

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI.

O.A. No. 137/2024

In the matter of:

Vijay Chandel

.....Applicant

Versus

State of H.P. & ors.

....Respondents

Report of the Joint Committee in compliance to order dated 19-04-2024 passed by the Hon'ble NGT, New Delhi.

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Dated: 08-08-2024

Place: Baddi

Joint Committee

Report of the Joint Committee in the matter of O.A. No. 137/2024 titled "Vijay Chandel v/s State of H.P. &ors." in compliance of the Hon'ble NGT order dated 19-04-2024.

1. Background:

The matter preliminary based on the complaint filed by Shri Vijay Chandel and same has been and registered as O.A. No. 137/2024. Wherein it was alleged that five to six JCB machines and a dozen of tippers were engaged in illegal mining/excavation of soil/earth & uprooting of trees due to which Sheetalpur Road has been damaged causing inconvenience to the commuters and leaving them prone to mishaps/accidents. It is further alleged that the aforesaid illegally mined/excavated soil/earth has been sold to railways and it is prayed that the matter may be enquired into and accordingly recovery shall be made from the accused i.e. Sh. Gurdayal S/o Chhaju Ram, Village Kalyanpur, Post Office Haripur, Sandoli, District Solan, H.P.

Further, The Hon'ble National Green Tribunal Constituted a Joint Committee vide Order dated 19-04-2024 with the following directions:

"...4. In view of the averments in the application, Hon'ble Nation Green Tribunal considered it appropriate to have response of (1) State of Himachal Pradesh through the Chief Secretary, State of Himachal Pradesh, (2) Director, Geological Wing, Department of Industries, State of Himachal Pradesh, (3) Deputy Commissioner, Solan, (4) Divisional Forest Officer, Solan, (5) Himachal Pradesh State Pollution Control Board (HPSPCB) and (6) Sh. Gurdayal S/o Chhaju Ram, Village Kalyanpur, Post Office Haripur, Sandoli, District Solan. Accordingly notices have been issued to all the 6 respondents requiring them to file their reply/response within two months on 27-04-2024."

"....6.0 In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of Director, Geological Wing, Department of Industries, State of Himachal Pradesh, Member Secretary, Himachal Pradesh State Pollution Control Board (HPSPCB), Deputy Commissioner, Solan, Himachal Pradesh and DFO, Solan, Himachal Pradesh and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and take appropriate remedial action. The Himachal Pradesh State Pollution Control Board (HPSPCB) will be the nodal agency for coordination and compliance...."

In compliance to the directions passed by Hon'ble National Green Tribunal this report is being submitted in continuation of the progress report of the Joint Committee filed by Himachal Pradesh State Pollution Control Board (HPSPCB) vide e-mail dated 20-05-2024 and supplementary report, wherein a prayer was made for extension of time-line for three weeks.

2. Compliance of the Orders of Hon'ble National Green Tribunal:

2.1. Joint Inspection Report and site visit:

In compliance to the orders of Hon'ble National Green Tribunal, a Joint Committee visited the site under reference on 03-05-2024 along with other officials of District Administration, Mining Department and State Pollution Control Board (SPCB). As per the directions of Hon'ble Court Sh. Vijay Chandel (applicant) along with Sh. Gurdayal (project proponent) also accompanied the Joint Inspection Committee.

During the joint inspection applicant Sh. Vijay Chandel was requested by the SDM to apprise the Joint Committee regarding the matter. Sh. Vijay Chandel apprised that Sh. Gurdayal was engaged in the excavation from the roadside hillslope from road leading from Sheetalpur to Dashomajra and soil has been used in the construction of Railway Project i.e. Chandigarh-Baddi Rail Line Project and Sh. Gurdayal apprised the committee members that he has obtained permission from the Mining Department he had not carried out the any excavation between Sheetalpur-Dashomajra road.

As per report received from the Executive Engineer, HPPWD Nalagarh, they have shown the inability to ascertain the quantity of the excavated earth as the original/ advance X-Section of natural surface level are not known at this stage. Hence meeting was convened on 24-06-2024 under the Chairmanship of SDM Nalagarh to decide further course of action. During the meeting it was decided that the Joint Committee shall visit the site to ascertain the approximate reference points from where excavation had been done.

The Joint Committee again visited the site on 26-06-2024 and after deciding the approximate reference points from where the mining activities might had been carried out were marked by the HPPWD authorities. Accordingly 14 numbers of areas were marked.

As per the report submitted by the HPPWD Department that approximately 12,031.760 Cum (210.195 sqm) soil/ muck has been excavated from the Sheetalpur to Dashomajra road (Copy attached as **Annexure 1**).

The report submitted by the HPPWD was forwarded to the DFO, Nalagarh for calculation of Net Present Value of the damage being done due to excavation in Sheetalpur to Dashomajra

Road. Accordingly the Forest Department has submitted that Rs 1,20,795/- is the Net Present Value (NPV) of the mining affected area (copy attached as Annexure 2).

The report submitted by the HPPWD was also forwarded to the Mining officer, Solan for the calculation of Environmental Compensation alongwith the 16 number of cases which were earlier reported by them (Copy attached as Annexure 3). Accordingly the Mining Officer, Solan taking into consideration of Specific Gravity of soil as 1.8 the total quantity of soil/muck was 21,660 MT and has calculated the Environmental Compensating based on methodology prescribed in the notification issued by Department of Environment, Science & Technology No. STE-E(5)-2021 dated 18-08-2022 notified in light of O.A. NO 360/2015 titled NGT Bar Association V/s Verinder Singh dated 19-02-2020. Total Environmental Compensation applicable due to the illegal mining activity carried out in the concerned area is amounting to Rs 1,11,06,616/- (Copy attached as Annexure 4).

The Police Department has submitted the cumulative detail of the penalty on an account of illegal mining activity of Rs 2,94,000/- imposed on 25 individuals which were earlier reported by them (copy attached as Annexure 5). The Sub Divisional Magistrate has issued the notices to 41 individuals to deposit the Environmental Compensation. The Detail of Environmental Compensation being raised is as under:

Sr. No.	Name & Address	Environment Compensation
1	Man Singh S/o Sh. Karam Chand, V.P.O – Haripur Sandholi, Teh Baddi, Distt- Solan (H.P)	2,00,000/-
2	Parveen Kumar S/o Tarsheem Lal Vill- Sheetalpar, P.O. Haripur Sandholi, Teh-Baddi.	2,00,000/-
3	Amar Singh, S/o Krishan Dayal, Village- Baddi, Ward No.- 1, Tehsil- Baddi.	2,00,000/-
4	Rajesh Mehta S/o Vidhi Chand, Village- kotian, P.O.- Mandhala, Tehsil- Baddi.	3,00,000/-
5	Manjeet S/o Pal Chand, Village Kenduwal, P.O.- Bhud, Tehsil- Baddi.	3,00,000/-
6	Rajesh Mehta S/o Mandhala, Tehsil- Baddi.	3,00,000/-
7	Manjeet S/o Pal Chand, Village Kenduwal, P.O.- Bhud, Tehsil- Baddi.	3,00,000/-
8	Kuldeep Singh, S/o Hansraj, Village Kalyanpur, P.O.- Haripur Sandholi, Tehsil- Baddi.	3,00,000/-
9	Chaman Lal S/o Shyam, Village-Malpur, P.O- Bhud, Tehsil- Baddi.	2,00,000/-
10	Gurmeet Chaudhary S/o Gurudayal Singh. V.P.O.- Haripur Sandholi, Tehsil- Baddi.	4,00,000/-
11	Manjeet S/o Pal Chand, Village- Kenduwal, P.O.- Bhud, Tehsil-	3,00,000/-

Table A: Violation observed by O/o District Mining Officer, Solan		
Sr. No.	Name & Address	Environment Compensation
	Baddi	
12	Suleman S/o Rajwali, Village- Sheetalpur, P.O.- Haripur Sandholi, Tehsil- Baddi.	2,00,000/-
13	Manjeet S/o Pal Chand, Village- kenduwal, P.O.- Bhud, Tehsil- Baddi	2,00,000/-
14	Bhupender S/o Dalip Chand, Village- Balbirpur, P.O.- Lodhimajra, Tehsil- Baddi	3,00,000/-
15	Manohar Lal S/o Karam Chand, Village- Bagheri, P.O.- Kali Bedi, Tehsil- Nalagarh	2,00,000/-
16	Manjeet S/o Pal Chand, Village- kenduwal, P.O.- Bhud, Tehsil- Baddi	4,00,000/-
Total		43,00,000/-

Table B: Violation observed by O/o SHO, Baddi		
Sr. No.	Name & Address	Environment Compensation
1	Sh. Talib Hussan r/o Khol Beli, P.O. Manpura, Tehsil Nalagarh, District Solan (H.P.)	2,00,000/-
2	Hans Raj S/o Sh. Nek Ram r/o No. 2, Baddi, District Solan (H.P.)	2,00,000/-
3	Kasam S/o Sh. Kishan Lal C/o Niramal Singh r/o Dasomajra, P.O. Bhud, Tehsil Baddi, District Solan (H.P.)	2,00,000/-
4	Arjun S/o Sh. Mandaver r/o Kishanpura, Tehsil Baddi, District Solan (H.P.)	2,00,000/-
5	Ashani Kumar S/o Sh. Vijay Kumar VPO Bhud, Tehsil Baddi, District Solan (H.P.)	3,00,000/-
6	Jasnt Singh S/o Sh. Ramnath r/o Kotala, P.O. Barotiwala, Tehsil Baddi, District Solan (H.P.)	4,00,000/-
7	Jitender Singh S/o Sh. Gurnam Singh r/o Paploha, Tehsil Kalka, Distt. Panchkula (HR)	2,00,000/-
8	Manish Kumar S/o Sh. Hemraj r/o Tagara, Tehsil Kalka, District Panchkula (HR)	2,00,000/-
9	Sohan Lal S/o Sh. Somnath r/o Kenduwal, P.O. Bhud, Tehsil Baddi, District Solan (H.P.)	2,00,000/-
10	Suleman S/o Rajbali Alam r/o Seetalpur, Tehsil Baddi, District Solan (H.P.)	2,00,000/-
11	Sukh Ram S/O Balak Ram R/O Ladeal Po Haripur Snadoli Teh. Baddi Distt Solan HP	4,00,000/-
12	Gurmel S/O Fakir Chand R/O Darbas Kokghra Teh. Baddi Distt Solan HP	2,00,000/-
13	Rakesh Kumur S/O Ram Savroop R/O Ganeshpur Moriya Crpc Pinjaur Distt Panchkula HR	4,00,000/-
14	Amra S/O Sita Ram R/O Khokhra The Baddi Distt Solan HP	2,00,000/-
15	Nishar Ahmad S/O Liyak Ali R/O Chiterkut Tangdaar The. Tangdaar Distt Kupbada JK	2,00,000/-

Table B: Violation observed by O/o SHO, Baddi		
Sr. No.	Name & Address	Environment Compensation
16	Avtar S/O Pratap Chand R/O Handa Khundi Po Manpura The. Baddi Distt Solan HP	4,00,000/-
17	Sohan Lal S/O Kenduala Po Bhud The. Baddi Distt Solan HP	2,00,000/-
18	Nishar Ahmad S/O Liyakat Ali R/O Chiterkot Po Tangdhar The. Karana Distt Kupara J&K	4,00,000/-
19	Sohal Lal S/O Som Nath R/O Kenduala Po Bhud Tehsil Baddi Distt Solan HP	2,00,000/-
20	Shyam Lal S/O Ram Singh R/O Kenduala Po Bhud Tehsil Baddi Distt Solan HP	2,00,000/-
21	Davinder S/O Mehar Chand R/O Talada Po Kamai Devi Distt Hoshiyarpur PB	4,00,000/-
22	Dinesh Kumar S/o Sh. Rambilas r/o Kher Khera, P.O. Asnaer, Distt. Jhivaada RJ	4,00,000/-
23	Nihal Singh S/o Sh. Dev Singh r/o Khokhara, P.O. Nankpur, Tehsil Kalka, District Panchkula (HR)	2,00,000/-
24	Manish Kumar S/o Des Raj r/o Kalyanpur, Tehsil Baddi, District Solan (H.P.)	2,00,000/-
25	Naresh Kumar S/o Sh. Gang Singh r/o Kenduala, P.O. Bhud, Tehsil Baddi, District Solan (H.P.)	2,00,000/-
Total		65,00,000/-
Grand Total of Table A and B		1,08,00,000/-

The Construction Wing of Northern Railway has submitted the bills for which payment by contractor had been made to 11 numbers of suppliers. As per the information received from Mining Officer, Solan no permission for carrying out mining activity has been accorded to them.

The Construction Wing of Northern Railway was again asked to submit the Detailed Project Report and document verifying the legality of source (Copy attached as Annexure-6). Despite of numerous requested the Railway Department has not submitted the requisite information. Based on limited information available with Joint Committee, the legality of the source can't be verified which has been used for construction purpose.

3. Conclusions and remedial measures:

During the course of the investigation being made by the Joint Committee it has been established that excavation from the roadside hill slope from road leading from Sheetalpur to Dashomajra has been done, but the information received from the applicant is not sufficient for holding that Sh. Gurdayal was engaged in illegal mining activity at the said site. Meanwhile, Sh Gurdayal had also submitted an affidavit on 17-05-2024 that he had not carried out any mining activity in this area.

There is not adequate evidence to conclusively ascertain that the material has been used for Railway Project i.e. Chandigarh-Baddi Rail Line Project. As the location is approachable from the Sheetalpur to Dashomajra road and there might be possibility that material has been used for this project.

The Mining and Police Department had observed 41 number of violations of illegal mining in and around Sheetalpur area and accordingly Environmental Compensation amounting to 1,08,00,000/- has been raised against the defaulters.

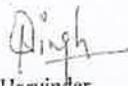
The Joint Committee also carried out the plantation drive in Sheetalpur Dasomajra road.

During the drive approximately 100 sapling were planted (Copy attached as Annexure-7).

In view of the above, the following remedial measures have been proposed by the Joint Committee:

- i. The Construction Wing, Northern Railway, Chandigarh should be mandated to check the legality of the source being used by their contractor and payment is released accordingly. They should ensure that the contractor has proper mining form or any other requisite permission accorded by the respective State. They may take the help of mining department to ascertain the legality of the source. In case of illegality the amount shall be recovered from the contractor/ supplier as the case may be.
- ii. Making the Mining Check Post operational in the area.
- iii. Deploying a Mining Guard along with a Police Department representative for continuous 24/7 surveillance.
- iv. Installing CCTV cameras with connectivity to both the Police Department and the Mining Check Post.
- v. Effective coordination with all stakeholders is maintained to raise awareness and encourage public participation, facilitating the prompt identification of illegal mining activities in the area.

The Joint Committee will abide by further directions of the Hon'ble National Green Tribunal.


Sh. Harvinder,
Mining Officer,
Solani


Sh. Mukesh
Sharma, ACF,
Nalagarh


Smt. Chandrika
Sharma, ACF,
Solani


Er. Abhay Gupta,
AEE, HPSPCB


Sh. Divyanshu Singal,
IAS, SDM, Nalagarh

Himachal Pradesh
Public Works Department

Annexure-1

No. PW/NLD/ DB/NGT/2022-23- 2530-31

Dated: 03/07/2024

To

✓
Er. Abhay Gupta,
Nodal Officer-cum-Assistant Environmental Engineer,
H.P. State Pollution Control Board,
Regional Office "Himuda Complex" Phase-1
Baddi Tehsil Baddi, Distt. Solan (H.P.)
Mail id :- pcbrobaddi@gmail.com

Subject: - O.A. No. 137/2024 titled Vijay Chandel v/s State of H.P.
& ors. Before Hon'ble NGT.

Reference: - Your office letter No. HPPCB/RO Baddi/MF 202/Court
Case (OA No. 137/2024)/2024- 1216-20 dated 26/06/2024.

In context to the letter under reference the quantity of excavated earth from fourteen major spots between Sheetalpur to Dasomajra as identified by the committee on the basis of reference points fixed during inspection on dated 26/06/2024 is calculated and submitted for favor of further necessary action at your end please.

DA: - Abstract of quantity,
And X-Section.


Executive Engineer,
Nalagarh Division,
HPPWD Nalagarh.

Copy to The Sub Divisional Magistrate for information and necessary action please.

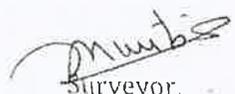
- sd -
Executive Engineer,
Nalagarh Division,
HPPWD Nalagarh.

ABSTRACT OF QUANTITIES

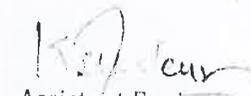
Name of work:- O.A. No. 137/2024 titled Vijay Chandel v/s State of H.P. & ors. Before Hon'ble NGT.

(SI:- Approximate Excavated Quantity of earth work on Baddi Sitalpur Nanowal Road Km. 1/900 to 5/300, Portion Sheetalpur to Dasomajra)

Sr. No.	RD	Length in metre	Area in Sqm	Quantity in Cum.	Classificati on of soil in %	Quantity [Cutting]	Remarks
					PW	PW	
1	1/915 to 1/930	15.00	2.000	30.000	100%	30.000	The quantity of excavated earth has been calculated as per approximate reference points decided by the representatives of the committee i.e. Tehsildar Baddi, DIO Nalagarh, Assistant Environmental Engineer Pollution Control Board Baddi, E.I. HPPWD Nalagarh and Mining Officer Solan formed by SDM Nalagarh, in the meeting held in his Chamber on dated 24/06/2024, during site inspection on dated 26/06/2024.
2	1/960 to 2/030	70.00	11.375	796.250	100%	796.250	
3	2/120 to 2/170	50.00	8.125	406.250	100%	406.250	
4	2/200 to 2/240	40.00	8.250	330.000	100%	330.000	
5	2/300 to 2/375	75.00	17.344	1300.781	100%	1300.781	
6	2/435 to 2/450	15.00	7.500	112.500	100%	112.500	
7	2/500 to 2/575	75.00	8.750	635.938	100%	635.938	
8	2/590 to 2/625	45.00	2.361	106.250	100%	106.250	
9	2/840 to 2/865	25.00	12.500	312.500	100%	312.500	
10	4/685 to 4/740	55.00	34.283	1885.583	100%	1885.583	
11	4/870 to 4/940	70.00	54.328	3802.969	100%	3802.969	
12	5/160 to 5/180	20.00	11.556	231.111	100%	231.111	
13	1/190 to 5/220	30.00	10.156	304.688	100%	304.688	
14	5/220 to 5/301	81.00	21.938	1776.938	100%	1776.938	
		Total		12031.760		12031.760	


Surveyor,
Nalagarh Division,
HPPWD Nalagarh.


Junior Engineer,
Baddi Sub Division,
HPPWD Baddi.


Assistant Engineer,
Baddi Sub Division,
HPPWD Baddi.


Executive Engineer,
Nalagarh Division,
HPPWD Nalagarh.

No 2753
 HP Forest Department
 Nalagarh Forest Division
 Dated: 11/11/2024

To

Er. Abhay Gupta
 Nodal Officer –cum Assistant Engineer
 HPSPCB, Baddi, Solan

Subject: OA No 137/2024 Vijay Chandel Vs State of H.P & ors before Hon'ble NGT.
 Sir,

Kindly refer to your Office letter no HPSPCB/RO Baddi/MF202/Court case (OA No 137/2024)2024/1412-13 dated 06-07-2024 on subject cited above.

As per discussion during meeting held on dated 24-06-2024 under the chairmanship of Sub Divisional Officer, Civil Nalagarh with direction to calculate the Net present value and Compensatory afforestation as per FCA 1980 , It is submitted **that as per Van (Sanrakshan Evam Samvardhan) Adhiniyam 2023 (Principal Act FCA 1980) section 1A. (i) The following land shall be covered under the provisions of this Act, namely:—**

(a) the land that has been declared or notified as a forest in accordance with the provisions of the Indian Forest Act, 1927 or under any other law for the time being in force; (b) the land that is not covered under clause (a), but has been recorded in Government record as forest, as on or after the 25th October, 1980 and as per the report of revenue Deptt the mining effected area along the Sheetalpur –Dasomajra road is a non-forest land (vested to Himachal Pradesh Govt. under the Himachal Pradesh Village Common Lands Vesting and Utilization Act, 1974) and so does not attract the provision FCA-1980.

Although the land in question does not fall under provision FCA-1980, however NPV & CA cost as per the rates approved by the Ministry of Environment, Forest and Climate Change, GOI vide File No.5-3/2011-FC(Vol-I) dated 06.01.2022 for 0.02109 ha area (Area Calculated by HPPWD) is as under:

Keeping in view the Forest type of Adjoining Forest land and Ocular estimation of Density the Net Present value is calculated as below:

Division	Area in Sq.M	Density	Eco-Class	Category	Area (Ha).	Net Present value per Ha. (Rs)	Total Amount (Rs.)
Nalagarh	210.195	Open (Less than 0.3)	III	Tropical Dry Deciduous Forest	0.02102	9,57,780	20132.53
Panel NPV as per Para 1.16 of CHAPTER-1 GENERAL CLARIFICATIONS AND COURT ORDER, (page No. 40) of CONSOLIDATED GUIDELINES AND CLARIFICATIONS issued by GOI on Dec 2023 under VAN (SANRAKSHAN EVAM SAMVARDHAN) ADHINIYAM, 1980 and VAN (SANRAKSHAN EVAM SAMVARDHAN) RULES, 2023						Maximum 5 Times of NPV	100662.67
Total							1,20,795.00

Compensatory Afforestation: (Twice the area Diverted)

Compensatory afforestation (1100 plants/Hac.) with RCC Fence Post and 4-strand Barbed wire fencing							
S.No.	Particulars including soil & Moisture conservation.	Qty. in ha	Rate in Rs. (per ha)	Year of execution of work	Amount	Cost including escalation @ 10% per year	Remarks
1	Survey, Demarcation and Fencing	0.04204	43800	2024-25	1841.352	2025.4872	
	PLANTING	0.04204	60100	2024-25	2526.604	2779.2644	
	Total					4804.7516	
2	Maintenance						
	1 st year	0.04204	12100	2025-26	508.684	610.4208	
	2 nd year	0.04204	8200	2026-27	344.728	448.1464	
	3 rd year	0.04204	4200	2027-28	176.568	247.1952	
	4 th year	0.04204	4200	2028-29	176.568	264.852	
	5 th year	0.04204	4200	2029-30	176.568	282.5088	
	6 th year	0.04204	4200	2030-31	176.568	300.1656	
	7 th year	0.04204	4200	2031-32	176.568	317.8224	
8 th year	0.04204	4200	2032-33	176.568	335.4792		

	9th year	0.04204	4200	2033-34	176.568	353.136
	10 th year	0.04204	4200	2034-35	176.568	370.7928
			Total			3530.5192
3	Soil conservation works	0	0			0
4	Removal of invasive species	0	0			0
			Total			0
A	(1 to 4)	Grand Total				8,335
B	Nurser y cost	Area	No. of Plants/ ha	Total Plants	Rate per plant	
		0.0420 4	1100	46	23	1063.612
C	Cost of trees for maintenance @ 70% of original planted plants		32	23		744.5284
	Total B&C					1808.1404
	Total (A+B+C)					10,143
D	Contingence 5% over the C.A. Scheme					507.17
	Total (A+B+C+D)					10,651
E	Departmental charges @ 17.5%					1863.85
	Total amount for 0.04204 CA Scheme (A+B+C+D+E)					12,514

Submitted for further n/a


Deputy Conservator Forest
Forest Division Nalagarh



H.P. State Pollution Control Board,
Regional Office "Himuda Complex" Phase-1, Baddi
Tehsil Baddi, Distt. Solan (HP) Phone-01795-245374
e-mail: pebroadbadi1@gmail.com

Annexure-3

No. HPPCB/RO Baddi/MF 202/Court Case (OA No. 137/2024)/2024 14/4-15 Dated:- 06-07-2024

To

The Mining Officer,
Solan, Distt Solan,
H.P. (miningofficersolan@gmail.com)

Subject: O.A. No. 137/2024 titled Vijay Chandel v/s State of H.P. &ors. before Hon'ble NGT.

Sir,

This is in continuation to this office letter no. 1289 dated 29.6.24 vide which you were requested to calculate the Environmental Compensation for the 16 cases which were detected and reported by your good office. The report in this context is still pending.

Additionally, the Executive Engineer HPPWD Division Nalagarh vide letter no. 2530-31 dated 3-7-24 has provided the approximate quantity of earth excavated between Sheetalpur & Daso Majra road.

Hence, you are again requested to calculate Environmental Compensation for the 16 cases and along with the report of HPPWD through hard copy and e-mail to pebroadbadi1@gmail.com by 2:00 PM on July 07, 2024. Failure to do so will result in the matter being reported in the final report. Should any adverse orders be passed by the Hon'ble NGT, you will be held liable.

Yours faithfully,

(Er. Abhay Gupta),
Nodal Officer-cum-Assistant Environmental Engineer,
HPSPCB Baddi.

Copy to:

The Sub Divisional Magistrate for information please.

(Er. Abhay Gupta),
Nodal Officer-cum-Assistant Environmental Engineer,
HPSPCB Baddi.

Annexure-4

No Udyog/ SLN/ MM/ Court Case/OA No. 137/2024- 742
O/o the Distt. Mining officer, Solan
Distt. Solan, H.P.

Dated Solan, the 02 August, 2024

To
The Sub-Divisional Officer (C),
Nalagarh, Tehsil Nalagarh,
District Solan(H.P.)

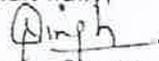
Subject - O.A. No. 137/2024 titled as Vijay Chandel V/s State of Himachal Pradesh & ors. before Hon'ble National Green Tribunal.

Sir,
In reference to office letter No. HPPCB/RO Baddi/ MF 202/Court Case (OA No. 137/2024-1167-69 dated 29.06.2024, addressed to this office and copy endorsed to your office and further subsequent reminder dated 06.07.2024 wherein this office has been asked to calculate environment compensation for 16 cases detected by this office and illegal extraction and removal of soil as per report of Executive Engineer, HPPWD Division Nalagarh as per the notification No. STE-E (5)-2/2021 dted 18.08.2022 issued by the Department of Science and Technology.

In this regard it is intimated that Environment compensation as per the above stated notification has been calculated for above 16 cases detected by this office and illegal extraction and disposal of soil as per information provided by Nodal Officer-cum-Assistant Engineer, Himachal Pradesh State Pollution Control Board Baddi and as per report of Executive Engineer, HPPWD Division Nalagarh. The details of the calculated Environment compensation is enclosed herewith for further necessary action in the matter.

Encls : As above

Yours faithfully,


(Harvinder Singh)
Mining Officer, Solan
District Solan, H.P.

Enclst No As above

Dated

Copy forwarded to:-

- 1 The Geologist (Zone-III) Himachal Pradesh for information and necessary action please.
- 2 The Nodal Officer-cum-Assistant Environment Engineer, Himachal Pradesh State Pollution Control Board, Baddi w.r.t. office letter No. 1289 dated 29.06.2024 and 1414-15 dated 06.07 2024 for information and further necessary action in the matter please.

(Harvinder Singh)
Mining Officer, Solan
District Solan, H.P.

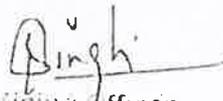
Details of challan in Sheetalpur to Dassomajra Area, Baddi, District-Solan (H.P)

S.No.	Name & Address	Challan No.	Date	Type of Vehicle	Environment compensation (As per approach -1)	Remarks (if any)
1.	Man Singh S/o Sh. Karam Chand, V.P.O - Haripur Sandholi, Teh - Baddi, Distt- Solan (H.P)	0299095	10.09.2023	Tractor AF	2,00,000	
2.	Parveen Kumar S/o Tarsheem Lal Vill- Sheetalpur, P.O.- Haripur Sandholi, Teh-Baddi.	0299097	18.09.2023	Tractor AF	2,00,000	
3.	Amar Singh, S/o Krishan Dayal, Village- Baddi, Ward No.- 1, Tehsil- Baddi.	0295331	06.11.2023	Tractor HP93 0399	2,00,000	
4.	Rajesh Mehta S/o Vidhi Chand, Village- kotian, P.O.- Mandhala, Tehsil- Baddi.	0299099	12.10.2023	Tipper HR 68C 4455	3,00,000	
5.	Manjeet S/o Pal Chand, Village- kenduwal, P.O.- Bhud, Tehsil- Baddi.	0295776	21.11.2023	Tipper AF	3,00,000	
6.	Rajesh Mehta S/o Mandhala, Tehsil- Baddi.	0295332	21.11.2023	Tipper HP93 3757	3,00,000	
7.	Manjeet S/o Pal Chand, Village- kenduwal, P.O.- Bhud, Tehsil- Baddi.	0295333	05.12.2023	Tipper HP12 H 6972	3,00,000	
8.	Kuldeep Singh, S/o Hansraj, Village-Kalyanpur, P.O.- Haripur Sandholi, Tehsil- Baddi.	0295334	05.12.2023	Tipper HP12Q 3588	3,00,000	
9.	Chaman Lal S/o Shyam, Village-Malpur, P.O- Bhud, Tehsil- Baddi.	0295779	16.01.2024	Tractor HP12 N 7187	2,00,000	
10.	Gurmeet Chaudhary S/o Gurudayal Singh, V.P.O.- Haripur Sandholi, Tehsil- Baddi.	0182020	09.01.2024	Poklain M/C	4,00,000	
11.	Manjeet S/o Pal Chand, Village- kenduwal, P.O.- Bhud, Tehsil- Baddi	0295778	09.01.2024	Tipper AF	3,00,000	
12.	Suleman S/o Rajwali, Village- Sheetalpur, P.O.- Haripur Sandholi, Tehsil- Baddi.	0295338	06.01.2024	Tractor AF	2,00,000	
13.	Manjeet S/o Pal Chand, Village- kenduwal, P.O.- Bhud, Tehsil- Baddi	0295780	18.01.2024	Tractor HP 12F 5138	2,00,000	

-15-

14.	Bhupender S/o Dalip Chand, Village- Balbirpur , P.O- Lodhimajra, Tehsil- Baddi	0236761	05.03.2024	Tipper HP12 N 7187	3,00,000	
15.	Manohar Lal S/o Karam Chand, Village- Bagherf, P.O.- Kali Bedi, Tehsil- Nalagarh	0295792	06.05.2024	Tractor AVF	2,00,000	
16.	Manjeet S/o Pal Chand, Village- kenduwal, P.O.- Bhud, Tehsil- Baddi	0190568	16.05.2024	Poklain M/C	4,00,000	

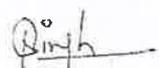
The total 16 vehicle constituting 07 no's of Tractor, 07 no's of Tipper and 02 no's Poklain is mentioned as above and the report is submitted for further necessary action.


Distt. Mining Officer
SOLAN (H.P.)

-16-

Sr. No.	Name of the party	Quantity in M.T (Specific Gravity of soil has been taken into account @ 1.8)	Total E.C Calculated as per the approach - 2	Remarks
1	As per Letter of Executive Engineer Nalagarh HPPWD Conveyed vide No. PW/N.I.D/DB/NGT/2022-23-2530-31 Dated- 03.07.2024, The total Quantity of Soil Excavated illegally on Baddi Sitalpur Nanowal Road Km. 1/900, to 5/300, Portion Shetalpur to Dasomajra is 12031.760 cum.	21660 MT	1,11,06,616	

Illustration-2								
	D	D*RF	1st year	2nd	3rd	4th	5th	Total
moderate	54.15,000	27.07,500	25,30,374	23,66,696	22,10,204	20,66,794	19,32,548	1,11,06,616


District Engineer
SCLAN (I.P.)

शेवा में,

SDO

POLLUTION बर्दी,

जिला सोलान हिोरा

NO 2270/5A DT 2/8/24

विषय:- पत्र संख्या O.A. NO. 137/2024)/2024- TITLED सरकार बनाम विजय चन्देल के सन्दर्भ में रिपोर्ट।



श्री मान जी,

नियेदन इस प्रकार से है कि आपके कार्यालय द्वारा जारी पत्र संख्या उपरोक्त के सन्दर्भ में नियेदन है कि जो उपरोक्त पत्र के माध्यम से मांगी गई सूचना के सन्दर्भ में नियेदन है कि पुलिस द्वारा अवैध खनन को रोकने के लिए बड़ी शीतलपुर एरिया में समय-2 पर प्रभावित तरीके से गश्त की जाती रही है तथा दौराने गश्त पुलिस द्वारा शीतलपुर क्षेत्र में वर्ष 2023-24 में कुल 25 चालान माईनिंग एक्ट के तहत किए जाकर कुल राशि मुबलान 2,94,000/- रुपये वसूल की गई है तथा दिनांक 03.10.2023 के बाद से अब तक शीतलपुर एरिया में कुल 05 चालान माईनिंग एक्ट के तहत किए जाकर कुल राशि मुबलान 65,000/- रुपये वसूल की गई है।

चालान डिटेल :-

Sl.No.	CHALLAN NO.	VEHICE	NAME & ADRSS OF OFENDER	FINE
1	0285874	PB 12 AG 3104	TALIB HUSSAN R/O KHOL BELI PO MANPURA TEH NALAGARH DISS SOLAN	5000/-
2	0182446	PB12AF5128 / TRACTOR	HANS RAJ S/O NEK RAM R/O .NO 2 BADDI DISTT SOLAN HP	5000/-
3	0209904	HP12L-6252 / TRACTOR	KASAM S/O KISHAN LAL C/O NIRAMAL SINGH R/O DASOMAJRA PO BHUD THE. BADDI DISTT. SOLAN HP	5000/-
4	0209906	HR46C8345/TIP PER	ARJUN S/O MANDAVER R/O KISHANPURA THE. BADDI DISTT SOLAN HP	25000/-
5	0209907	HR58B1174/TIP PER	ASHANI KUMAR S/O VIJAY KUMAR VPO BHUD THE. BADDI DISTT SOLAN HP	25000/-
6	0209908	HP12A1249/TIP PER	JASNT SINGH S/O RAMNATH R/O KOTALA PO BAROTIALA THE. BADDI DISTT SOLAN HP	15000/-
7	0209909	HR49G4901/TR ACTOR	JITENDER SINGH S/O GURAM SINGH R/O PAPLOHA TEH KALKA DISTT PANCHKULA	5000/-
8	0209910	PB11AB-2061/TRACTOR	MANISH KUMAR S/O HEM RAJ R/O TAGARA THE. KALKA DISTT PANCHKULA HR	5000/-
9	0182150	A/F/ TRACTOR	SOHAN LAL S/O SOMNATH R/OKENDUALA PO BHUD TEH. BADDI DISTT SOLAN HP	5000/-

11	0209919	HP 12 5991	SITALPUR TEH BADDI DISTT SOLAN SUKH RAM S/O BALAK RAM R/O LADEAL PO HARIPUR SNADOLI TEH BADDI DISTT SOLAN HP	5000--
12	0209921	HR49B9962/TR ACTOR	GURMEL S/O FAKIR CHAND R/O DARBAS KOKGHRA TEH. BADDI DISTT SOLAN HP	5000--
13	0209922	11R68G- 3529/TIPPER	RAKESH KUMAR S/O RAM SAVROOP R/O GANESHPUR MORIYA CRPC PINJAUR DISTT PANCHKULA HR	25000--
14	0219527	A/F/TRACTOR	AMRA S/O SITA RAM R/O KHOKHRA THE BADDI DISTT SOLAN HP	5000/-
15	0219532	PB10HB5938/TI PPER	NISHAR AHMAD S/O LIYAK ALI R/O CHITKERKUT TANGDAAR THE. TANGDAAR DISTT KUPBADA JK	25000--
16	0219533	HP12P- 8323/TIPPER	AVTAR S/O PRATAP CHAND R/O HANEA KHUNDI PO MANPURA THE. BADDI DISTT SOLAN HP	25000--
17	0219534	PB12AE7139/TR ACTOR	SOHAN LAL S/O KENDUALA PO BIJUD THE. BADDI DISTT SOLAN HP	4500--
18	0219537	PB10GE8109/ TIPPER	NISHAR AHMAD S/O LIYAKAT ALI R/O CHITKERKOT PO TANGDIAR THE. KARANA DISTT KUPARA JK	25000--
19	0219538	PB12AE7139/ TRACTOR	SOHAN LAL S/O SOM NATH R/O KENDUALA PO BIJUD TEHSIL. BADDI DISTT SOLAN HP	4500--
20	0219549	A/F/TRACTOR	SHYAM LAL S/O RAM SINGH R/O KENDUALA PO BIJUD TEHSIL. BADDI DISTT SOLAN HP	5000--
21	0209133	PB10HA7154/TI PPER	DAVINDER S/O MEHAR CHAND R/O TALADA PO KAMAI DEVI DISTT HOSHAYARPUR PB	25000--
22	0209134	PB10HG6854/TI PPER	DINESH KUMAR S/O RAMBILAS R/O KHIER KHERA PO ASNAER DISTT JHVAADA RJ	25000--
23	0202882	HR49J8652/TRA CTOR	NIDAL SINGH S/O DEVA SINGH R/O KHOKHARA PO NANKPUR THE. KALKA DISTT PANCHKULA HR	5000--
24	0209147	A/F/TRACTOR	MANISH KUMAR S/O DES RAJ R/O KALYANPUR THE BADDI DISTT SOLAN HP	5000/-
25	0209148	HP12F7701/TRA CTOR	NARESH KUMAR S/O GANG SINGH R/O KENDUALA PO BIJUD TEHSIL. BADDI DISTT SOLAN HP	5000--

अतः रिपोर्ट जनाब की सेवा में प्रेषित है।

STATION
BADDI
POLICE DISTT. BADDI
DISTT. SOLAN (H.P.)



H.P. STATE POLLUTION CONTROL BOARD,
Regional Office "HIMUDA COMPLEX" Phase-1, Baddi
Tehsil Baddi, Distt. Solan (HP) Phone-01795-245374

Annexure-6

No. HPPCB/RO Baddi/Court Case (OA No. 137/2024)/2024 1815-17

Dated:- 06.08.24

To

The Deputy Chief Engineer (Construction-II),
Near Railway Hospital, Northern Railway Colony,
Sector-13, Chandigarh-160102 (hveec2edg@gmail.com)

Subject: O.A. No. 137/2024 titled Vijay Chandel v/s State of H.P. & ors. before
Hon'ble NGT.

Sir,

This is in continuation to this office letter No. 1254-56 dated 26-06-2024 whereby it was requested to submit the supporting documents which verifies the legality of the source and Detailed Project Report But you have only submitted the bills which were being raised by your contractor alongwith some permission which have been obtained by them.

Upon scrutinizing the submitted documents, it has been observed that permission for 1.38,288 cum has been obtained from Mining officer, Mines & Geology Deptt. Panchkula, whereas bills for 1.47,740 cum were submitted. Despite numerous correspondences from this office, you have failed to provide the requisite details, preventing the Joint Committee from finalizing the report. The Hon'ble National Green Tribunal took cognizance of this on 31-07-2024, and the case is now listed for 16-08-2024.

You are hereby again requested to submit the Detailed Project Report alongwith supporting documents verifying the legality of the source of muck/soil used for filling /laying of Railway line in the length falling within Himachal Pradesh by 08-08-2024 by 11:30 AM, both as a hard copy and via email to pcbroaddi1@gmail.com.

In the eventuality of non-submission of report if any adverse orders passed by the Hon'ble NGT, the responsibility shall lie upon your office.

Yours faithfully,

(Er. Abhay Gupta).

Nodal Officer-cum-Assistant Environmental Engineer,
HPSPCB Baddi.

Copy to:

1. The Member Secretary, HPSPCB for information please.
2. The Sub Divisional Magistrate for information please.

(Er. Abhay Gupta).

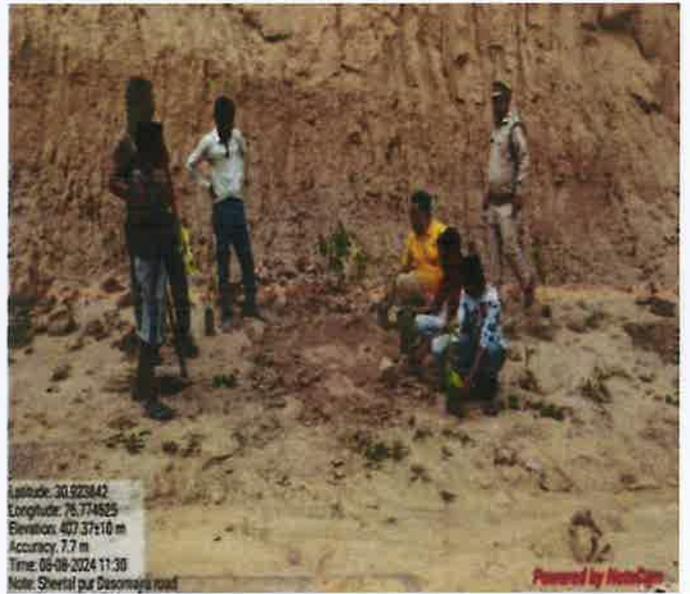
Assistant Environmental Engineer, HPSPCB, Baddi.

Plantation Photographs



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Plantation Photographs



Plantation Photographs

