प्रति निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

1. निदेशक, खान एवं भू विज्ञान विभाग हरियाणा, पंचकुला।
2. उपायुक्त महोदया, नारनौल।
3. खान सुरक्षा निदेशक, गाजियाबाद।


खनन अधिकारी,

खान एवं भू-विज्ञान विभाग,

नारनौल।

Item No. 10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 514/2023

Shishram

Applicant

Versus

Vinod Kuasal

Respondent

Date of hearing: 01.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Rahul Khurana, Adv. for HSPCB

ORDER

1. This original application has been registered on the basis of the letter petition with the allegation about illegal mining by Maa Santoshi Khanij Udyog Lease by cutting the trees and causing environmental hazard.

2. The Tribunal by order dated 23.08.2023 had called for a joint report from the District Magistrate, Mahendragarh and Haryana State Pollution Control Board (HSPCB).

3. In compliance of the said direction, the report has been filed on 27.10.2023. Perusal of the report reveals that as per the demarcation report of the Revenue Department dated 16.09.2023, the leaseholder had mined 15,648 Sq. ft of illegal mining surrounding the Khasra No. 550 and that 161 numbers shrubs like muskat have illegally been damaged. The report also refers to the letter of Mining Officer, Mines and Geology Department, Narnaul dated 20.10.2023 which takes note of demarcation

report showing that the leaseholder had encroached the area of 15,648 sq. ft. in Khasra No. 487 and 551 and had excavated outside the lease/contract area. The report further mentions that the cracks were seen in RCC beam on the door level of the school building which was located within 200 meters from the boundary of the mine and about 200 – 300 meters from the working place of the machinery used for mining. The conclusions of the report are as under:

“Conclusion: -

In view of the above facts, allegations w.r.t. to the effect of heavy blasting were not established as per the report submitted by the Deputy Director, DGMS, Ghaziabad and Mining Officer, Narnaul to a nearby residence :and school as mentioned above. However, the other allegations mentioned in the complaint w.r.t. illegal mining and cutting of trees as per the report submitted by DFO, Mahendragarh and Mining Officer, Narnaul were found correct and accordingly necessary action as mentioned above have already been taken by the concerned department under applicable laws/rules.

It is, therefore, prayed that the above Joint Report in compliance with the directions issued by this Hon'ble Tribunal vide order dated 23.08.2023, may kindly be considered please.

4. In view of the above report, we deem it proper to implead the Project Proponent as respondent as under:

M/s. Maa Santoshi Khanij Udyog,
Musnota, District Mahendergarh,
Through Shri Raman Sokhal and Aman Sokhal,
S/o Vinod Kumar Sokal,
R/o B-74, Shakti Apartment,
Sector-9, Rohini, New Delhi

5. Let notice be served by the Registry on the said impleaded respondent.

6. Learned Counsel for the HSPCB is also directed to serve the notice upon the above respondent and file affidavit of service on or before the next date of hearing.

7. It will be open to the above respondent to file reply/response before the Tribunal on or before the next date of hearing.

8. List on 16.01.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

November 01, 2023
Original Application No. 514/2023
DV



Haryana State Pollution Control Board
Regional Office, Mahendragarh at SCO-D6 & D-7,
Suncity Commercial Complex, Sector-6, A-Block Rewari
Tele: 01274-244241, E-Mail: hspcbromq@gmail.com



No. HSPCB/MG/2023/ 1657
To

MOST URGENT- NGT MATTER

Dated 6/11/23

1. M/s. Maa Santoshi Khanij Udyog,
Vill. Musnota, Distt. Mahendragarh

2. Shri Raman Sokhal and Aman Sokhal
S/o Sh. Vinod Kumar Sokal,
R/o B-74, Shakti Apartment,
Sector-9, Rohini, New Delhi-110085

Sub.- Copy of Hon'ble NGT order dated 01.11.2023 in the matter of Original Application No. 514/2023 titled as Shishram Versus Vinod Kuasal in Hon'ble National Green Tribunal, Principal Bench, New Delhi.

Kindly refer to the subject noted above, please find enclosed herewith the copy of Hon'ble NGT order dated 01.11.2023 in the matter of Original Application No. 514/2023 titled as Shishram Versus Vinod Kuasal in Hon'ble National Green Tribunal, Principal Bench, New Delhi and intimated you to file the reply/ response before the Hon'ble Green Tribunal on or before the next date of hearing i.e. 16.01.2024 in compliance of above said order.

DA/- Copy of NGT order dt. 01.11.2023


Regional Officer
Mahendragarh Region

~~_____~~
Rajendra

Vinod Kumar
17/11/2023.

9958071133

To

Annexure-4

1. The Regional Director, CPCB, Chandigarh
2. The Director,
Mines & Geology Department, Second Floor, DHL Square,
Plot No. 9, Sector-22, IT Park, Panchkula, Haryana,
3. The Regional Officer, HSPCB, Mahendragarh
4. The Sub Divisional Magistrate, Narnaul, District Mahendragarh

Sub.- Regarding held meeting and visit by joint committee constituted by Hon'ble NGT in Original Application No. 546/2023 titled as Puran Singh Versus Vinod Kuasal in Hon'ble National Green Tribunal, Principal Bench, New Delhi vide order dated 12.09.2023.

In this connection, it is submitted that applicant Puran Singh Versus Vinod Kuasal in Hon'ble National Green Tribunal, Principal Bench, New Delhi (**copy attached**) and constitute a joint committee of Director deputed by Member Secretary, Central Pollution Control Board (CPCB), Member Secretary, Haryana State Pollution Control Board (HSPCB), Director, Mining, State of Haryana and the concerned Divisional Forest Officer (DFO), the District Magistrate, Mahendragarh District. The DFO will act as a coordinating agency between the members of the Committee.

As discussed with all member, it is decided to meet and visit of the site M/s Maa Santoshi Khanij Udyog Vill-Musnota, Nangal Chaudhary Distt-Mohindergarh on 14.11.2023 at 10:00 AM in SDM office, Mini Secretariat, Narnaul. So all member are requested to please attend the SDM office, Mini Secretariat, Narnaul above said date and time.

DA: Hon'ble NGT order dated 12.09.2023.

Divisional Forest Officer
Mahendragarh

Dated 9-11-23

No. HSPCB/MG/2023/ 4036-37

1. A copy of the above is forwarded to Deputy Commissioner, Mahendragarh at Narnaul for kind information please.
2. The Mining Officer, Narnaul with a request to co-ordinate with the Director, Mines & Geology Department, Panchkula and be present on above said date and time

Divisional Forest Officer
Mahendragarh

Item No. 04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 546/2023

Puran Singh Applicant

Versus

Vinod Kaushal Respondent(s)

Date of hearing: 12.09.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

ORDER

1. This Original Application has been registered on the basis of the letter dated 26.08.2023 sent by one Puran Singh resident of Village Musnota Dhandi Jokhla Wali, Tehsil Nangal Chaudhary, District Mahendragarh, Haryana stating that earlier he had made a complaint against Maa Santoshi Khanij Udyog and when action was started, the owner of said unit had closed the business, therefore, the case was closed. He has further alleged that in June 2023 the earlier owner has sold the mines to another person and the said person has again started mining work. The grievance of the applicant is that on account of heavy blasting there are cracks coming in the houses of nearby villagers and there is a threat to life of person and cattle. It is also alleged that the mine is situated only 200-300 meters away from the residential houses and that illegal felling of trees has been done resulting into damage to the environment.

2. Having regard to the allegations made in the application, we deem it proper to constitute a Committee comprising of the Director deputed by Member Secretary, Central Pollution Control Board (CPCB), Member

Secretary, Haryana State Pollution Control Board (HSPCB), Director, Mining, State of Haryana and the concerned Divisional Forest Officer (DFO) as also the District Magistrate, Mahendragah District. The DFO will act as a coordinating agency between the members of the Committee. The Committee will carry out spot inspection and ascertain nature of activities being carried out and its impact on environment, life and property of nearby residence as also examine the allegation of illegal felling of trees and formulating environmental restoration. Let the report be submitted by the Committee within 8 weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

3. List on 05.12.2023.

4. A copy of this order be forwarded to Member Secretary, CPCB, Member Secretary, HSPCB, concerned DFO and the District Magistrate, Mahendragah by e-mail for compliance.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

September 12, 2023
Original Application No. 546/2023
DV



Haryana State Pollution Control Board
Regional Office, Mahendragarh at SCO-D6 & D-7,
Suncity Commercial Complex, Sector-6, A-Block Rewari
Tele: ☎ 01274-244241, E-Mail: ✉ hspcbromg@gmail.com



No. HSPCB/MG/2023/ 1755

Dated 21/11/2023

Show Cause Notice

To

M/s Maa Santoshi Khanij Udyog
Vill-Musnota, Nangal Chaudhary Distt-Mohindergarh

Sub.- Show Cause Notice for Closure under section 33 A, for violation of section 25/26 of Water (Prevention and Control of Pollution) Act, 1974, 31 A, for violation of section 21/22 of Air (Prevention and Control of Pollution) Act, 1981, imposition of environmental penalty as per the amendments in the Jan Vishwas Act, 2023 and imposition of Environmental Compensation as per HSPCB Policy on Imposition of Environment Compensation.

Ref:- Hon'ble NGT order dated 23.08.2023 in Original Application No. 514/2023 titled as Shishram Versus Vinod Kuasal & order dated 12.09.2023 in Original Application No. 546/2023 titled as Puran Singh Versus Vinod Kuasal.

Whereas, your unit is engaged in mining activity and having valid CTO upto 30.09.2025.

Whereas in compliance of Hon'ble NGT order dated 12.09.2023 in the Original Application No. 546/2023 titled as Puran Singh Versus Vinod Kuasal and order dated 23.08.2023 in Original Application No. 514/2023 titled as Shishram Versus Vinod Kuasal in Hon'ble National Green Tribunal, Principal Bench, New Delhi and in compliance of direction issued by CAQM, New Delhi under stage III of GRAP has been visited by the concerned field officer on dated 20.11.2023 and during inspection your unit was found non operational however following deficiencies/violation has observed against the conditions of CTE/CTO/ Environmental clearance issued:-

- 1) Not constructed the pucca link road connected to main road.
- 2) Not provided mixed cannon water sprinkler for dust suppression.
- 3) Not submitted copy of permission regarding withdrawal of ground water from CGWA / HWRA.
- 4) Not submitted compliance w.r.t. control of mining activity within 500 meter radius of the mine and also to prove no intention to expand the mining activity stated/approved area.
- 5) Not provided sprinklers to curb fugitive emission by using treated water and also not provided a permanent water sprinkling arrangement on main haulage road.
- 6) Not submitted six monthly compliance reports of conditions of EC.
- 7) Not developed green belt and plantation as per approved Mining plan as per conditions of Environment Clearance.
- 8) Not obtained permission for change of ownership of Mining Project from the Board and also a violation of EC conditions that if any change in ownership or mining lease is transferred then mining operation shall be carried out after transfer of EC as per EIA notification dated 2006.
- 9) The smog guns/dust suppression system of sufficient capacity not installed.

- 10) Not develop and implement rainwater harvesting measures on long term basis to augment ground water resources in the area.
- 11) No piezo meter installed as per Condition of EC.
- 12) Not installed a minimum of 03 Nos. online ambient air quality monitoring station as per the conditions of EC.

Whereas, you are liable to pay environmental compensation as per direction/policy of the board issued vide office order no. 2343-2350 dated 22.12.2021 as assessed by this office as per methodology defined therein.

Therefore, you are hereby directed to show cause & explain within 15 days as to why closure action may not be taken against your unit u/s 33-A Water (Prevention and Control of Pollution) Act, 1974, under section 31-A of Air (Prevention and Control of Pollution) Act, 1981, and prosecution action under section 43/44 of Water (Prevention and Control of Pollution) Act, 1974 & under section 37/38 of Air (Prevention and Control of Pollution) Act, 1981 and imposition of environmental penalty as per the amendments in the Jan Vishwas Act, 2023 and imposition of Environmental Compensation as per HSPCB Policy on Imposition of Environment Compensation.

In case you fail to reply/comply with the deficiencies mentioned above within above mentioned stipulated period, it will be presumed that you have nothing to say in this regard and accept the status as mentioned above, which will warrant closure action against your unit under relevant Acts/ Rules besides environment compensation, initiation of legal action under the relevant Acts/Rules without giving any further notice.

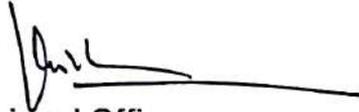
Explanations: For the avoidance of doubts, it is hereby declared that the power to issue directions under above said sections of Water Act (33-A)/ Air Act (31-A) includes the power to direct:-

- (a) the closure, prohibition or regulation of any industry, operation or process or
- (b) the stoppage or regulation of supply of electricity, water or any other service

Endst. No. HSPCB/MG/2023/ 1756


Regional Officer
Mahendergarh Region
Dated 21/11/2023

A copy of the above is forwarded to the Chairman, HSPCB, Panchkula for information please.


Regional Officer
Mahendergarh Region
o/c

No. 4255

Dated 24-11-23

A committee is constituted in compliance of Hon'ble NGT order in OA no. 514/2023.

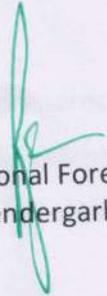
In compliance of above order Joint Director CPCB Chandigarh, Assistant Mining Engineer, Sub Divisional Magistrate, Narnaul, Regional Officer, Haryana State Pollution Control Board, Mahendergarh at Rewari, Mining Officer, Narnaul and Divisional Forest Officer, Mahendergarh inspected the site on dated 14-11-2023. During the site visit following observation found and action taken in the regarding.

- 1- The lease area khasra no. 550 is covered surrounding from Aravalli Plantation. The lease holder has violated the order of Hon'ble Supreme Court of India in WP (C) No. 4677 of 1985 dated 18-03-2004 "No mining activity can be carried out on area over which plantation has been undertaken under Aravalli project by utilization of foreign funds". As per demarcation report of Revenue Department on dated 16-09-2023 the lease holder has mined the 15648 square feet of illegal mining surrounding the khasra no. 550. Copy of demarcation are attached here with Annexure, R-1

The Forest Offence Report no. 023/0586 dated 02-10-2023 was prepared at the spot in accordance under section 32-33 of Indian Forest Act 1927, but the offenders refused to sign the same, copy of the said FOR (Forest Offence Report) are attached here with as Annexure-R-2

- 2- That thereafter, vide memo no. 3793 dated 25-10-2023, the Divisional Forest Officer, Mahendergarh, while granting sanction for filing prosecution case against the Sh. Aman Kumar S/o Sh. Vinod Kumar Sokal in the Special Environment Court, at Faridabad, directed the Range, Forest Officer, Nangal Chaudhary to file challan in the said court at the earliest with a further direction that Sh. Jai Bhagwan, Dy. Ranger Incharge Nangal Choudhary cum-Prosecutor of the Mahendergarh Forest Division will attend the court hearing on behalf of the State. Attached copy as Annexure-R-3.

- 3- During the inspection, it transpired that 162 number shrubs like muskat have illegally been damaged. Thereafter the Forest Offence Report No. 22/0586 dated 02-10-2023 was prepared of the spot in accordance under section 32-33 of Indian Forest Act, 1927 but the offenders refused to sign, the same copy of the said FOR and the details of the offence are attached here with as Annexure-R-4
- 4 That thereafter, vide memo no. 3877 dated 30-10-2023, the Divisional Forest Officer, Mahendergarh, while granting sanction for filing prosecution case against the Sh. Aman Kumar S/o Sh. Vinod Kumar Sokal in the Special Environment Court, at Faridabad, directed the Range, Forest Officer, Nangal Chaudhary to file challan in the said court at the earliest with a further direction that Sh. Jai Bhagwan, Dy. Ranger Incharge Nangal Choudhary cum-Prosecutor of the Mahendergarh Forest Division will attend the court hearing on behalf of the State. Attached copy as Annexure-R-5
- 5- The lease holder must be maintained the green belt as per approved mining plan, during the inspection. It transpired that the lease holder not maintained the Green Belt, action is being taken regarding.



Divisional Forest Officer,
Mahendergarh.

OFFICE OF THE DIVISIONAL FOREST OFFICER
FOREST COMPLEX, MAHENDERGARH

Tel./Fax:+ 91 01285-220229, E-Mail:- dfomgarh@yahoo.co.in

No. 3877

Dated 30/10/23

To,

Range Forest Officer,
Nangal Choudhary.

Sub. **Approval for filling of Prosecution case in the Special Environment Court, Faridabad.**

Sanction is hereby accorded for filling of prosecution case against the offenders in the Special Environment Court, Faridabad, as per detail given below.

Sr. No.	P.C. No.	Damage Report No. and Date	Name & Address of Offender
1.	05NCH/2023-24	022/0586 Dated 02/10/2023	Aman Sokal S/O Vinod Kumar Sokal R/O -B-74, Shakti Apartment, Sector-9, Rohini, New Delhi.

You are hereby directed to file challan in the Special Environment Court at the earliest Range forest officer-Cum Prosecutor of Mahendergarh Forest Division with attend the Court hearing on behalf of the state.

Divisional Forest Officer,
Mahendergarh. D/C

[Signature]
30/10/23

[Signature]
30/10/2023

ई-मेल के माध्यम से।

प्रेषक

उपमण्डल अधिकारी (ना०),
नारनौल।

प्रेषित

1. जिला खनन अधिकारी, नारनौल,
2. जिला वन अधिकारी, नारनौल,
3. R.O. Pollution Control Board, Mahendergarh.

यादी क्रमांक: 1110-12/स्टैनों

दिनांक :- 29-09-2023
~~28-09-2023~~

विषय:- पैमाईश रिपोर्ट भेजने बारे।

उपरोक्त विषय के अन्तर्गत आपको पैमाईश रिपोर्ट व नक्शा भेजकर लिखा जाता है कि आप अपनी स्पष्ट रिपोर्ट आज ही लौटती डाक के साथ इस कार्यालय को भिजवाना सुनिश्चित करें, ताकि समय पर जवाब प्रस्तुत किया जा सके।

संलग्न:- पैमाईश रिपोर्ट व नक्शा।


उपमण्डल अधिकारी (ना०),
नारनौल।

श्रीमान् जी, आज दिनांक 16-09-2023 को बाबत जलने निशान देरी बाहु-
 मोखिक आदेश श्रीमान् उममण्डल अधिकारी (ना०) नमनल खतरा नम्बर 5
 वाणा नमला मौजा मौसबूता में मौजा पर पहुंचा। मौजा पर श्री शशिषा
 हल्ला पटवारी मम राजकव दिगाडि पूर्ण गांव मौसबूता तथा श्री लालच-
 पुत रतीराम वासी पांचनोरा, श्री कालाशचन्द पुत धूडाराम वासी में
 श्री दुधयन्त शुक्ल पुत जगदीशगुप्त वासी सिरता, श्री बाहुल्य
 पुत विमलेश शर्मा वासी पड़ादिम तहसील रिधीगंज बिहार, श्री बन्धी-
 पुत भद्रानाम वासी नांगल दगे, श्री शशिराम पुत कामकिवास पर
 हाणी जोयला मौसबूता, श्री दुर्गेनाम पुत दोडू लाल वासी मौसबू
 श्री प्रवीणकुमार पुत विवेन्द्रसिंह वासी केवूपुर तहसील बावल,
 दिजकन DGP इन्वेयर आदि मौजा पर हाजिर मिले। हाणी सूची
 व सूचना परवाना साथ संलग्न है।

आदेश नं० 89
 आदेश नं० 89

मौजा पर हाजिर ० मौजतियों को सक्षम न्यायालय के कक्षी / स्थान आदि
 कोर पूछा गया। मौजा पर हाजिर ० मौजतियों में देसा आदेश जिनकी
 पैदा नहीं किया। राजकव दिगाडि जमाबन्दी, शहरा पारना व फील्ड बु-
 का मिलान किया गया। राजकव दिगाडि का अवलोकन करने पर
 मौजा पर हाजिर ० मौजतियों की मौजदूकी में सर्वे लाल पटवारी-पुत
 तलाश लिये गये। तलाश करने पर पाया कि पहला सर्वे लाल
 पटवारी-पुत की मुश्तकील व लिला नम्बर $\frac{89}{5}$ उत्तरी-पूर्वी कोना
 दूसरा सर्वे लाल पटवारी $\frac{89}{5}$ उत्तरी-पश्चिमी कोना पर व तिसराने
 लाल-पुतकी $\frac{89}{21}$ दक्षिणी-पश्चिमी कोना पर मौजा पर मौ-
 मिले। उपरोक्त सर्वे लाल पटवारी को वही नाममा मात्र। अव. नं०
 89

✧- अब मौला पैसादिवा के लिए भी रिजवान Dhp S मशीन सर्वेयर ने राजस्व डाटा के अनुसार Dhp S मशीन में राजस्व डाटा फीड किया। राजस्व डाटा फीड करने के बाद Dhp S मशीन के उपरोक्त सर्वे लाल पत्थरों की जांच की गई। जांच करने पर पाया कि उपरोक्त सर्वे लाल पत्थर अपनी-अपनी जगह मौला पर ठीक जामम मिले। अब Dhp S मशीन की सहायता से मौला पर खसरा नम्बर 550 कायम करने निशानात लगवाए गए। कायम हुआ निशानात की पैसादिवा बदलिये कीता 100 फीट प्रीमियम मापने के मौला पर करने हाजवीन की तालवी बदलाई गई। खसरा नम्बर 550 की पैसादिवा करने पर पाया कि जैसा जफशा तलावत में मार्क A में पूर्व - पश्चिम - दक्षिण - उत्तर = 1087 वर्ग फीट पर खसरा नम्बर 487 में मां सन्तोषी खनीज उद्योग ने खनन करने शुरू करवा लिया हुआ है। मार्क A₁ में पूर्व - पश्चिम - दक्षिण - उत्तर = 2450 वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज उद्योग ने खनन करने शुरू करवा लिया हुआ है। मार्क A₂ में पूर्व - पश्चिम - दक्षिण - उत्तर = 3093 वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज उद्योग ने खनन करने शुरू करवा लिया हुआ है। मार्क A₃ में पूर्व - पश्चिम - दक्षिण - उत्तर = 3645 वर्ग फीट पर खसरा नम्बर 551 में मां सन्तोषी खनीज उद्योग ने खनन करने शुरू करवा लिया हुआ है। ✧

:- मार्क 14 में पूर्व - पश्चिम - दक्षिण - उत्तर = 1940 वर्ग
 40'0" 40'0" 47'0" 50'0"

फीट पर खासता नम्बर 551 में मां सन्तोषी खानेज उद्योग ने खनन करके अर्ध-ध लकड़ा लिया हुआ है। मार्क 15 में पूर्व

पश्चिम - दक्षिण - उत्तर = 3433 वर्ग फीट पर खासता नम्बर
 55'8" 65'0" 47'0" 69'0"

551 में मां सन्तोषी खानेज उद्योग ने खनन करके अर्ध-ध लकड़ा लिया हुआ है। जिसकी पीले रंग से बनाया गया है। खासता नम्बर

487 व 551 की मलकीयत राजस्व विभाग में ग्राह्य पंचायत है। खासता नम्बर 550 ने प्रदिम्पी स्कूल की दूरी 206.40 मीटर है। खासता नम्बर

550 से-कन्दानाम पुत्र प्रेमा के मलान की दूरी 153 मीटर है। कन्दानाम पुत्र प्रेमा का मलान खासता नम्बर 258 में बना हुआ है।

जिसकी मलकीयत ग्राह्य पंचायत मौजा पांचमोता है। मां सन्तोषी खानेज उद्योग ने खासता नम्बर 258 में वास्ता बना रखा है। जिसकी मलकीयत ग्राह्य पंचायत मौजे पांचमोता है। मौजा पांचमोता के

खासता नम्बर $\frac{112}{5} - \frac{113}{9-10-11-12-13-17}$ में मां सन्तोषी खानेज

उद्योग ने वास्ता बना रखा है। जिसकी मलकीयत निस्तुरी पुत्री जीन्दी व प्रेमोदाम-हंसनाज आदि की है। जिसमें वास्ता बना हुआ है। राजस्व विभाग में कोई वास्ता नहीं है।

लगभग लगातार श्री रिजवान DGPD मशीन सर्वेयर द्वारा मौजा पर पैमाने करके के बाद दिया गया प्रिन्ट अनुसूचक लगातार खस मौजा पर लोडिंग उपकरणों द्वारा बनाये गये, अर्ध-ध लकड़ा च्यारी के नाम खस बलदियत के :-
 9-7-0.

*- आचार प्रव रिपोर्ट प्रमावेश तयार करणे की बाब/बाद
 प्रमावेश सोळा रिपोर्ट प्रमावेश तयार करणे आगामी काळासाठी
 हेतू आपली सेवा में पेश है।

Pragya Firo
 M/30mpu

16/09/2023

luy
 16/9/23

प्रेषक :- गिरदावर हल्का,

~~निवासी~~

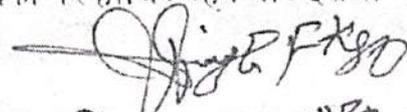
प्रेषित :- पटवारी हल्का,

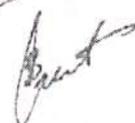
गाँव- ~~मोसकूना~~

विषय :- इतलायाबी परवाना बाबत करने निशान देही।

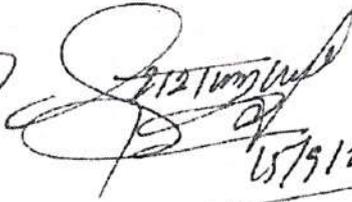
उपरोक्त विषय के संदर्भ में आपको भेजकर लिखा जाता है कि बाहुकम आदेश श्रीमान मन्वरदार ~~मोसकूना~~ (गाँव) मोसकूना वरदरखास्त वासी गाँव ~~मोसकूना~~ खसरा नंबर 550 वाका रकवा मौजा ~~मोसकूना~~

की पैमाईश दिनांक 16-09-2023 को मोका पे की जानी है। अतः आप स्वयं मय राजस्व रिकार्ड पूर्ण गाँव ~~मोसकूना~~ तथा प्रार्थी, परोसियान, सरपंच, नम्बरदार, चौकीदार व अन्य मौजिजान की बबत पैमाईश मोका पर हाजिर रहने बारे इतला करें। बाद इतला परवाना निश्चित तिथि से पूर्व भेजें।


गिरदावर हल्का
14/09/2023


मोसकूना
मोसकूना
Pehus


मोसकूना
Pehus-kumar

श्रीमान जी,
मुद्राधिकार आदेश गाम इतलाया में मुद्राधिकार मन्वरदार को लाने की
सुचना है।

15/9/2023

सूची हाजिरान बवक्त पैमाईश ब...
 गाँव तहसील जिला महेंद्रगढ़,
 हरियाणा।

दिनांक 16/09/2023

हस्ताक्षर

- | क्रम संख्या | नाम हाजिर व्यक्ति | हस्ताक्षर |
|-------------|---|---------------|
| 1 | श्री. लालचन्द S10 श्री कृष्णराम वासी प्रायंगनोरा | ली. ए. ए. - 5 |
| 2 | 11 श्री. लालचन्द S10 " श्री. रामदास वासी प्रायंगनोरा | Available |
| 3 | 11 सुप्रीत सुप्रीत S10 " जगदीश कुमार वासी सिद्धा | |
| 4 | 11 राहुल कुमार S10 " विमलेश शर्मा
वासी पड़रिया तहसील सिद्धांगल बिहार | |
| 5 | 11 बंशीराम S10 " अशोक राम
वासी नागांग इन्डिया | |
| 6 | 11 श्री. रामराम S10 श्री रामानिवासा
वासी जांझला सुप्रीत | |
| 7 | 11 सुदीप राम S10 श्री चौदूलाल वासी सुप्रीत | |
| 8 | 11 प्रवीण कुमार S10 " विरन्दास
वासी केशपुर तहसील | |
| 9 | 11 शिशुपाल पटवारी इन्डिया | |
| 10 | 11 रीजवान DGPS आउटर | |



वन अपराध रिपोर्ट

वन विभाग, हरियाणा सरकार

0586

FOR No. 023

FOR Book No.

वन मण्डल	भैंसगाँव
नेज/ब्लॉक/बीट	नमल चौधरी / निजामपुर / पंजाब
रीच/जगह का नाम	कुम्भौता सुरक्षा वन क्षेत्र, जखरा नं. 487, 551
FOR No. (Date, Day & Time)	02-10-2023, दिन
रिपोर्ट जारी करने वाले का नाम	श्री अनिल कुमार वर खसक
अपराध की जानकारी का स्रोत	स्वयं द्वारा गस्त/ मुखबीर द्वारा/ शिकायत
अपराध होने के तारीख/दिन/समय	खलन कार्य के दौरान
जांच अधिकारी का नाम व पद	श्री जगदीश राज वर खसक
अपराध/घटना का विवरण संलग्न	नहीं/यदि हां तो पृष्ठ संख्या (पिछे अंकित है)
उपरोक्त किया गया अधिनियम	संश्लेषण
भारतीय वन अधिनियम 1927	की धारा 32, 33
वन्य प्राणी (संरक्षण) अधिनियम 1972	
पंजाब भूमि संरक्षण अधिनियम 1900	
भारतीय दण्ड संहिता	

अपराधी का विवरण	नाम	पिता का नाम	उम्र	जाति	पता
	अमन बोरजल	श्री विनोद कुमार बोरजल	30 वर्ष	पंजाबी	पंजाब 1/0-B-74 श्री जगदीश राज वर खसक संलग्न - 9 रोडिली - नं. 15 फिली

जब्त वन उपज का विवरण	जब्त किये गये सामान का विवरण				
	प्रजाति	किस्म/माइज	संख्या	मूल्य	मुआवजा राशि
जब्त कीकल का विवरण	प्रकार	रजिस्ट्रेशन नं०	रंग	मॉडल	उत्पादन वर्ष
औजार/ हथियार					
अन्य, यदि कोई हो					
सही को चिन्हित करें	नजरी- नक्शा जी.पी.एम. मैपिंग सहित 27.5238.6 N	संलग्न किया है/तैयार नहीं किया गया	यदि हां तो पृष्ठ संख्या		
	फोटोग्राफ 16.00.06.2 E	संलग्न/तैयार नहीं किया गया			
	विडियोग्राफी	संलग्न/तैयार नहीं किया गया			

R.O.A.C.

Amal Kumar
बीट इन्चार्ज

मुखबीर/ शिकायतकर्ता/गवाह के हस्ताक्षर/अंगुठे का निशान

व० न० अ० *Ravi*
नाम *जगदीश राज*
रैंक *वर खसक*
दिनांक

आरोपी का हस्ताक्षर/अंगुठे का निशान

Amal Kumar
वन विभाग, हरियाणा
भागल, पंजाब

माननीय राष्ट्रीय हरित अधिकरण में लगी O.A.No.514/2023, Sh. Shishram (Applicant) V/S Sh. Vinod Kuasal (Respondent) की अनुपालना में, श्रीमान् उप मण्डल अधिकारी (ना0) नारनौल द्वारा फिल्ड कानूनगों निजामपुर श्री महावीर को दिए गए मौखिक आदेशों के अनुसार मां सन्तोषी खनिज उद्योग, मुसनौता, खसरा नं0 550 की दिनांक 16.09.2023 को सम्बन्धित हल्का पटवारी श्री शीशपाल के साथ Nahar Survey Design & Construction द्वारा उपरोक्त खनिज उद्योग, मुसनौता की पैमाईश की गई । उप मण्डल अधिकारी (ना0) नारनौल ने ई-मेल के माध्यम से जिला वन अधिकारी, महेन्द्रगढ को पत्र क्रमांक 1111/ स्टेनों दिनांक 29.09.2023 को पैमाईश रिपोर्ट भेजी गई । उक्त पैमाईश रिपोर्ट का अध्ययन करने पर पाया गया कि उक्त खनिज उद्योग के नुमाईदो द्वारा ग्राम पंचायत मुसनौता के अरावली के खसरा न0. 487 में 1087 Sqr. feet या 100.9856 Sqr.meter और खसरा न0. 551 में 14561 Sqr. feet या 1352.7612 Sqr.meter में अवैध खनन किया हुआ है। इन परिस्थितियों के मध्य नजर व हमारी जांच पडताल में यह सिद्ध होता है कि मां सन्तोषी खनिज उद्योग, मुसनौता द्वारा उपरोक्त खसरा नं0 के मुसनौता सुरक्षित वन क्षेत्र में 15648 Sqr. feet या 1453.7468^{Sqr. meter} में अवैध खनन किया हुआ है। उपरोक्त लीज उद्योग द्वारा भारतीय वन अधिनियम 1927 की धारा 32-33 की उल्लंघना की गई है। वन अपराधी द्वारा जंगल जुर्म ईकबाल किया तथा FOR पर हस्ताक्षर करने से इंकार किया ।

Ric Ri Te

Am/Sum
I.C - PanchNote

Am/Sum
वन राज्य अधिकारी
भागलपुर

OFFICE OF THE DIVISIONAL FOREST OFFICER
FOREST COMPLEX, MAHENDERGARH

Tel./Fax:+ 91 01285-220229, E-Mail:- dfomgarh@yahoo.co.in

No. 3793

Dated 25/10/23

To,

Range Forest Officer,
Nangal Choudhary.

Sub. **Approval for filling of Prosecution case in the Special Environment Court, Faridabad.**

Sanction is hereby accorded for filling of prosecution case against the offenders in the Special Environment Court, Faridabad, as per detail given below.

Sr. No.	P.C. No.	Damage Report No. and Date	Name & Address of Offender
2.	03NCH/2023-24	023/0586 Dated 02/10/2023	Aman Sokal S/O Vinod Kumar Sokal R/O -B-74 Shakti Apartment, Sector-9, Rohini, New Delhi.

You are hereby directed to file challan in the Special Environment Court at the earliest Range forest officer-Cum Prosecutor of Mahendergarh Forest Division with attend the Court hearing on behalf of the state.

Divisional Forest Officer,
Mahendergarh. o/c

25/10/23.

25/10/2023

MCH
D.R.R NO. - 71
03 MCH (2023-24)

वन अपराध रिपोर्ट

0586

वन विभाग, हरियाणा सरकार

022

FOR No.

FOR Book No.

वन मण्डल	मण्डल 1				
रेज/ब्लॉक/वीट	नांचो थरी, नौगापुर, पांच नोला				
रीच/जगह का नाम	मुसनीला सुरावत वन क्षेत्र खमठ-पहा/551				
FOR No. (Date, Day & Time)	02/10/2023 TIME 3.30 दिन				
रिपोर्ट जारी करने वाले का नाम	अमन कुमार				
अपराध की जानकारी का स्रोत	स्वयं द्वारा गस्त/मुखवीर द्वारा/शिकायत				
अपराध होने के तारीख/दिन/समय	खनक काय के दौरान				
जांच अधिकारी का नाम व पद	श्री रिमीश ००५०				
अपराध/घटना का विवरण संलग्न	नहीं/यदि हां तो पृष्ठ संख्या पृष्ठ संख्या				
उल्लंघना किया गया अधिनियम	संवधान				
भारतीय वन अधिनियम 1927	की धारा 32, 33				
वन्य प्राणी (संरक्षण) अधिनियम 1972					
पंजाब भूमि संरक्षण अधिनियम 1900					
भारतीय दण्ड संहिता					
अपराधी का विवरण	नाम	पिता का नाम	उम्र	जाति	पता
	अमन शोखला 310	विनीत शोखला	30 वर्ष	प्रजापति	खो 5-14
		कुमार		शुक्ति	अपार्टमेंट
				सेक्टर - 4	
				शेडनी - नई दिल्ली	
जप्त किये गये सामान का विवरण					
जप्त वन उपज का विवरण	व्युजाति	किसम/साइज	संख्या	मूल्य	मुआवजा राशि
	अमन शोखला 310	विनीत कुमार शोखला			
जप्त वस्तु का विवरण -	प्रकार	रजिस्ट्रेशन नं०	रंग	मॉडल	उत्पादन वर्ष
आंजार/हथियार					
अन्य, यदि कोई हो					
सही को चिह्नित करें	नजरी-नक्शा/जी०पी०एम० रीडिंग सहित 27.52.38.6 N	संलग्न किया है/तैयार नहीं किया गया	यदि हां तो पृष्ठ संख्या		
	फोटोग्राफ 00'06'2 E	संलग्न/तैयार नहीं किया गया			
	विडियोग्राफी	संलग्न/तैयार नहीं किया गया			

R.O.A.C.

Ambedkar
बीट इन्चार्ज

मुखवीर/शिकायतकर्ता/गवाह के हस्ताक्षर/अंगुठे का निशान

व० स० अ०
नाम रिमीश
रैंक ००५०
दिनांक

आरोपी का हस्ताक्षर/अंगुठे का निशान

माननीय राष्ट्रीय हरित अधिकरण में लगी 72 No.514/2023, Sh. Shishram (Applicant) V/S Sh. Vinod Kuasal (Respondent) की अनुपालना में, श्रीमान् उप मण्डल अधिकारी (ना0) नारनौल द्वारा फिल्ड कानुनगों निजामपुर श्री महाबीर को दिए गए मौखिक आदेशों के अनुसार मां सन्तोषी खनिज उद्योग, मुसनौता, खसरा नं0 550 की दिनांक 16.09.2023 को सम्बन्धित हल्का पटवारी श्री शीशपाल के साथ Nahar Survey Design & Construction द्वारा उपरोक्त खनिज उद्योग, मुसनौता की पैमाईश की गई । उप मण्डल अधिकारी (ना0) नारनौल ने ई-मेल के माध्यम से जिला वन अधिकारी, महेन्द्रगढ को पत्र क्रमांक 1111/स्टेनों दिनांक 29.09.2023 को पैमाईश रिपोर्ट भेजी गई । उक्त पैमाईश रिपोर्ट का अध्ययन करने पर पाया गया कि उक्त खनिज उद्योग के नुमाईदो द्वारा ग्राम पंचायत मुसनौता के अरावली के खसरा न0. 487 में 1087 Sqr. feet और खसरा न0. 551 में 14561 Sqr. feet में अवैध खनन किया हुआ है तथा इस अवैध खनन के कारण बहुत सारे झाडीनुमा मस्कट उखाडकर भी मौके से खुर्द - बुर्द कर दिए गए है । तत्पश्चात उपरोक्त अवैध खनन की हुई भूमि के बराबर साथ लगते सुरक्षित वन क्षेत्र की पैमाईश की गई तथा उस में खडे झाडीनुमा मस्कट की भी गिनती की गई ताकि यह पता चल सके कि उपरोक्त खनिज उद्योग के नुमाईनदो द्वारा कितने झाडीनुमा मस्कट को नुकसान करके खुर्द - बुर्द कर दिए गए है। इस दौरान पाया गया कि उपरोक्त खनिज उद्योग द्वारा खसरा नं0 487 में 1087 Sqr. feet अवैध खनन करने के कारण 11 झाडीनुमा मस्कट तथा खसरा न0. 551 में 14561 Sqr. feet अवैध खनन के कारण 151 झाडीनुमा मस्कट के वृक्षों को क्षति पहुंचाकर खुर्द - बुर्द करने का आकलन है। इन परिस्थितियों के मध्य नजर व हमारी जांच पडताल में यह सिद्ध होता है कि मां सन्तोषी खनिज उद्योग, मुसनौता द्वारा उपरोक्त खसरा नं0 के मुसनौता सुरक्षित वन क्षेत्र में 15648 Sqr. feet में अवैध खनन करके 162 झाडीनुमा मस्कट को क्षति पहुंचाई गई है। उपरोक्त लीज उद्योग द्वारा भारतीय वन अधिनियम 1927 की धारा 32-33 की उल्लंघना की गई है। वन अपराधी द्वारा जंगल जुर्गा ईकवाल किया तथा FOR पर हस्ताक्षर करने से इंकार किया ।

Am/ku
11/09/2023



**Central Pollution Control Board
Regional Directorate, Chandigarh**

Observation of Mr Suneel Dave, Sc F, CPCB regarding environmental compliance

1. The Environment Clearance was granted by MoEFCC vide its letter dated 14.05.2015 to M/s Maa Santoshi Khanij Udyog, Mahendragarh, Haryana. The EC was granted for Calcite Mining with production capacity of 9,000 Tonnes per Annum in the leased area measuring 8.107 hectares. The EC includes special conditions that effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution, hauling roads, loading & unloading points and transfer points. It also mentions that fugitive dust emissions from all the sources shall be controlled regularly.
2. The Consent to Establish was accorded by HSPCB vide its letter dated 26.08.2015 to M/s Maa Santoshi Khanij Udyog, Mahendragarh, Haryana. The CTE has specified that necessary arrangements shall be made for the control of Air Pollution before commencing the operation and that the emitted pollutants will meet the emission standards as laid by the Board from time to time. No in-process or post- process emissions are allowed, if the project by the unit turns out to be defective.
3. The Consent to Operate was issued by HSPCB vide its letter dated 19.01.2017 and renewed subsequently vide letter dated 02.11.2018, 07.08.2019 and 04.01.2021. The Consent to Operate is now valid through 30.09.2025. The CTO mentioned that the unit will maintain its Air Pollution Control Mechanism and Dust Suppression System in well working condition. The unit will provide adequate pollution control devices as proposed to the prescribed standards. The unit will plant a sufficient number of trees within and outside the premises. It also mentions that the unit will comply with all the conditions of EC, CTE and CTO.
4. The unit has further obtained Environment Clearance for Capacity Expansion of Calcite and Associated Stone with Over Burden vide letter dated 20.10.2020 issued by the State Environment Impact Assessment Authority, Haryana. The EC granted as above for an enhanced total production capacity of 9,000 Tonnes per Annum of Calcite, 12,50,000 Tonnes per Annum of Associated Minor Minerals (Stone) and 1,40,000 Tonnes per Annum of Over Burden /Side Burden / Inter-Burden for the same leased area measuring 8.107 hectares. Beside others, the conditions include - complying with the measure suggested in the approved mining plan, environmental management plan and traffic management plan, obtaining the permission regarding withdrawal of groundwater from Central Ground Water Authority before the start of the project, installing online Ambient Air Quality Monitoring Stations and displaying data, implementing effective safeguard measures for prevention of dust generation and its suppression on haul road, loading and unloading point and transfer points, controlling fugitive dust emissions from all sources by installation of required equipment/ machineries and preventive maintenance, water quality monitoring and preservation, monitoring and maintain records w.r.t. ground water level and quality in and around the mine.
5. The Consent to Establish, for enhanced mining operation, was issued to the unit by HSPCB vide its letter dated 04.12.2020. The Consent to Operate, for the same enhanced mining

operation, was renewed by HSPCB vide its letter dated 04.01.2021. The Consent to Operate is now valid through 30.09.2025.

6. Mining project is operating in an area surrounded and fallen within the Aravali Range, the region earmarked for afforestation and plantation to protect & preserve the fragile environment.

7. **Based on the above observations following points are suggested:**

- a) Effective implementation of the Environmental Management Plan mainly with regard to air pollution control measures including dust suppression systems is required.
- b) Proper implementation of the Traffic Management Plan is required as more than 200 Heavy Transport Vehicles per day carrying mined materials are to pass through the exit route of the mine. The dust emissions from vehicles movement and gaseous emissions from vehicles need to be properly addressed and specific mitigation measures are required to be adapted by the unit.
- c) The Ambient Air quality monitoring stations have not been established, and therefore the air quality data was not made available for compliance verification. Similarly, no data was made available about the quality of water that has impounded in the pits. The Air and Water quality monitoring is required to be carried out regularly as mandated under the Environmental Clearances and consents.
- d) Serious violations against the Approved Mining Plan were noticed that include the excavation of 7.5 m wide buffer zone around the periphery but within the leased area, and therefore not provided green belts. Besides, found to have undertaken unscientific mining with inappropriate hauling roads, inadequate width and insufficient size benches for mining. About 2.67 hectares of land would have been excavated. The cost of illegally mined minerals and its penalty, cost of restoration may be estimated and recovered along with Environmental Compensation by State of Haryana.


Suneel Dave
Sc. 'F' (Director)