

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
NEW DELHI**

OA No. 446 of 2022

IN THE MATTER OF:

Balwinder KumarApplicant

Versus

State of Haryana and OthersRespondents

**STATUS REPORT OF MEMBER SECRETARY,
HARYANA STATE POLLUTION CONTROL BOARD.**

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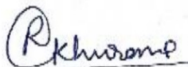
FILED BY: -

Date: 22.09.2024

Place: Panchkula


Member Secretary

Haryana State Pollution Control Board



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**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
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IN THE MATTER OF:

Balwinder KumarApplicant

Versus

State of Haryana and OthersRespondents

**STATUS REPORT OF MEMBER SECRETARY,
HARYANA STATE POLLUTION CONTROL BOARD.**

MOST RESPECTFULLY SHOWETH:

1. That the above said case relates to illegal mining in village Kohliwala and Mandewala Tehsil- Chhachrauli, District Yamuna Nagar and is pending before this Hon'ble Tribunal. Now the case is fixed for hearing on 24.09.2024.
2. That the directions have been issued by the Hon'ble NGT vide order dated 19.07.2024. Relevant part is reproduce as under:-

“9. Be that as it may, we also find that so far as HSPCB is concerned it has not taken any action whatsoever under provisions of Environment (Protection) Act, 1986 and other Environmental Statutes and neither any punitive action by initiating criminal action under provisions of Environment Statutes has been taken nor any environmental compensation has been imposed upon any violator(s) It is evident from record that so far as HSPCB is concerned, it has been a silent spectator for entire period till date. This conduct of officials of HSPCB shows apparent collusion with violators and negligence

whereby they are abating the crime by not taking appropriate action against violators. Even role of District Administration is not free from doubt. 10. In these facts and circumstances, we find that here is fit case which require appropriate action against the officials also. Therefore, we direct Chief Secretary, State of Haryana to look into the matter, get appropriate investigation into the conduct of District officials and also the officials of HSPCB and take appropriate action for showing negligence in discharge of their statutory duties which has abated and encouraged large scale illegal 4 mining in the area in question. Chief Secretary shall submit a compliance report within two months."

3. That in compliance of the above directions of the Hon'ble NGT, the Chief Secretary to Govt. Haryana directed vide letter dated 06.08.2024 to concerned Department to look into the matter and get the inquiry conducted and take action against the negligent official/officer and submit report within one months.
4. That in compliance of the above directions of W/Chief Secretary and keeping in of the observations of the Hon'ble NGT, Chairman, Haryana State Pollution Control Board (HSPCB) has taken seriously to these valuable observations and issued charge-sheet to the four Environment Engineers and four Assistant Environment Engineers deputed at relevant point of time in charge of the area in question, for the negligence for not taking appropriate and timely action against the violators.

5. That it is necessary to mention here that regarding the illegal mining on the Panchyati land Village Kohliwala and Madewala (Gram Panchayat Bhudkalan), Mining Officer, Mines And Geology Department, Yamuna Nagar has issued Show Cause Notices (SCN) vide letter dated 19.07.2024 including applicants for unlawful excavating mineral from the Panchyati land Village Kohliwala and Madewala (Gram Panchayat Bhudkalan) but no replies have been received to these SCNs. copy of Notices dated 19.07.2024 **Annexure-P/1 (Colly)**.
6. That Regional Officer, Yamuna Nagar has imposed Environmental Compensation for illegal mining on the Panchyati land Village Kohliwala and Madewala (Gram Panchayat Bhudkalan) in past where quantity has been provided by the Mines And Geology Department, Yamuna Nagar in the following manner:

Sr No	Name of Violators	Amount of Environmental Compensation	Environmental Compensation Order No. and date
1.	Sh. Om Parkash S/o Sh. Ranjit	Rs 6329664/-	HSPCB/YR/2024/1549-1552 Dated 18.09.2024
2.	Sh Ajay Kumar S/o Sh. Raj Kumar, Village Dekriwala, Sub-Tehsil Partapnagar, District Yamuna Nagar	Rs 1798200/-	HSPCB/YR/2024/1544-1548 Dated 18.09.2024
3.	M/s Gauri Shankar Screening Plant, Village Kohliwala, District Yamuna Nagar	Rs 1798200/-	HSPCB/YR/2024/1544-1548 Dated 18.09.2024
4.	Sh. Mange Ram S/o Sh. Prem Chand , Village Kohliwala/Mandewala, Sub Tehsil	Rs 39960/-	HSPCB/YR/2024/1560-1564 Dated 18.09.2024

	Partap Nagar, District Yamuna Nagar		
5.	Sh. Suresh Kumar S/o Sh. Surta Ram, Village Kohliwala/Mandew ala, Sub Tehsil Partap Nagar, District Yamuna Nagar	Rs 39960/-	HSPCB/YR/2024/15 60-1564 Dated 18.09.2024
6.	Sh. Mahavir Singh S/o Sh. Bhagwan Singh, Village Kohliwala/Mandew ala, Sub-Tehsil Partap Nagar, District Yamunanagar	Rs 3045951/-	HSPCB/YR/2024/15 53-1559 Dated 18.09.2024
7.	Sh. Mohit S/o Sh. Naresh Kumar, Village Kohliwala/Mandew ala, Sub-Tehsil Partap Nagar, District Yamunanagar	Rs 3045951/-	HSPCB/YR/2024/15 53-1559 Dated 18.09.2024
8.	Sh. Rohit S/o Sh. Mahavir Singh, Village Kohliwala/Mandew ala, Sub-Tehsil Partap Nagar, District Yamunanagar	Rs 3045951/-	HSPCB/YR/2024/15 53-1559 Dated 18.09.2024
9.	M/s Mohit Stone Crusher (L-77), Village Kohliwala/Mandew ala, Sub-Tehsil Partap Nagar, District Yamunanagar	Rs 3045951/-	HSPCB/YR/2024/15 53-1559 Dated 18.09.2024
10.	Sh. Balwinder Singh S/o Sh. Lakhi Ram Village Kohliwala, Sub Tehsil Partapnagar, District Yamuna Nagar	Rs 6797196/-	HSPCB/YR/2024/15 39-1543 Dated 18.09.2024
11.	Sh. Bhopal S/o Sh. Lakhi Ram, Village Kohliwala, Sub	Rs 6797196/-	HSPCB/YR/2024/15 39-1543 Dated 18.09.2024

	Tehsil Partapnagar, District Yamuna Nagar		
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Copy of Environmental compensation orders dated 18.09.2024 are enclosed herewith as **Annexure-P/2 (Colly)**

7. That notices were issued by Mining Department to other persons/entities also. After receiving quantity of mineral excavated, assessed by DLTF/Mining Department, requisite Action shall be taken to its logical end as per assessment of mineral quantity excavated by these noticees. This process of assessment and imposition of Environment Compensation on other noticees in accordance with law may require further four months time. It is therefore requested to grant further four months time complete this remaining process.

Date: 22.09.2024

Place: Panchkula



Member Secretary

Haryana State Pollution Control Board

From

Mining Officer,
Mines & Geology Deptt.,
Yamunanagar

To

Sh. Om Parkash S/o Sh. Ranjit (JCB Owner),
Vill. Bhood Kalan, Sub-Teh. Partapnagar, Distt. Yamunanagar.
R/o Kawality Screening Plant (Gupta Enterprises), Vill. Bhood.

Memo No. Mining/YNR/2364

Dated:- 19/07/2024

Subject: - "Show Cause Notice" against the recovery of royalty, price of mineral & fine of the unlawfully raised mineral from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan).

On the subject noted above in reference to this office memo no. SPL-I dated 08.06.2018.


As you are aware that the mineral rights of minor minerals in respect of the above villages are vested with the State of Haryana as per clause 10 of Shart Wajib-ul-arz, Rule 5 (1) of the "Haryana Minor Mineral Concession, Stocking, Transportation of Minerals And Prevention of Illegal Mining Rules, 2012" read with U/s 21 (4.1), of Mines & Minerals (D & R) Act 1957 that no person can raise/transport any mineral from any land except under the authority of the State Government.

As per inspection report of the field staff shows that you have raised minor mineral of **6,336 MT** from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan), Sub-Teh. Partapnagar, Distt. Yamunanagar without any lawful authority.

Without prejudice to any other action that may be taken against you for raising of minor mineral unlawfully, the State Government has the

right to take action under rule 104 of the State Mining Rules, 2012. So, you are hereby summoned in this office to answer the whole questions relating to the raising of minor mineral unlawfully along with the record if any on dated **02.08.2024**.

So, you are directed to take notice & in default of appearance on the above-mentioned day, it will be presumed that you have nothing to say against the "**show cause notice**" and final order to recover royalty, price of mineral & fine will be passed in your absence.



Mining Officer,
cum Assistant Collector Grade-I,
Mines & Geology Department,
Yamunanagar.

Endst. No. Mining/YNR/2365-67

Dated:- 19/07/2024

A copy of the above is forwarded to the following for kind information and further necessary action, please:

1. Deputy Commissioner cum Chairman, DLTF (Mining), Yamunanagar.
2. District Development and Panchayat Officer, Yamunanagar.
3. Regional Officer, HSPCB, Yamunanagar.


Mining Officer,
Mines & Geology Department,
Yamunanagar.

From

Mining Officer,
Mines & Geology Deptt.,
Yamunanagar

To

1. Sh. Balwinder Singh S/o Sh. Lakhi Ram,
2. Sh. Bhopal S/o Sh. Lakhi Ram,
Vill. Kohliwala, Sub-Teh. Partapnagar, Distt. Yamunanagar.

Memo No. Mining/YNR/2368-89 Dated:- 19/07/2024

Subject: - "Show Cause Notice" against the recovery of royalty, price of mineral & fine of the unlawfully raised mineral from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan).

On the subject noted above in reference to this office memo no. 956 dated 21.05.2018.

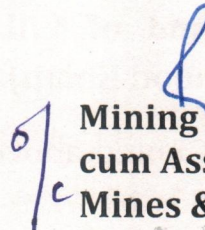
As you are aware that the mineral rights of minor minerals in respect of the above villages are vested with the State of Haryana as per clause 10 of Shart Wajib-ul-arz, Rule 5 (1) of the "Haryana Minor Mineral Concession, Stocking, Transportation of Minerals And Prevention of Illegal Mining Rules, 2012" read with U/s 21 (4.1), of Mines & Minerals (D & R) Act 1957 that no person can raise/transport any mineral from any land except under the authority of the State Government.

As per inspection report of the field staff shows that you have raised minor mineral of **13,608 MT** from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan), Sub-Teh. Partapnagar, Distt. Yamunanagar without any lawful authority.

Without prejudice to any other action that may be taken against you for raising of minor mineral unlawfully, the State Government has the

right to take action under rule 104 of the State Mining Rules, 2012. So, you are hereby summoned in this office to answer the whole questions relating to the raising of minor mineral unlawfully along with the record if any on dated **02.08.2024**.

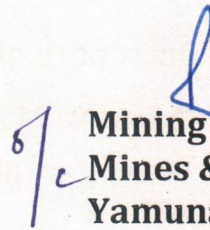
So, you are directed to take notice & in default of appearance on the above-mentioned day, it will be presumed that you have nothing to say against the "**show cause notice**" and final order to recover royalty, price of mineral & fine will be passed in your absence.


Mining Officer,
cum Assistant Collector Grade-I,
Mines & Geology Department,
Yamunanagar.

Endst. No. Mining/YNR 2370-2372 Dated:- 19/07/2024

A copy of the above is forwarded to the following for kind information and further necessary action, please:

1. Deputy Commissioner cum Chairman, DLTF (Mining), Yamunanagar.
2. District Development and Panchayat Officer, Yamunanagar.
3. Regional Officer, HSPCB, Yamunanagar.


Mining Officer,
Mines & Geology Department,
Yamunanagar.

From

Mining Officer,
Mines & Geology Deptt.,
Yamunanagar

To

1. Sh. Mange Ram S/o Sh. Prem Chand,
2. Sh. Suresh Kumar S/o Sh. Surta Ram,
Vill. Kohliwala/Mandewala, Sub-Teh. Partapnagar, Distt.
Yamunanagar.

Memo No. Mining/YNR/2378-79 Dated:- 19/07/2024

Subject: - "Show Cause Notice" against the recovery of royalty, price of mineral & fine of the unlawfully raised mineral from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan).


On the subject noted above in reference to this office memo no. SPL-III dated 13.08.2017.

As you are aware that the mineral rights of minor minerals in respect of the above villages are vested with the State of Haryana as per clause 10 of Shart Wajib-ul-arz, Rule 5 (1) of the "Haryana Minor Mineral Concession, Stocking, Transportation of Minerals And Prevention of Illegal Mining Rules, 2012" read with U/s 21 (4.1), of Mines & Minerals (D & R) Act 1957 that no person can raise/transport any mineral from any land except under the authority of the State Government.

As per inspection report of the field staff shows that you have raised minor mineral of **80 MT** from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan), Sub-Teh. Partapnagar, Distt. Yamunanagar without any lawful authority.

Without prejudice to any other action that may be taken against you for raising of minor mineral unlawfully, the State Government has the right to take action under rule 104 of the State Mining Rules, 2012. So, you are hereby summoned in this office to answer the whole questions relating to the raising of minor mineral unlawfully along with the record if any on dated **02.08.2024.**


So, you are directed to take notice & in default of appearance on the above-mentioned day, it will be presumed that you have nothing to say against the "**show cause notice**" and final order to recover royalty, price of mineral & fine will be passed in your absence.


Mining Officer,
cum Assistant Collector Grade-I,
Mines & Geology Department,
Yamunanagar.

Endst. No. Mining/YNR/ 2380-82 Dated:- 19/07/2024

A copy of the above is forwarded to the following for kind information and further necessary action, please:

1. Deputy Commissioner cum Chairman, DLTF (Mining), Yamunanagar.
2. District Development and Panchayat Officer, Yamunanagar.
3. Regional Officer, HSPCB, Yamunanagar.


Mining Officer,
Mines & Geology Department,
Yamunanagar.

From

Mining Officer,
Mines & Geology Deptt.,
Yamunanagar

To

1. Sh. Mahavir Singh S/o Sh. Bhagwan Singh,
2. Sh. Mohit S/o Sh. Naresh Kumar,
3. Sh. Rohit S/o Sh. Mahavir Singh,
Vill. Kohliwala/Mandewala, Sub-Teh. Partapnagar, Distt.
Yamunanagar.
4. M/s Mohit Stone Crusher (L-77), Vill. Kohliwala, Distt.
Yamunanagar.

Memo No. Mining/YNR/2384-87 Dated:- 19/07/2024

Subject: - "Show Cause Notice" against the recovery of royalty, price of mineral & fine of the unlawfully raised mineral from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan).


On the subject noted above in reference to this office memo no. SPL-I dated 06.06.2017.

As you are aware that the mineral rights of minor minerals in respect of the above villages are vested with the State of Haryana as per clause 10 of Shart Wajib-ul-arz, Rule 5 (1) of the "Haryana Minor Mineral Concession, Stocking, Transportation of Minerals And Prevention of Illegal Mining Rules, 2012" read with U/s 21 (4.1), of Mines & Minerals (D & R) Act 1957 that no person can raise/transport any mineral from any land except under the authority of the State Government.

As per inspection report of the field staff shows that you have raised minor mineral of **12,196 MT** from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan), Sub-Teh. Partapnagar, Distt. Yamunanagar without any lawful authority.

Without prejudice to any other action that may be taken against you for raising of minor mineral unlawfully, the State Government has the right to take action under rule 104 of the State Mining Rules, 2012. So, you are hereby summoned in this office to answer the whole questions relating to the raising of minor mineral unlawfully along with the record if any on dated **02.08.2024**.


So, you are directed to take notice & in default of appearance on the above-mentioned day, it will be presumed that you have nothing to say against the "**show cause notice**" and final order to recover royalty, price of mineral & fine will be passed in your absence.


Mining Officer,
cum Assistant Collector Grade-I,
Mines & Geology Department,
Yamunanagar.

Endst. No. Mining/YNR/2388-90 Dated:- 19/07/2024

A copy of the above is forwarded to the following for kind information and further necessary action, please:

1. Deputy Commissioner cum Chairman, DLTF (Mining), Yamunanagar.
2. District Development and Panchayat Officer, Yamunanagar.
3. Regional Officer, HSPCB, Yamunanagar.


Mining Officer,
Mines & Geology Department,
Yamunanagar.

From

Mining Officer,
Mines & Geology Deptt.,
Yamunanagar

To

1. Sh. Ajay Kumar S/o Sh. Raj Kumar,
Vill. Dekriwala, Sub-Teh. Partapnagar, Distt. Yamunanagar.
2. M/s Gauri Shankar Screening Plant, Vill. Kohliwala, Distt.
Yamunanagar.

Memo No. Mining/YNR/2373-74 Dated:- 19/07/2024

Subject: - "Show Cause Notice" against the recovery of royalty, price of mineral & fine of the unlawfully raised mineral from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan).


On the subject noted above in reference to this office memo no. SPL-I dated 26.02.2018.

As you are aware that the mineral rights of minor minerals in respect of the above villages are vested with the State of Haryana as per clause 10 of Shart Wajib-ul-arz, Rule 5 (1) of the "Haryana Minor Mineral Concession, Stocking, Transportation of Minerals And Prevention of Illegal Mining Rules, 2012" read with U/s 21 (4.1), of Mines & Minerals (D & R) Act 1957 that no person can raise/transport any mineral from any land except under the authority of the State Government.

As per inspection report of the field staff shows that you have raised minor mineral of **3,600 MT** from the panchayati land of Vill. Kohliwala & Mandewala (Gram Panachyat, Bhood Kalan), Sub-Teh. Partapnagar, Distt. Yamunanagar without any lawful authority.

Without prejudice to any other action that may be taken against you for raising of minor mineral unlawfully, the State Government has the right to take action under rule 104 of the State Mining Rules, 2012. So, you are hereby summoned in this office to answer the whole questions relating to the raising of minor mineral unlawfully along with the record if any on dated **02.08.2024**.


So, you are directed to take notice & in default of appearance on the above-mentioned day, it will be presumed that you have nothing to say against the "**show cause notice**" and final order to recover royalty, price of mineral & fine will be passed in your absence.


Mining Officer,
cum Assistant Collector Grade-I,
Mines & Geology Department,
Yamunanagar.

Endst. No. Mining/YNR/2375-2377 Dated:- 19/07/2024

A copy of the above is forwarded to the following for kind information and further necessary action, please:

1. Deputy Commissioner cum Chairman, DLTF (Mining), Yamunanagar.
2. District Development and Panchayat Officer, Yamunanagar.
3. Regional Officer, HSPCB, Yamunanagar.


Mining Officer,
Mines & Geology Department,
Yamunanagar.

**Regional Office,
Haryana State Pollution Control Board**

S.C.O. No- 131, Sector -17, HUDA, Jagadhri, Yamuna Nagar, hspcbroyr@gmail.com

OFFICE ORDER

Whereas OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors. is pending before Hon'ble NGT, wherein allegations of illegal mining were made in the Panchayat/Shamlat Land since 2016 in villages Kohliwala and Mandewla which fall under Bhudkala Panchayat and illegal cutting of Khair trees.

Whereas the Hon'ble NGT vide orders dated 26.07.2022 in OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors directed as follows :

"2. In view of the averments made in the application, it would be appropriate to have a factual and action taken report from a Joint Committee comprising of Director, Mines and Geology, Government of Haryana, State PCB, DFO and Deputy Commissioner, Yamuna Nagar. The Joint Committee shall meet within two weeks, undertake site visits, look into the grievances in the application, find out the factual position by verification on the spot which shall be appropriately covered by video recording through camera/smart phone and take remedial action by following due process of law. The Joint Committee shall also look into the aspects as to (i) whether any complaints were made by the applicant to the concerned authorities and (ii) what action was taken on the complaint and (iii) whether any criminal proceedings have been initiated against the applicant if so the details thereof may be given in the Report. State PCB will be the Nodal agency for coordination and compliance.

3. Factual and action taken report along with video footage may be furnished within two month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF."

Whereas the Hon'ble NGT vide orders dated 02.01.2023 in OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors directed as follows :

"7.Reply/response on behalf of respondents no. 1 to 6 be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. In their reply/response, respondents no. 1 to 4 shall specifically mention the action already taken and further action to be taken for preventing illegal mining and illegal cutting of trees, assessment and realization of environmental compensation from the violators."

That on 15.09.2022, the Dy. Commissioner, Yamuna Nagar nominated the Sub Divisional Magistrate (Civil), Bilaspur, Yamuna Nagar as his representative. That the inspection was conducted on 06.10.2022 by the team of following officers as per directions of Hon'ble NGT:-

- I. Sh. Jaspal Singh, HCS, Sub Divisional Magistrate (Civil), Bilaspur(Representative Commissioner, Yamuna Nagar). of Deputy.
- II. Sh. Naresh Kumar, AEE, HSPCB, Yamuna Nagar.
- III. Sh. Jogesh Kumar, Block Development and Panchayat Officer, Partap Nagar, Yamuna Nagar.
- IV. Sh. Aman, Mining Inspector, Mines & Geology Department, Yamuna Nagar. (Representative of Director, Mines & Geology Department).
- V. Sh. Rohit Rana, Mining Inspector, Mines & Geology Department, Yamuna Nagar (Representative of Director, Mines & Geology Department).
- VI. Sh. Suresh Kumar, Tehsildar, Partap Nagar, Yamuna Nagar.
- VII. Sh. Anand Rawal, Naib Tehsildar, Partap Nagar, Yamuna Nagar.

Whereas during inspection the joint committee cum representatives of DLTF Yamunanagar inspected the site and reported that the 25 acre of panchayati land of the said area adjoining Mandewala & Devdhar Protected Forests is now used by the forest department for the plantation having aging of 4 years as told by the officials of the Forest Department. Further no sign of fresh mining was observed and as per office record of Mines and Geology Department, Haryana Yamunanagar

the above mentioned area was illegally mined in the year 2017-18 and the department had registered the several complaints for legal action in the P. S. Paratapnagar for the same. The details are as under:

Sr. No.	Department Memo No. & Date	Concerned Official	Matter	Action Taken
	SPL-1 & 08.06.2018	Sh. Om Dutt Sharma, Mining Inspector	For taking legal action against the illegal mining in the panchayati Land of Village Kohliwala done by JCB driver Sh. Om Parkash S/o Sh. Ranjit Village Bhood Kalan, Sub Tehsil Partapnagar, District Yamuna Nagar, R/o Kawality Screening Plant (Gupta Enterprises)	FIR No. 102/08.06.2018

Whereas as per the FIR No. 102 Dated 08.06.2018 Sh. Om Parkash S/o Sh. Ranjit Village Bhood Kalan, Sub Tehsil Partapnagar, District Yamuna Nagar is involved in illegal mining in the said area and he has illegally mined 6336 MT of mining material and thus causing environmental pollution and causing huge loss to environment.

Considering the above findings, the Mines & Geology Department had issued the show caused notice vide their office memo no. Mining/YNR/2364 dated 19.07.2024 for illegal extraction (mining) of 6336 MT mining material and you were also summoned to answer the whole questions related to the raising of illegal minor mineral unlawfully along with the record if any on dated 02.08.2024 but no reply/response was submitted from your side with respect to the above mentioned show cause notice and no one was present in response to the summon on dated 02.08.2024.

Whereas chairman HSPCB vide e-office order No I/248720/2024 dated 30.04.2024 Finalized the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining.

Whereas considering the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining as per HSPCB e-office order No I/248720/2024 dated 30.04.2024 the total environmental compensation calculated is as under :-

Violation:-	Illegal Extraction of Boulder/Gravel/Sand
Total illegal Mineral Extraction (Z) in MT	6336 MT
Market value of illegally mined material (X) per MT	As per Mines & Geology Department Report. Rs. 300 per MT (including price @ Rs. 250 per MT and royalty @ Rs. 50 per MT)
Market value of illegally mined material (D) in Rs	Z.X (market value /MT) =6336x300 =1900800 (Rs.)
Severity	Severe
Risk Level	4
Risk Factor (RF)	1.0
Discount (r)	5 %
Annual Value of Foregone Ecological Values(Rs)	=D x RF =1900800 x 1.0 =1900800
Present value of Foregone Ecological Value @5%discount rate and over 5 years(Rs)	$PV = \sum_{t=1}^5 \left(\frac{D \times RF}{(1+r)^t} \right)$ PV=8230464 (Rs.)
Net Present Value(after netting out market value of illegally mined material) i.e. Total Compensation to be levied (Rs.)	NPV=PV-D =8230464 -1900800 =6329664 (Rs)

Whereas the Environmental Compensation of Rs 6329664 /- (Sixty Three lacs Twenty Nine Thousand Six Hundred Sixty Four only) calculated for gross violation of illegal mining of quantity 6336 MT.

Whereas Sh. Om Parkash S/o Sh. Ranjit was involved in illegal mining of 6336 MT Quantity and thus Sh. Om Parkash S/o Sh. Ranjit is hereby directed to deposit Environmental compensation of Rs 6329664 /- (Sixty Three lacs Twenty Nine Thousand Six Hundred Sixty Four only) with the Haryana State Pollution Control Board within 30 days on account of ecological values for damages due to illegal mining.

In case of failure, the Board will be constrained to initiate action as deemed necessary, following the due course of law. The amount of Environmental Compensation is to be deposited in Saving Account of INDUSIND BANK, Sector 9, Panchkula in Account No. 100053543757, having IFSC code no. INDB0000164.

Dated 18th September, 2024


**Virender Singh Punia
Regional Officer
Yamuna Nagar**

HSPCB/YR/2024/1549-1552

Dated: 18/09/2024

A copy of above is forwarded to the following:-

1. The Chairman, HSPCB, Panchkula for information please.
2. The Director, Mines & Geology Department, Chandigarh for information please.
3. The Deputy Commissioner, Yamuna Nagar for information please.
4. Sh. Om Parkash S/o Sh. Ranjit Village Bhood Kalan, Sub Tehsil Partapnagar, District Yamuna Nagar.


o/c **Regional Officer
Yamuna Nagar**

**Regional Office,
Haryana State Pollution Control Board**

S.C.O. No- 131, Sector -17, HUDA, Jagadhri, Yamuna Nagar, hspcbroyr@gmail.com

OFFICE ORDER

Whereas OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors. is pending before Hon'ble NGT, wherein allegations of illegal mining were made in the Panchayat/Shamlat Land since 2016 in villages Kohliwala and Mandewla which fall under Bhudkala Panchayat and illegal cutting of Khair trees.

Whereas the Hon'ble NGT vide orders dated 26.07.2022 in OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors directed as follows :

"2. In view of the averments made in the application, it would be appropriate to have a factual and action taken report from a Joint Committee comprising of Director, Mines and Geology, Government of Haryana, State PCB, DFO and Deputy Commissioner, Yamuna Nagar. The Joint Committee shall meet within two weeks, undertake site visits, look into the grievances in the application, find out the factual position by verification on the spot which shall be appropriately covered by video recording through camera/smart phone and take remedial action by following due process of law. The Joint Committee shall also look into the aspects as to (i) whether any complaints were made by the applicant to the concerned authorities and (ii) what action was taken on the complaint and (iii) whether any criminal proceedings have been initiated against the applicant if so the details thereof may be given in the Report. State PCB will be the Nodal agency for coordination and compliance.

3. Factual and action taken report along with video footage may be furnished within two month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF."

Whereas the Hon'ble NGT vide orders dated 02.01.2023 in OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors directed as follows :

"7.Reply/response on behalf of respondents no. 1 to 6 be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. In their reply/response, respondents no. 1 to 4 shall specifically mention the action already taken and further action to be taken for preventing illegal mining and illegal cutting of trees, assessment and realization of environmental compensation from the violators."

That on 15.09.2022, the Dy. Commissioner, Yamuna Nagar nominated the Sub Divisional Magistrate (Civil), Bilaspur, Yamuna Nagar as his representative. That the inspection was conducted on 06.10.2022 by the team of following officers as per directions of Hon'ble NGT:-

- I. Sh. Jaspal Singh, HCS, Sub Divisional Magistrate (Civil), Bilaspur(Representative Commissioner, Yamuna Nagar). of Deputy.
- II. Sh. Naresh Kumar, AEE, HSPCB, Yamuna Nagar.
- III. Sh. Jogesh Kumar, Block Development and Panchayat Officer, Partap Nagar, Yamuna Nagar.
- IV. Sh. Aman, Mining Inspector, Mines & Geology Department, Yamuna Nagar. (Representative of Director, Mines & Geology Department).
- V. Sh. Rohit Rana, Mining Inspector, Mines & Geology Department, Yamuna Nagar (Representative of Director, Mines & Geology Department).
- VI. Sh. Suresh Kumar, Tehsildar, Partap Nagar, Yamuna Nagar.
- VII. Sh. Anand Rawal, Naib Tehsildar, Partap Nagar, Yamuna Nagar.

Whereas during inspection the joint committee cum representatives of DLTF Yamunanagar inspected the site and reported that the 25 acre of panchayati land of the said area adjoining Mandewala & Devdhar Protected Forests is now used by the forest department for the plantation having aging of 4 years as told by the officials of the Forest Department. Further no sign of fresh mining was observed and as per office record of Mines and Geology Department, Haryana Yamunanagar the above mentioned area was illegally mined in the year 2017-18 and the department had registered the several complaints for legal action in the P. S. Paratapnagar for the same. The details are as under:

Sr. No.	Department Memo No. & Date	Concerned Official	Matter	Action Taken
	SPL-I & 26.02.2018	Sh. Om Dutt Sharma, Mining Inspector	For taking action against Sh. Ajay Kumar S/o Sh. Raj Kumar, Village Dekriwala, Sub-Tehsil Partapnagar, District Yamuna Nagar and M/s Gauri Shankar Screening Plant, Village Kohliwala, District Yamuna Nagar carrying illegal mining in the panchayati Land of Village Kohliwala.	FIR No. 18/26.02.2018

Whereas as per the FIR No. 18 Dated 26.02.2018 Sh. Ajay Kumar S/o Sh. Raj Kumar, Village Dekriwala, Sub-Tehsil Partapnagar, District Yamuna Nagar and M/s Gauri Shankar Screening Plant, Village Kohliwala, District Yamuna Nagar are involved in illegal mining of 3600 MT in the said area and thus causing environmental pollution and causing huge loss to environment.

Considering the above findings, the Mines & Geology Department had issued the show caused notice vide their office memo no. Mining/YNR/2373-74 dated 19.07.2024 for illegal extraction (mining) of 3600 MT mining material and you were also summoned to answer the whole questions related to the raising of illegal minor mineral unlawfully along with the record if any on dated 02.08.2024 but no reply/response was submitted from your side with respect to the above mentioned show cause notice and no one was present in response to the summon on dated 02.08.2024.

Whereas chairman HSPCB vide e-office order No I/248720/2024 dated 30.04.2024 Finalized the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining.

Whereas considering the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining as per HSPCB e-office order No I/248720/2024 dated 30.04.2024 the total environmental compensation calculated is as under :-

Violation:-	Illegal Extraction of Boulder/Gravel/Sand
Total illegal Mineral Extraction (Z) in MT	3600 MT
Market value of illegally mined material (X) per MT	As per Mines & Geology Department Report. Rs. 300 per MT (including price @ Rs. 250 per MT and royalty @ Rs. 50 per MT)
Market value of illegally mined material (D) in Rs	Z.X (market value /MT) =3600 x300 =1080000 (Rs.)
Severity	Severe
Risk Level	4
Risk Factor (RF)	1.0
Discount (r)	5 %
Annual Value of Foregone Ecological Values(Rs)	=D x RF =1080000 x 1.0 =1080000
Present value of Foregone Ecological Value @5%discount rate and over 5 years(Rs)	$PV = \sum_{t=1}^5 \left(\frac{D \times RF}{(1+r)^t} \right)$ PV=4676400 (Rs.)
Net Present Value(after netting out market value of illegally mined material) i.e. Total Compensation to be levied (Rs.)	NPV=PV-D =4676400 -1080000 =3596400 (Rs)

Whereas the Environmental Compensation of Rs 3596400/- (Thirty Five lacs Ninety Six Thousand Four Hundred only) calculated for gross violation of illegal mining of quantity 3600 MT.

Whereas Sh. Ajay Kumar S/o Sh. Raj Kumar, Village Dekriwala, Sub-Tehsil Partapnagar, District Yamuna Nagar and M/s Gauri Shankar Screening Plant, Village Kohliwala, District Yamuna Nagar were involved together for illegal mining of

3600 MT Quantity and thus Sh. Ajay Kumar S/o Sh. Raj Kumar, Village Dekriwala, Sub-Tehsil Partapnagar, District Yamuna Nagar is hereby directed to deposit Environmental compensation of Rs 1798200/- (Seventeen Lac Ninety Eight Thousand Two Hundred Only) and M/s Gauri Shankar Screening Plant, Village Kohliwala, District Yamuna Nagar is hereby directed to deposit Environmental compensation of Rs 1798200/- (Seventeen Lac Ninety Eight Thousand Two Hundred Only) with the Haryana State Pollution Control Board within 30 days on account of ecological values for damages due to illegal mining.

In case of failure, the Board will be constrained to initiate action as deemed necessary, following the due course of law. The amount of Environmental Compensation is to be deposited in Saving Account of INDUSIND BANK, Sector 9, Panchkula in Account No. 100053543757, having IFSC code no. INDB0000164.

Dated 18th September, 2024

**Virender Singh Punia
Regional Officer
Yamuna Nagar**

HSPCB/YR/2024/ 1544-1548

Dated: 18 /09/2024

A copy of above is forwarded to the following:-

1. The Chairman, HSPCB, Panchkula for information please.
2. The Director, Mines & Geology Department, Chandigarh for information please.
3. The Deputy Commissioner, Yamuna Nagar for information please.
4. Sh. Ajay Kumar S/o Sh. Raj Kumar, Village Dekriwala, Sub-Tehsil Partapnagar, District Yamuna Nagar.
5. M/s Gauri Shankar Screening Plant, Village Kohliwala, District Yamuna Nagar.

dc 
**Regional Officer
Yamuna Nagar**

**Regional Office,
Haryana State Pollution Control Board**
S.C.O. No- 131, Sector -17, HUDA, Jagadhri, Yamuna Nagar, hspcbroyr@gmail.com

OFFICE ORDER

Whereas OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors. is pending before Hon'ble NGT, wherein allegations of illegal mining were made in the Panchayat/Shamlat Land since 2016 in villages Kohliwala and Mandewla which fall under Bhudkala Panchayat and illegal cutting of Khair trees.

Whereas the Hon'ble NGT vide orders dated 26.07.2022 in OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors directed as follows :

"2. In view of the averments made in the application, it would be appropriate to have a factual and action taken report from a Joint Committee comprising of Director, Mines and Geology, Government of Haryana, State PCB, DFO and Deputy Commissioner, Yamuna Nagar. The Joint Committee shall meet within two weeks, undertake site visits, look into the grievances in the application, find out the factual position by verification on the spot which shall be appropriately covered by video recording through camera/smart phone and take remedial action by following due process of law. The Joint Committee shall also look into the aspects as to (i) whether any complaints were made by the applicant to the concerned authorities and (ii) what action was taken on the complaint and (iii) whether any criminal proceedings have been initiated against the applicant if so the details thereof may be given in the Report. State PCB will be the Nodal agency for coordination and compliance.

3. Factual and action taken report along with video footage may be furnished within two month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF."

Whereas the Hon'ble NGT vide orders dated 02.01.2023 in OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors directed as follows :

"7.Reply/response on behalf of respondents no. 1 to 6 be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. In their reply/response, respondents no. 1 to 4 shall specifically mention the action already taken and further action to be taken for preventing illegal mining and illegal cutting of trees, assessment and realization of environmental compensation from the violators."

That on 15.09.2022, the Dy. Commissioner, Yamuna Nagar nominated the Sub Divisional Magistrate (Civil), Bilaspur, Yamuna Nagar as his representative. That the inspection was conducted on 06.10.2022 by the team of following officers as per directions of Hon'ble NGT:-

- I. Sh. Jaspal Singh, HCS, Sub Divisional Magistrate (Civil), Bilaspur(Representative Commissioner, Yamuna Nagar). of Deputy.
- II. Sh. Naresh Kumar, AEE, HSPCB, Yamuna Nagar.
- III. Sh. Jogesh Kumar, Block Development and Panchayat Officer, Partap Nagar, Yamuna Nagar.
- IV. Sh. Aman, Mining Inspector, Mines & Geology Department, Yamuna Nagar. (Representative of Director, Mines & Geology Department).
- V. Sh. Rohit Rana, Mining Inspector, Mines & Geology Department, Yamuna Nagar (Representative of Director, Mines & Geology Department).
- VI. Sh. Suresh Kumar, Tehsildar, Partap Nagar, Yamuna Nagar.
- VII. Sh. Anand Rawal, Naib Tehsildar, Partap Nagar, Yamuna Nagar.

Whereas during inspection the joint committee cum representatives of DLTF Yamunanagar inspected the site and reported that the 25 acre of panchayati land of the said area adjoining Mandewala & Devdhar Protected Forests is now used by the forest department for the plantation having aging of 4 years as told by the officials of the Forest Department. Further no sign of fresh mining was observed and as per office record of Mines and Geology Department, Haryana Yamunanagar the above mentioned area was illegally mined in the year 2017-18 and the

department had registered the several complaints for legal action in the P. S. Paratapnagar for the same. The details are as under:

Sr. No.	Department Memo No. & Date	Concerned Official	Matter	Action Taken
	SPL-III & 15.08.2017	Sh. Om Dutt Sharma, Mining Inspector	For taking legal action against the persons Sh. Mange Ram S/o Sh. Prem Chand & Sh. Suresh Kumar S/o Sh. Surta Ram, Village Kohliwala/Mandewala, Sub Tehsil Partap Nagar, District Yamuna Nagar	FIR No. 126/15.08.2017

Whereas as per the FIR No. 126 Dated 15.08.2017 Sh. Mange Ram S/o Sh. Prem Chand & Sh. Suresh Kumar S/o Sh. Surta Ram, Village Kohliwala/Mandewala, Sub Tehsil Partap Nagar, District Yamuna Nagar are involved in illegal mining of 80 MT in the said area and thus causing environmental pollution and causing huge loss to environment.

Considering the above findings, the Mines & Geology Department had issued the show caused notice vide their office memo no. Mining/YNR/2378-79 dated 19.07.2024 for illegal extraction (mining) of 80 MT mining material and you were also summoned to answer the whole questions related to the raising of illegal minor mineral unlawfully along with the record if any on dated 02.08.2024 but no reply/response was submitted from your side with respect to the above mentioned show cause notice and no one was present in response to the summon on dated 02.08.2024.

Whereas chairman HSPCB vide e-office order No I/248720/2024 dated 30.04.2024 Finalized the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining.

Whereas considering the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining as per HSPCB e-office order No

I/248720/2024 dated 30.04.2024 the total environmental compensation calculated is as under :-

Violation:-	Illegal Extraction of Boulder/Gravel/Sand
Total illegal Mineral Extraction (Z) in MT	80 MT
Market value of illegally mined material (X) per MT	As per Mines & Geology Department Report. Rs. 300 per MT (including price @ Rs. 250 per MT and royalty @ Rs. 50 per MT)
Market value of illegally mined material (D) in Rs	Z.X (market value /MT) =80 x300 =24000 (Rs.)
Severity	Severe
Risk Level	4
Risk Factor (RF)	1.0
Discount (r)	5 %
Annual Value of Foregone Ecological Values(Rs)	=D x RF =24000 x 1.0 =24000
Present value of Foregone Ecological Value @5%discount rate and over 5 years(Rs)	$PV = \sum_{t=1}^5 \left(\frac{D \times RF}{(1+r)^t} \right)$ PV=103920 (Rs.)
Net Present Value(after netting out market value of illegally mined material) i.e. Total Compensation to be levied (Rs.)	NPV=PV-D =103920 - 24000 =79920 (Rs)

Whereas the Environmental Compensation of Rs 79920/- (Seventy Nine Thousand Nine Hundred Twenty only) calculated for gross violation of illegal mining of quantity 80 MT.

Whereas Sh. Mange Ram S/o Sh. Prem Chand & Sh. Suresh Kumar S/o Sh. Surta Ram, Village Kohliwala/Mandewala, Sub Tehsil Partap Nagar, District Yamuna Nagar were involved together for illegal mining of 80 MT Quantity and thus Sh. Mange Ram S/o Sh. Prem Chand is hereby directed to deposit Environmental compensation of Rs 39960/- (Thirty Nine Thousand Nine Hundred Sixty Only) and Sh. Suresh Kumar S/o Sh. Surta Ram is hereby directed to deposit Environmental compensation of Rs 39960/- (Thirty Nine Thousand Nine Hundred Sixty Only) with the Haryana State Pollution Control Board within 30 days on account of ecological values for damages due to illegal mining.

In case of failure, the Board will be constrained to initiate action as deemed necessary, following the due course of law. The amount of Environmental Compensation is to be deposited in Saving Account of INDUSIND BANK, Sector 9, Panchkula in Account No. 100053543757, having IFSC code no. INDB0000164.

Dated 18th September, 2024

**Virender Singh Punia
Regional Officer
Yamuna Nagar**

HSPCB/YR/2024/ 1560-1564

Dated: 18/09/2024

A copy of above is forwarded to the following:-

1. The Chairman, HSPCB, Panchkula for information please.
2. The Director, Mines & Geology Department, Chandigarh for information please.
3. The Deputy Commissioner, Yamuna Nagar for information please.
4. Sh. Mange Ram S/o Sh. Prem Chand, Village Kohliwala/Mandewala, Sub Tehsil Partap Nagar, District Yamuna Nagar.
5. Sh. Suresh Kumar S/o Sh. Surta Ram, Village Kohliwala/Mandewala, Sub Tehsil Partap Nagar, District Yamuna Nagar.


d/c **Regional Officer
Yamuna Nagar**

**Regional Office,
Haryana State Pollution Control Board**

S.C.O. No- 131, Sector -17, HUDA, Jagadhri, Yamuna Nagar, hspcbroyr@gmail.com

OFFICE ORDER

Whereas OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors. is pending before Hon'ble NGT, wherein allegations of illegal mining were made in the Panchayat/Shamlat Land since 2016 in villages Kohliwala and Mandewla which fall under Bhudkala Panchayat and illegal cutting of Khair trees.

Whereas the Hon'ble NGT vide orders dated 26.07.2022 in OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors directed as follows :

"2. In view of the averments made in the application, it would be appropriate to have a factual and action taken report from a Joint Committee comprising of Director, Mines and Geology, Government of Haryana, State PCB, DFO and Deputy Commissioner, Yamuna Nagar. The Joint Committee shall meet within two weeks, undertake site visits, look into the grievances in the application, find out the factual position by verification on the spot which shall be appropriately covered by video recording through camera/smart phone and take remedial action by following due process of law. The Joint Committee shall also look into the aspects as to (i) whether any complaints were made by the applicant to the concerned authorities and (ii) what action was taken on the complaint and (iii) whether any criminal proceedings have been initiated against the applicant if so the details thereof may be given in the Report. State PCB will be the Nodal agency for coordination and compliance.

3. Factual and action taken report along with video footage may be furnished within two month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF."

Whereas the Hon'ble NGT vide orders dated 02.01.2023 in OA no. 446 of 2022 titled as Balwinder Kumar Versus State of Haryana & Ors directed as follows :

"7.Reply/response on behalf of respondents no. 1 to 6 be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. In their reply/response, respondents no. 1 to 4 shall specifically mention the action already taken and further action to be taken for preventing illegal mining and illegal cutting of trees, assessment and realization of environmental compensation from the violators."

That on 15.09.2022, the Dy. Commissioner, Yamuna Nagar nominated the Sub Divisional Magistrate (Civil), Bilaspur, Yamuna Nagar as his representative. That the inspection was conducted on 06.10.2022 by the team of following officers as per directions of Hon'ble NGT:-

- I. Sh. Jaspal Singh, HCS, Sub Divisional Magistrate (Civil), Bilaspur(Representative Commissioner, Yamuna Nagar). of Deputy.
- II. Sh. Naresh Kumar, AEE, HSPCB, Yamuna Nagar.
- III. Sh. Jogesh Kumar, Block Development and Panchayat Officer, Partap Nagar, Yamuna Nagar.
- IV. Sh. Aman, Mining Inspector, Mines & Geology Department, Yamuna Nagar. (Representative of Director, Mines & Geology Department).
- V. Sh. Rohit Rana, Mining Inspector, Mines & Geology Department, Yamuna Nagar (Representative of Director, Mines & Geology Department).
- VI. Sh. Suresh Kumar, Tehsildar, Partap Nagar, Yamuna Nagar.
- VII. Sh. Anand Rawal, Naib Tehsildar, Partap Nagar, Yamuna Nagar.

Whereas during inspection the joint committee cum representatives of DLTF Yamunanagar inspected the site and reported that the 25 acre of panchayati land of the said area adjoining Mandewala & Devdhar Protected Forests is now used by the forest department for the plantation having aging of 4 years as told by the officials of the Forest Department. Further no sign of fresh mining was observed and as per office record of Mines and Geology Department, Haryana Yamunanagar the above mentioned area was illegally mined in the year 2017-18 and further the Mines and Geology Department, Haryana Yamunanagar appraised the joint committee that as per the office record/report of the field staff Sh. Mahavir Singh S/o Sh. Bhagwan Singh, Sh. Mohit S/o Sh. Naresh Kumar, Sh. Rohit S/o Sh.

Mahavir Singh, Village Kohliwala/Mandewala, Sub-Tehsil Partap Nagar, District Yamunanagar and M/s Mohit Stone Crusher (L-77), Village Kohliwala, District Yamuna Nagar are involved in illegal mining in the said area and they have illegally mined 12196 MT of mining material and thus causing environmental pollution and causing huge loss to environment.

Whereas the Mines & Geology Department had issued the show caused notice vide their office memo no. Mining/YNR/2384-87 dated 19.07.2024 for illegal extraction (mining) of 12196 MT mining material and you were also summoned to answer the whole questions related to the raising of illegal minor mineral unlawfully along with the record if any on dated 02.08.2024 but no reply/response was submitted from your side with respect to the above mentioned show cause notice and no one was present in response to the summon on dated 02.08.2024.

Whereas chairman HSPCB vide e-office order No I/248720/2024 dated 30.04.2024 Finalized the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining.

Whereas considering the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining as per HSPCB e-office order No I/248720/2024 dated 30.04.2024 the total environmental compensation calculated is as under :-

Violation:-	Illegal Extraction of Boulder/Gravel/Sand
Total illegal Mineral Extraction (Z) in MT	12196 MT
Market value of illegally mined material (X) per MT	As per Mines & Geology Department Report. Rs. 300 per MT (including price @ Rs. 250 per MT and royalty @ Rs. 50 per MT)
Market value of illegally mined material (D) in Rs	Z.X (market value /MT) =12196 x300 =3658800 (Rs.)
Severity	Severe

Risk Level	4
Risk Factor (RF)	1.0
Discount (r)	5 %
Annual Value of Foregone Ecological Values(Rs)	=D x RF =3658800 x 1.0 =3658800
Present value of Foregone Ecological Value @5%discount rate and over 5 years(Rs)	$PV = \sum_{t=1}^5 \left(\frac{D \times RF}{(1+r)^t} \right)$ PV=15842604 (Rs.)
Net Present Value(after netting out market value of illegally mined material) i.e. Total Compensation to be levied (Rs.)	NPV=PV-D =15842604 - 3658800 =12183804 (Rs)

Whereas the Environmental Compensation of Rs 12183804/- (One Crore Twenty One Lacs Eighty Three Thousand Eight Hundred Four only) calculated for gross violation of illegal mining of quantity 12196 MT.

Whereas Sh. Mahavir Singh S/o Sh. Bhagwan Singh, Sh. Mohit S/o Sh. Naresh Kumar, Sh. Rohit S/o Sh. Mahavir Singh, Village Kohliwala/Mandewala, Sub-Tehsil Partap Nagar, District Yamunanagar & M/s Mohit Stone Crusher (L-77), Village Kohliwala, District Yamuna Nagar were involved together for illegal mining of 12196 MT Quantity and thus Sh. Mahavir Singh S/o Sh. Bhagwan Singh is hereby directed to deposit Environmental compensation of Rs 3045951/- (Thirty lacs Fourty Five Thousand Nine Hundred Fifty One Only) and Sh. Mohit S/o Sh. Naresh Kumar is hereby directed to deposit Environmental compensation of Rs 3045951/- (Thirty lacs Fourty Five Thousand Nine Hundred Fifty One Only) and Sh. Rohit S/o Sh. Mahavir Singh is hereby directed to deposit Environmental compensation of Rs 3045951/- (Thirty lacs Fourty Five Thousand Nine Hundred Fifty One Only) and M/s Mohit Stone Crusher (L-77), Village Kohliwala, District Yamuna Nagar is hereby directed to deposit Environmental compensation of Rs 3045951/- (Thirty lacs Fourty Five Thousand Nine Hundred Fifty One Only) with the Haryana State Pollution

Control Board within 30 days on account of ecological values for damages due to illegal mining.

In case of failure, the Board will be constrained to initiate action as deemed necessary, following the due course of law. The amount of Environmental Compensation is to be deposited in Saving Account of INDUSIND BANK, Sector 9, Panchkula in Account No. 100053543757, having IFSC code no. INDB0000164.

Dated 18th September, 2024

**Virender Singh Punia
Regional Officer
Yamuna Nagar**

HSPCB/YR/2024/1553-1559

Dated: 18/09/2024

A copy of above is forwarded to the following:-

1. The Chairman, HSPCB, Panchkula for information please.
2. The Director, Mines & Geology Department, Chandigarh for information please.
3. The Deputy Commissioner, Yamuna Nagar for information please.
4. Sh. Mahavir Singh S/o Sh. Bhagwan Singh, Village Kohliwala/Mandewala, Sub-Tehsil Partap Nagar, District Yamunanagar.
5. Sh. Mohit S/o Sh. Naresh Kumar, Village Kohliwala/Mandewala, Sub-Tehsil Partap Nagar, District Yamunanagar.
6. Sh. Rohit S/o Sh. Mahavir Singh, Village Kohliwala/Mandewala, Sub-Tehsil Partap Nagar, District Yamunanagar.
7. M/s Mohit Stone Crusher (L-77), Village Kohliwala, District Yamuna Nagar.

d/c



**Regional Officer
Yamuna Nagar**

**Regional Office,
Haryana State Pollution Control Board**

S.C.O. No- 131, Sector -17, HUDA, Jagadhri, Yamuna Nagar, hspcbroyr@gmail.com

OFFICE ORDER

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Whereas during inspection the joint committee cum representatives of DLTF Yamunanagar inspected the site and reported that the 25 acre of panchayati land of the said area adjoining Mandewala & Devdhar Protected Forests is now used by the forest department for the plantation having aging of 4 years as told by the officials of the Forest Department. Further no sign of fresh mining was observed and as per office record of Mines and Geology Department, Haryana Yamunanagar the above mentioned area was illegally mined in the year 2017-18 and the department had registered the several complaints for legal action in the P. S. Paratapnagar for the same. The details are as under:

Sr. No.	Department Memo No. & Date	Concerned Official	Matter	Action Taken
	956 & 21.05.2018	Sh. Gurjeet Singh, Mining Officer	For taking action against the illegal mining in the panchayati Land of Village Kohliwala done by Sh. Balwinder Singh S/o Sh. Lakhi Ram & Sh. Bhopal S/o Sh. Lakhi Ram, Village Kohliwala, Sub Tehsil Partapnagar, District Yamuna Nagar as informed by BDPO Chhachhrauli vide memo no. 253-54 dated 01.05.2018 and 255-56 dated 01.05.2018.	FIR No. 90/30.05.2018

Whereas as per the FIR No. 90 Dated 30.05.2018 Sh. Balwinder Singh S/o Sh. Lakhi Ram & Sh. Bhopal S/o Sh. Lakhi Ram, Village Kohliwala, Sub Tehsil Partapnagar, District Yamuna Nagar are involved in illegal mining in the said area and he has illegally mined 13608 MT of mining material and thus causing environmental pollution and causing huge loss to environment.

Considering the above findings, the Mines & Geology Department had issued the show caused notice vide their office memo no. Mining/YNR/2368-69 dated 19.07.2024 for illegal extraction (mining) of 13608 MT mining material and you were also summoned to answer the whole questions related to the raising of illegal minor mineral unlawfully along with the record if any on dated 02.08.2024 but no reply/response was submitted from your side with respect to the above mentioned show cause notice and no one was present in response to the summon on dated 02.08.2024.

Whereas chairman HSPCB vide e-office order No I/248720/2024 dated 30.04.2024 Finalized the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining.

Whereas considering the Standard Operating Procedure (SOP) for imposition and realization of Environmental Damage Compensation from units/person involved in illegal mining as per HSPCB e-office order No

I/248720/2024 dated 30.04.2024 the total environmental compensation calculated is as under :-

Violation:-	Illegal Extraction of Boulder/Gravel/Sand
Total illegal Mineral Extraction (Z) in MT	13608 MT
Market value of illegally mined material (X) per MT	As per Mines & Geology Department Report. Rs. 300 per MT (including price @ Rs. 250 per MT and royalty @ Rs. 50 per MT)
Market value of illegally mined material (D) in Rs	Z.X (market value /MT) =13608 x300 =4082400 (Rs.)
Severity	Severe
Risk Level	4
Risk Factor (RF)	1.0
Discount (r)	5 %
Annual Value of Foregone Ecological Values(Rs)	=D x RF =4082400 x 1.0 =4082400
Present value of Foregone Ecological Value @5%discount rate and over 5 years(Rs)	$PV = \sum_{t=1}^5 \left(\frac{D \times RF}{(1+r)^t} \right)$ PV=17676792 (Rs.)
Net Present Value(after netting out market value of illegally mined material) i.e. Total Compensation to be levied (Rs.)	NPV=PV-D =17676792 - 4082400 =13594392 (Rs)

Whereas the Environmental Compensation of Rs 13594392/- (One Crore Thirty Five Lacs Ninety Four Thousand Three Hundred Ninety Two only) calculated for gross violation of illegal mining of quantity 13608 MT.

Whereas Sh. Balwinder Singh S/o Sh. Lakhi Ram & Sh. Bhopal S/o Sh. Lakhi Ram, Village Kohliwala, Sub Tehsil Partapnagar, District Yamuna Nagar were involved together for illegal mining of 13608 MT Quantity and thus Sh. Balwinder

Singh S/o Sh. Lakhi Ram is hereby directed to deposit Environmental compensation of Rs 6797196/- (Sixty Seven Lacs Nienty Seven Thousand One Hundred Ninety Six Only) and Sh. Bhopal S/o Sh. Lakhi Ram is hereby directed to deposit Environmental compensation of Rs 6797196/- (Sixty Seven Lacs Nienty Seven Thousand One Hundred Ninety Six Only) with the Haryana State Pollution Control Board within 30 days on account of ecological values for damages due to illegal mining.

In case of failure, the Board will be constrained to initiate action as deemed necessary, following the due course of law. The amount of Environmental Compensation is to be deposited in Saving Account of INDUSIND BANK, Sector 9, Panchkula in Account No. 100053543757, having IFSC code no. INDB0000164.

Dated 18th September, 2024

Virender Singh Punia
Regional Officer
Yamuna Nagar

HSPCB/YR/2024/ 1539-1543

Dated: 18 /09/2024

A copy of above is forwarded to the following:-

1. The Chairman, HSPCB, Panchkula for information please.
2. The Director, Mines & Geology Department, Chandigarh for information please.
3. The Deputy Commissioner, Yamuna Nagar for information please.
4. Sh. Balwinder Singh S/o Sh. Lakhi Ram, Village Kohliwala, Sub Tehsil Partapnagar, District Yamuna Nagar.
5. Sh. Bhopal S/o Sh. Lakhi Ram, Village Kohliwala, Sub Tehsil Partapnagar, District Yamuna Nagar.

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Regional Officer
Yamuna Nagar