

565
BEFORE THE HONORABLE NATIONAL GREEN
TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 1276 of 2024
(I.A no. 553/2024)

Sudarshan Singh and others

..... **APPLICANT**

Versus

State of Punjab & Others

..... **RESPONDENTS**

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1	Reply by way of affidavit of Nitin Sood, Executive Engineer/ Pathankot, Drainage -Cum- Mining Division Pathankot, Distt. Pathankot and on behalf of Respondents No. 1, 2, 4 & 5 in compliance of the order dated 08.11.2024 passed by this Hon`ble Tribunal.	16.06.2025	1 - 6
2	The true typed copy of S-Notice dated 16/04/2024 is annexed as R-1		7-9

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Place: Pathankot

Dated: 16.06.2025

Deponent



(Nitin Sood),

Executive Engineer Cum
District Mining officer,
Pathankot.

Before National Green Tribunal, Principal Bench, New Delhi

ORIGINAL APPLICATION No. 1276 of 2024

(I.A no. 553/2024)

1. SUDARSHAN SINGH

S/O SHRI.BISHAMBER SINGH

R/O NEHRU NAGAR,DHAKI ROAD

THE & DISTRICT PATHANKOT

PUNJAB -145001

Email - shokathakur@gmail.com

Contact-9888274446

2. ARVIND SINGH

S/O SHRI. VIJAY SINGH

R/O VILLAGE DHERIWAL PO SARNA

TEHSIL & DISTRICT PATHANKOT

PUNJAB-145001

Email- monuthakur6565@gmail.com

Contact-9216001212

3. SURJEET SINGH

S/O SHRI. MILKHI RAM

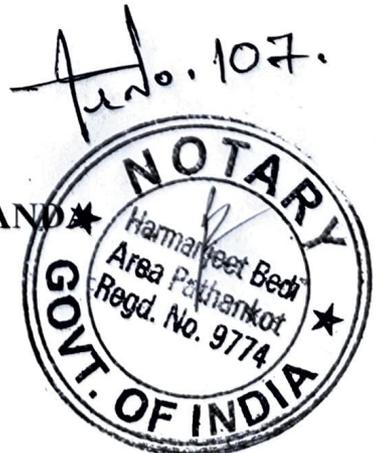
R/O VILLAGE TAJPUR, PO-NOSHERA NAL BAND*

TEHSIL & DISTRICT PATHANKOT

PUNJAB-145001

Email- monuthakur6565@gmail.com

Contact-9888427356



..... Applicants.

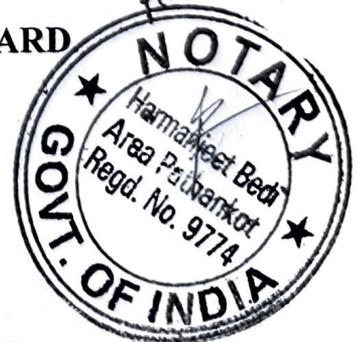
VERSUS

1. STATE OF PUNJAB THROUGH THE CHIEF
SECRETARY, CHIEF SECRETARY OFFICE,
6TH FLOOR, PUNJAB CIVIL SECRETARIAT-1,
SECTOR 1,
CHANDIGARH-160001
Phone no. 9815000069
Email-cs@punjab.gov.in

2. DEPARTMENT OF MINES AND GEOLOGY,
PUNJAB THROUGH SECRETARY, WATER RESOURCES
DEPARTMENT (MINES & GEOLOGY), PUNJAB
CIVIL SECRETARIAT-1. SECTOR 1.
CHANDIGARH-160001
Phone no. 9463300503
Email- secy.mining@punjab.gov.in

3. PUNJAB POLLUTION CONTROL BOARD
THROUGH CHAIRMAN, HEAD OFFICE, VATAVARAN
BHAWAN, PUNJAB POLLUTION CONTROL BOARD
NABHA ROAD, PATIALA-147001
Phone no. 9878950502
Email-msppcb@gmail.com

4. DISTRICT MAGISTRATE CUM COLLECTOR
DISTRICT PATHANKOT,



Malikpur, Pathankot-140001

Phone no.9814066550

Email-dc.pathankot@gmail.com

5. Executing Engineer cum District Mining Officer

Drainage cum Mining & Geology Division,

WRD, Punjab, Pathankot

Phone no. 9815000069

Email-xenminingpathankot2022@gmail.com

6. SSP Pathankot

DISTRICT PATHANKOT,

Malikpur, Pathankot - 140001

Phone no.9815791100

Email-ssp.ptk.police @punjab.gov.in

7. STATE ENVIRONMENTAL IMPACT ASSESSMENT

AUTHORITY (SEIAA), PUNJAB C/O PUNJAB STATE

COUNCIL FOR SCIENCE & TECHNOLOGY, MGISPA

COMPLEX, SECTOR-26, CHANDIGARH-160019

Phone no. 9814046176

Email-seiaapb2017@gmail.com

8. UNION OF INDIA THROUGH THE SECRETARY,

MINISTRY OF ENVIRONMENT,

FOREST AND CLIMATE CHANGE INDIRA

PARYAVARAN BHAVAN, JORBAGH ROAD, NEW

DELHI-110003

Contact-01120819280

Email- mefcc@gov.in

9. Yash Pal



S/o Shri. Gyan Chand
r/o Village Akalgarh, district Pathankot
Phone no.921617848
Email-youdhwir89.bajwa@gmail.com

10. M/s Vijay Lakshmi Gram Udyog
Village- Akalgarh, district Pathankot
Phone no. 921617848
Email- youdhwir89.bajwa@gmail.com

.....Respondents

Short Reply by way of affidavit of Nitin Sood, Executive Engineer Cum District Mining Officer Department of Water Resources, Pathankot Division, Madhopur, District Pathankot on behalf of respondent 1,2,4 and 5.

I, the above name deponent do hereby solemnly affirm and declare as under:-

1. That, the present application is not maintainable as the applicants have suppressed material facts from this Hon'ble Tribunal regarding the pending litigation between the answering respondent no. 5 and respondent no. 10 before the Court of Hon'ble Director Mining Officer, Chandigarh.
2. That, the answering respondents have been unnecessarily impleaded as it is to be stated that answering respondent no. 5 has already taken necessary action as per the law against the respondent no. 10 vide S-notice no.1974/S-Notice dated 16/04/2024 with regard to old mining spotted at the site of



respondent no. 10. Copy of the same is attached as **ANNEXURE R1**. The answering respondent no. 5 has physically inspected the site situated at village Tajpur but no fresh mining has been spotted by the authorities.

3. That, there is no illegal mining has conducting at village Tajpur and the answering respondents have already taken remedial and punitive action against the wrongdoers who have committed illegal old mining at their premises.

The fact of the matter is that the respondent no. 10 is having valid license to run the crusher at village Tajpur. However, from the spot inspection by respondent no. 5, no fresh mining has been found against the provisions of law. It is pertinent to mention that for the old mining found at the premises of crusher of respondent no. 10 which was against the relevant provisions of law, S-notice no.1974/S-Notice dated 16/04/2024 was issued to them by the answering respondent no. 5. The respondent no. 10 preferred appeal against the S-Notice and the same is pending for adjudication before the Appellate Authority.

The answering respondents have already taken action against the respondent no. 10 on the complaints received by the applicants, as such, the grievance raised by the applicants has already stands resolved.

The information sought by the applicants under RTI has already been provided to them and the same is true and correct. However, the information which does not fall under the ambit of RTI was not provided to the applicants. However, the information

regarding returns of respondent no. 10 is up to date on the online

portal.



Place - Pathankot

Date -16 .06.2025

Deponent


 (Nitin Sood),
 Executive Engineer Cum
 District Mining officer,
 Pathankot.

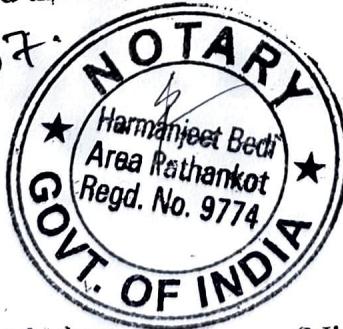
VERIFICATION

I, the above named deponent further solemnly affirm and declare that the contents of Para No. 1 to 3 of affidavit are true and correct as per my knowledge and belief and nothing has been concealed therein and no part of it is false.

Place - Pathankot

Date - 16.06.2025

Deponent




 (Nitin Sood),
 Executive Engineer Cum
 District Mining officer,
 Pathankot.

107.....
 Certified that above said Affidavit was declared on solemn affirmation before me on this day dt. 17/6/2025 by Sh. Nitin Sood, Executive Engineer Cum District Mining officer, Pathankot. Identified by

Harmanjeet Bedi, Notary Pathankot (Pb.)

17 JUN 2025

FORM 'S'

[See rule 85(6)]

DEMAND NOTICE

To,

M/S Vijay Luxmi Gram Udyog,
Village Akalgarh (Tajpur),
Tehsil & Distt. Pathankot.

In continuation to notice 6361/R-Notice on 19/12/2023 issued to you per registered post on the By Hand day of 19/12/2023, you are hereby informed that total production of mineral during the month(s) as per 6361/R-Notice on 19/12/2023 & SDO, Chakki report dated 12.12.2023 has been finally determined at 271440 MT (6786000 CFT) + 240 MT (6000 CFT) = 271600 MT (6792000 CFT) tones and accordingly royalty amounting to Rs. 49,58,160/- (Rupees Forty Nine Lac Fifty Eight Thousands One Hundred & Sixty Only) and price of Rs. 3,73,56,000/- (Rupees Three Crore Seventy Three Lac Fifty Six Thousands Only) only is payable by you.

You are hereby directed to pay the sum of Rs. 4,23,14,160/- (Rupees Four Crore Twenty Three Lac Fourteen Thousand One Hundred & Sixty Only) only as detailed below into the nearest Government Treasury on or before the 30 days and to produce before the under signed a copy of the relevant Treasury Challan as proof of payment not later than the 30 days, failing which the said sum of Rs. 4,23,14,160/- (Rupees Four Crore Twenty Three Lac Fourteen Thousand One Hundred & Sixty Only) will be recoverable from you as an arrear of land revenue.

Details of assessed amount

1. Amount of royalty payable	4,23,14,160/-
2. Deduct amount already paid	-Nil-
3. Net amount payable	4,23,14,160/-

Sd

Assessing Authority
Executive Engineer cum
District Mining Officer
Pathankot

No 1974/S-Notice

Date 16/04/2024

Place Pathankot /Madhopur

Bank Details Account

No. 918010102037251

IFSC Code UTIB000875

Bank Name Axis Bank, Pathankot.

To,

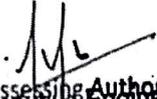
M/S Vijay Luxmi Gram Udyog,
Village Akalgarh (Tajpur),
Tehsil & Distt. Pathankot.

In continuation to notice 6361/R-Notice on 19/12/2023 issued to you per registered post on the By Hand day of 19/12/2023, you are hereby informed that total production of mineral during the month(s) as per 6361/R-Notice on 19/12/2023 & SDO, Chakki Report dated 12.12.2023 has been finally determined at 271440 MT (6786000 CFT) + 240 MT (6000 CFT) = 271600 MT (6792000 CFT) tones and accordingly royalty amounting to Rs. 49,58,160/- (Rupees Forty Nine Lac Fifty Eight Thousands One Hundred & Sixty Only) and price of Rs. 3,73,56,000/- (Rupees Three Crore Seventy Three Lac Fifty Six Thousands Only) only is payable by you.

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Details of assessed amount

1. Amount of royalty payable	<u>4,23,14,160/-</u>
2. Deduct amount already paid	<u>-Nil-</u>
3. Net amount payable	<u>4,23,14,160/-</u>


Assessing Authority, Pathankot,
Executive Engineer,
Drainage-cum-Mining &
Geology Division, WRD,
Tajpur, Pathankot
Seal of the Assessing Authority

No 1974/S-Notice

Date 16/04/2024

Place Pathankot/ Madhopur

Bank Details Account No. 918010102037251

IFSC Code UTIB000875

Bank Name Axix Bank, Pathankot.