

From

District Magistrate,
Panipat.

To

Shri Parkash Shrivastava,
Hon'ble Justice, National Green Tribunal,
Principal Bench, New Delhi.

No. 554 /M.A dated 28/02/24

Sub:- Inspection report by the committee constituted in compliance of
your orders passed in OA. No. 756 of 2023 titled as Sachin Tyagi
& Ors Versus Ritesh Sharma & Anr.

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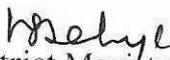
Memo.

Kindly refer to your orders passed in application as cited above.

Vide above orders it was directed to constitute a committee comprising of Member Secretary, Haryana State Pollution Control Board, the Chief Secretary, Department of Irrigation, State of Haryana and District Magistrate, Panipat. In compliance thereof a committee consisting of Secretary RTA, Panipat, RO. HSPCB, Panipat, XEN Irrigation W/S Divn, Panipat, DSP (Enforcement), Panipat and Mining Officer, Panipat under the Chairmanship of undersigned was formed vide this office order bearing No. 483/MB dated 19.02.2024. Naib Tehsildar, Samalkha was also appointed to assist the said committee vide this office order bearing No. 520/MB dated 21.02.2024.

The committee carried out the inspection on dated 22.02.2024 and found that illegal mining was being done by the unit M/s Royal Construction Company, Village Chhapraula, Khadar, Tehsil Baraut, District Baghpat by using JCB machines. The area where the mining is being done falls under the jurisdiction of State of Uttar Pradesh and not falls in the jurisdiction of State of Haryana. As per the map the area falling under the points A,B,C & D does not falls in the jurisdiction of Village Hathwala, Tehsil Samalkha, District. Panipat. The mining area does not relate to village Hathwala. The copy of report is annexed herewith.

This is for your kind information and further necessary action please.


District Magistrate,
Panipat.

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No.756 of 2023

IN THE MATTER OF:

Sachin Tyagi & ors.

Applicant

Versus

Ritesh Sharma & Anr. Respondent (s)

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2.	Copy of order dated 19.02.2024	
3.	Copy of order dated 22.02.2024	

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI**

OA No.756 of 2023

IN THE MATTER OF:

Sachin Tyagi & ors.

Applicant

Versus

Ritesh Sharma & Anr. Respondent (s)

Status report by Joint Committee in Original Application No. 756/2023 titled as Sachin Tyagi &ors. Vs Ritesh Sharma & Anr.

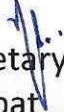
1. That the said matter was listed before the Hon'ble NGT on 04.03.2024. The operative part of the order 08.01.2024 passed by this Hon'ble Tribunal is as under:-

"3. Hence at this stage we deem it proper to form a joint committee comprising of the Member Secretary, Haryana State Pollution Control Board (HSPCB), the Chief Secretary, department of Irrigation, State of Haryana and District Magistrate, Panipat. The District Magistrate will act as nodal agency. The joint committee will carry out the spot inspection, ascertain the extent of illegal mining done and peson responsible for the same, the suggested redial action and file the report at leaset on week before the next date of hearing by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR support DF and not in the form Image PDF."

2. That as per direction passed by this Hon'ble Tribunal a joint committee was constituted by the District Magistrate, Panipat vide order no. 483 dated 19.2.2024. The Copy of order is attached as **Annexure A**.
3. The joint committee consisting of Secretary, Regional Transport Authority (RTA), Panipat, Regional Officer, HSPCB, Panipat, Executive Engineer, Irrigation, W/S, Panipat, DSP, (Enforcement), Panipat and Mining Officer, Panipat inspected the site on 22.02.2024.
4. During inspection it was found that mining was being done in the river Yamuna bed by the unit M/s Royal Construction Company, Village Chhapraula, Khadar, Tehsil Baraut, Distt. Bagpat by using JCB machines. The area where the mining is being done falls in the jurisdiction of State of Uttar Pradesh and not falls in the jurisdiction of State of Haryana. A report from Naib-Tehsildar, Samalkha was also obtained to ascertain the area of jurisdiction where mining is being done in the River bed. As per report no. 1229 dated 22.02.2024 given by Naib Tehsildar, Panipat it has been informed the points A, B, C, D shown in the map attached with the report where the mining is in operation during inspection by the joint committee does not falls in the jurisdiction of village Hathwala, Tehsil Samlakha, Dsitric Panipat. Therefore, the mining area not relates to Village Hathwala. The copy of report is attached as **Annexure- B**. As such, the area marked as ABCD falls outside the administrative jurisdiction of Distt. Panipat Haryana.
5. As per order of Hon'ble High Court of Punjab & Haryana no one can trespass the river bed for transportation of mineral, see order Joginder v/s State of Haryana. Moreover, as per terms & conditions of E.C. mineral concession holder

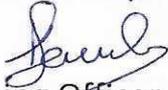
can't use village road for transportation of mineral up to 200 mtrs. of periphery of village abadi.

6. That the report is submitted accordingly for kind consideration. It is undertaken to comply with the directions passed by the Hon'ble Tribunal.


Secretary RTA
Panipat


DSP (Enforcement),
Panipat


Regional Officer,
HSPCB, Panipat


Mining Officer,
Panipat


XEN, Irrigation, W/S
Panipat


Naiab Tehsildar,
Samalkha



35 ANNEXURE - A,

**O/o THE DISTRICT MAGISTRATE/
DEPUTY COMMISSIONER-cum-DISTRICT COLLECTOR, PANIPAT**

E-mail id- depnp@hry.nic.in

ORDER

In Compliance of orders of Hon'ble Justice Prakash, Srivastava, Chairperson Dr. A. Senthil Vel. Expert Member a committee is hereby constituted to stop illegal mining at Village Hathwala, Distt. Panipat.

Sr. No.	Officer	Designation
1	Deputy Commissioner, Panipat	Chairperson
2	Secy. RTA, Panipat	Member
3	RO, HSPCB, Panipat,	Member
4	XEN,Irrigation W/S Divn. Panipat	Member
5	DSP(Enforcement) Panipat	Member
6	Mining Officer, Panipat	Member

Dated:- 15.02.2024

-sd-

District Magistrate,
Panipat.

Endst No. 483 /MB Dated 19-02-24

A copy is forwarded to the following for information and necessary action:-

1. SP, Panipat.
2. Secy. RTA, Panipat.
3. RO, HSPCB, Panipat.
4. XEN,Irrigation W/S Divn. Panipat.
5. Mining Officer, Panipat
6. DSP(Enforcement) Panipat

for District Magistrate,
Panipat



**O/o THE DISTRICT MAGISTRATE/
DEPUTY COMMISSIONER-cum-DISTRICT COLLECTOR, PANIPAT**

E-mail id- dcnpn@hry.nic.in

ORDER

In continuation to this office order No. 483/MB dated 19-02-2024, Sh. Rahul Rathee, Naib-Tehsildar, Samalkha (96710-09678) will also assist to the committee already constituted in the above said order to stop illegal mining at Village Hathwala, District Panipat.

Vesahy
Deputy Commissioner,
Panipat. ✓

Endst No 520 / MB Dated 21/02/2024

A copy is forwarded to the following for information & necessary action:-

1. Superintendent of Police, Panipat.
2. DSP (Enforcement), Panipat.
3. Secretary, RTA, Panipat.
4. RO, HSPCB, Panipat.
5. XEN, Irrigation W/S Divn., Panipat.
6. Mining Officer, Panipat.
7. Naib Tehsildar, Samalkha.

Vesahy
Deputy Commissioner,
Panipat. ✓

ANNEXURE - B

प्रेषक

नायब तहसीलदार

समालखा

सेवा में

उपायुक्त महोदय

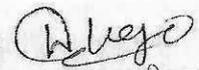
पानीपत।

क्रमांक 1229 /ओ०के० दिनांक 21/02/2024

विषय:- गांव हथवाला में अवैध खनन बारे रिपोर्ट।

उपरोक्त विषय बारे आपके कार्यालय के पत्र क्रमांक 520/एम.बी. दिनांक 21.02.2024 के सन्दर्भ में।

विषयाधीन मामले में हल्का पटवारी से रिपोर्ट मांगी गई। हल्का पटवारी की रिपोर्ट अनुसार गांव हथवाला में मौका निरीक्षण किया गया। मौका अनुसार व निशानदेही के नक्शा अनुसार बिन्दु A, B, C, D जहां पर खनन का कार्य चल रहा है, वह गांव हथवाला की सीमा से बाहर है। रिपोर्ट सेवा में आगामी कार्यवाही हेतु प्रेषित है।



नायब तहसीलदार

समालखा

N
W — E
S

Village - Hathwala
Demarcation of no. 1 -
Survey Pathar - 1/1/22

