

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

Original Application No. 1276/2024

**IN THE MATTER OF: -**

Sudarshan Singh & Ors.

... Applicant

Versus

State of Punjab & Ors.

... Respondent(s)

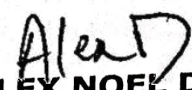
**NDOH: 24.02.2025**

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 THROUGH COUNSEL

  
(**SHUBHAM BHALLA**) & (**ALEX NOEL DASS**)

Advocate for Respondent no. 9 & 10

Office: D-52, Basement, Panchsheel Enclave, New Delhi-  
110017.

Mobile: 9654427273

Email: [shubhambhalla@hotmail.com](mailto:shubhambhalla@hotmail.com)

DATE:

PLACE:

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

Original Application No. 1276/2024

**IN THE MATTER OF: -**

Sudarshan Singh & Ors.

... Applicant

Versus

State of Punjab & Ors.

... Respondent(s)

**SHORT AFFIDAVIT ON BEHALF OF RESPONDENT NO.9**

**i.e., M/s VIJAY LAKSHMI GRAM UDYOG AND**

**RESPONDENT NO.10/PROPRIETOR.**

I, Yashpal Bajwa son of Gyan Chand, Proprietor, M/s Vijay Lakshmi Gram Panchayat, Village Akalgarh Tajpur, Tehsil and District Pathankot, being well conversant with the fact of the

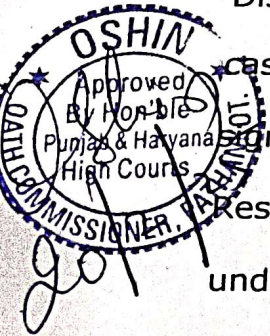
case in my official capacity and being competent to swear and

sign this affidavit on behalf of Respondent No. 9 and

Respondent No. 10. do hereby solemnly affirm and state as

under: -

1. That I am the authorized representative of Respondent No. 9 and Respondent No. 10 in the above-captioned matter and am fully conversant with the facts and

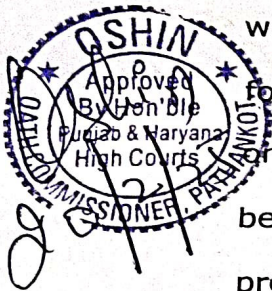


circumstances of the case and am duly competent to file the present Short Affidavit.

2. That the answering respondent is in receipt of the notice issued by this Hon'ble Tribunal issued vide order dated 08.11.2024. The answering respondent is filing the present short affidavit due to paucity of time.
3. That at the outset the answering respondents would like to humbly submit that the allegations levelled by the applicant are entirely false and baseless. The answering respondent has never indulged in illegal mining and source their material from legal sources.
4. That the answering respondents have been running a stone crusher for a long time. The answering respondents were the highest bidder in the auction held 01.04.1997 for the Quarry of Kalgarh (Tajpur), Pathankot. Thereafter on 04.04.1997, the Mining Officer, Pathankot vide Letter bearing Memo No. 611 to 625 dated 04.04.1997 issued provisional acceptance of bids.

A true copy of the letter bearing Memo No. 611 to 625 dated 04.04.1997 is annexed herewith as **Annexure A-1**.

5. That the answering respondents have always had the requisite permissions for running their crusher.



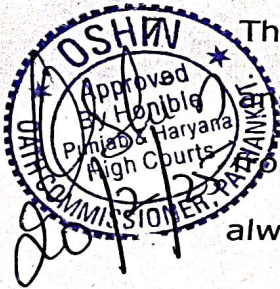
permissions wrote an application to the Regional Environmental Engineer, Batala for expansion of Pollution Angle.

6. That the Punjab Pollution Control Board (hereinafter "PCCB") vide Letter dated 14.07.2003 bearing No.ZOJ/BTL/NOC/2003/5 issued a "No Objection Certificate" for additional washing plant in the existing stone crusher unit. Thereafter, the PCCB vide Letter dated NIL issued a clearance certificate for release of additional power load of 57.856 KW to the answering respondent.

A true copy of Letter dated 14.07.2003 is annexed herewith as **Annexure A-2**.

That the following documents will show that the answering respondents have been sourcing materials from legally mandated quarries, which information is always submitted with the mining department.

- a. That the answering respondents purchased 10.000 Tons of Gravel from one Mr. Manish Khullar, SCF-210, Sector 24-D, Chandigarh for a sum of Rs.435/- against which FORM-T (Weighment Slip) bearing Slip No. 126 dated 10.07.2013 has been executed.



A true copy of receipt/slip no. 126 dated 10.07.2013 is annexed herewith as **Annexure A-3**.

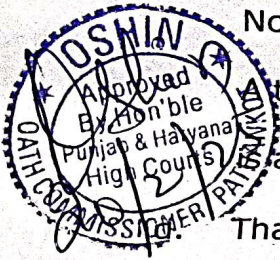
- b. That the answering respondents purchased 8.700 Tons of Gravel from one Mr. Manish Khullar, SCF-210, Sector 24-D, Chandigarh for a sum of Rs.377/- against which FORM-T (Weighment Slip) bearing Slip No. 127 dated 10.07.2013 has been executed.

A true copy of receipt/slip no. 127 dated 10.07.2013 is annexed herewith as **Annexure A-4**.

- c. That the answering respondents purchased 10.600 Tons of Gravel from one Mr. Manish Khullar, SCF-210, Sector 24-D, Chandigarh for a sum of Rs.460/- against which FORM-T (Weighment Slip) bearing Slip No. 232 dated 06.08.2013 has been executed.

A true copy of receipt/slip no. 232 dated 06.08.2013 is annexed herewith as **Annexure A-5**.

That on 07.12.2024, the answering respondents purchased 700 CFT of Riverbed Material from one M/s Narula Buildwell Pvt. Ltd., RSD, Shahpur Kandi, Punjab for a sum of Rs.5145/- vide Loading Slip bearing Sr. No.: CSR 2380 against which Form 'T' (K3 Weighment Slip) bearing No./Slip ID: K3T-13224 has been executed.



A true copy of receipt/slip ID no. K3T-13224 dated 07.12.2024 is annexed herewith as **Annexure A-6.**

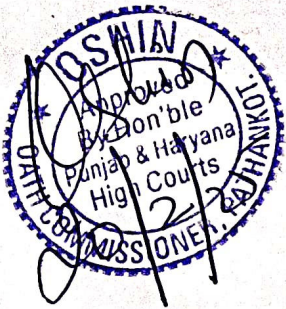
- e. That on 07.12.2024, the answering respondents purchased 700 CFT of Riverbed Material from one M/s Narula Buildwell Pvt. Ltd., RSD, Shahpur Kandi, Punjab for a sum of Rs.5145/- vide Loading Slip bearing Sr. No.: CSR 2379 against which Form 'T' (K3 Weighment Slip) bearing No./Slip ID: K3T-13317 has been executed.

A true copy of receipt/slip ID no. K3T-13317 dated 07.12.2024 is annexed herewith as **Annexure A-7.**

- f. That on 07.12.2024, the answering respondents purchased 700 CFT of Riverbed Material from one M/s Narula Build well Pvt. Ltd., RSD, Shahpur Kandi, Punjab for a sum of Rs.5145/- vide Loading Slip bearing Sr. No.: CSR 2343 against which Form 'T' (K3 Weighment Slip) bearing No./Slip ID: K3T-13222 has been executed.

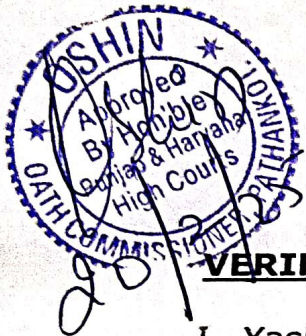
A true copy of receipt/slip ID no. K3T-13222 dated 07.12.2024 is annexed herewith as **Annexure A-8.**

8. The answering respondent would like to apprise this Hon'ble Court that they have all the requisite permissions



till date and are not in violation of any environmental or mining laws.

9. That the other allegations levelled by the applicant that they are using machines to illegally extract minor minerals from the river are entirely false and incorrect. The answering respondent is not carrying out any mining in and around his unit.
10. The answering respondent humbly prays that they may be allowed to reserve their detailed reply if so required.
11. That the contents of the foregoing affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.



*Yashpal*  
**DEPONENT**

**VERIFICATION: -**

I, Yashpal Bajwa son of Gyan Chand, Proprietor, M/s Vijay Lakshmi Gram Panchayat, Village Akalgarh Tajpur, Tehsil and District Pathankot, the deponent above-named do hereby verify and declare that the facts stated in the above affidavit from para no. 1 to 10 are true to my knowledge and belief.

Verified at Pathankot on this 17th day of February 2025.

3900.....Certified that above affidavit was declared on Oath before me on..... 20/2/25

At Pathankot by Sh./Smt..... Yashpal Bajwa

S/W/D/o Sh... Gyan Chand

who is personally known to me, or is identified by Sh/Smt... Deliya Pardeep Singh Rana Adv

EN. No. PH/1454/2019 Oath Commissioner Pathankot

*Yashpal*  
**DEPONENT**

*Deliya Pardeep Singh Rana Adv*  
 OSN  
 Oath Commissioner  
 Pathankot  
 20/2/25

## ANNEXURE A-1

From

The Mining Officer,  
Deptt: of Industries, Punjab,  
Pathankot.

To

Sh. Yash Pal 870 54, Gianchand,  
H. No. 208, Dugim, Garden Colony,  
Dhali (Pathankot)

Memo No: 811 K 625 Dt. 4/4/87

Subject:-

Provisional Acceptance of bids.

It is to inform you that the highest bid of Rs. 9100/- offered by you against the quarry of Kalgah in the auction held on 1-4-87 has been provisionally accepted. ~~You are therefore advised to draw the short term permits regularly till the execution of agreement. You are further advised to guard your quarry and if any person illegally extracts the minerals from your quarry, you may get a complaint lodged with the police or take any other appropriate action. It is also pointed out that in your interest the ~~permits~~ <sup>permission</sup> of this quarry shall not be ~~issued~~ <sup>given</sup> by this office to any person other than you.~~

Ends: (Receipt)

*M. Mandari*  
Mining Officer,  
Pathankot.

*Sh. Yash Pal*  
// TRUE COPY //

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ANNEXURE A-2

# PUNJAB POLLUTION CONTROL BOARD

SCF 16-17, Shaheed Udham Singh Nagar  
Furniture Market, Zonal Office, Jalandhar

No: \_\_\_\_\_

Date : \_\_\_\_\_

REGISTERED

1653  
1-8-03

Handwritten notes and signatures in the top right corner, including "24/12", "21-12-03", and "Computer".

To

M/s Vijay Luxmi Gram Udyog,  
Vill. Akalgarh (Tajpur), Tehsil Pathankot,  
Distt. Gurdaspur.

Name of the Prop. : Sh. Yash Pal  
Scale of the industry : Small  
NOC fees : Rs. 500/- vide R.No.20/1801 dated 21.4.2003

Subject:

"No Objection Certificate" for expansion from Pollution Angle.

No.ZOJ/BTL/NOC/2003/ 5

Dated 14-7-2003

Reference your application on the above cited subject to the Regional Environmental Engineer, Batala.

The Punjab Pollution Control Board, has "No Objection" for additional of washing plant in the existing stone crusher subject to the following conditions:-

1. The NOC is valid only for registration of application and issue of demand notice for electric connection by P.S.E.B./Water supply connection/loans etc. However, the industry shall obtain a clearance certificate from the Board to the effect that it has installed proper and adequate pollution control equipments for the purposes of release of electric connection by P.S.E.B. and drawing the last installment of loan from financial institutions.
2. The N.O.C. is valid for period of one year from the date of its issue or till the commissioning of the industry whichever is earlier.
3. The industry shall apply for consents of the Board as required under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 two months before the commissioning of the industry.
4. The industry shall provide adequate arrangements for fighting the accidental leakages/discharge of any air pollutant/gas/liquids from the vessels, mechanical equipments etc. which are likely to cause environmental pollution.
5. The industry shall comply with any other conditions laid down or directions issued by the Board under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 from time to time.
6. Nothing in this N.O.C. shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities or penalties to which the applicant is or may be subjected under the provisions of the Water/Air Acts respectively.
7. The project has been approved by the Board from pollution angle and the industry shall obtain the approval of site from other concerned departments, if need be.
8. The industry shall dispose off the treated domestic effluent on land for irrigation purposes/into sewer/in a water body and shall not allow it to stagnate anywhere inside or outside of its premises.
9. That the production capacity of the stone crusher will remain un-change as per existing unit.

10. That the quantity of the raw material will remain un-change.
11. That the washing water will be re-circulate/re-used, & shall also submit the feasibility report within three months regarding the control of water pollution.
12. All the under ground water retaining structures shall be lined with an impervious layer so as to avoid seepage and contamination of sub-soil/water.
13. The industry shall submit the performance study of the treatment facilities/air pollution control devices within a period of three months after the commissioning of the treatment plant/air pollution control devices.
14. The industry shall install air pollution control devices simultaneously alongwith main project so as to contain all the suspended particulate matter and gaseous emissions within the permissible limits prescribed by the Board.
15. (A) The stack height for D.G.set shall be provided as per the following norms fixed by the Board.
- Ht. of stack (in mts) = Ht. of the Building + 0.2 KVA<sup>0.5</sup>  
in which D.G. set has been installed.
- Where KVA is the rating of the D.G.set.
16. The industry shall not consume any fuel for burning purposes without the prior written permission of the Board.
17. All amendments/revisions made by the Board in the effluent and/or emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.
18. The industry will cover the classifier/screens & ends of the conveyor belts and provide water sprayers system on conveyor belts, storage piles, open crushing operations, transfer points and other vulnerable points.
19. The industry shall install the crushing plant at the rear end of the plot and no expansion/alternation shall be carried without the prior permission of the Board.
20. The industry shall ensure that there will not be significant visible dust emissions beyond its property line.
21. The contribution in suspended particulate matter in ambient air measured between 3m and 10m from any process equipments of a stone crushing unit shall not exceed 600ug/Nm<sup>3</sup>.
22. The industry shall provide green belt of 10m width of different types of broad leaves trees all around its crushing units and shall not remove any plantation without the prior permission of the Board.
23. The industry shall install & commission the dust suppression devices as proposed alongwith the main project, so as to contain the suspended particulate matter within the permissible limits.
24. The industry shall construct metalled roads inside the premises and wind breaking walls along the periphery of the plant simultaneously alongwith the main plant.
25. The industry shall comply with the siting guidelines and shall take the following additional measures to suppress the dust as prescribed in the code of practice notified vide Govt. of Punjab Department of Science Technology & Environment, Chandigarh notification dated 17.3.98 :-
- i) All the dust emitting points like jaw/roller crusher, screens/classifiers should be properly enclosed/covered.
  - ii) Conveyor belts should be of proper quality material instead of used tyres.

:: 3 ::

M/s Vijay Luxmi Gram Udyog,  
Vill. Akalgarh (Tajpur), Tehsil Pathankot,  
Distt. Gurdaspur.

- iii) The ends of conveyor belts should be covered with telescopic chute.
  - iv) Regular water spray should be carried out at all dust emitting points and transfer point.
  - v) Water spray should be done on the boundary as per requirement.
  - vi) Regular cleaning of approach roads should be carried out.
  - vii) All the approach roads and ramps should be mettled.
  - viii) A green belt consisting of three rows of trees (out of which one row of all broad leaved trees and two rows of medium leaved dense trees) should be provided along the periphery.
  - ix) Annual healthy survey the workers should be conducted.
  - x) The opening of the housing for the movement of mechanical drives conveyor belts etc should be properly sealed with flexible rubber flaps.
  - xi) The process waste i.e file material should not be dumped along the road side and should be used for filling up of low lying areas.
  - xii) The water spray system should be interlocked with main crushing operations.
  - xiii) The stone crushers should conform to the emission standards laid down by the Board.
  - xiv) Only one approach road from N.H/schedule road will be provided to the cluster.
  - xv) The approach road leading to the cluster of five or more stone crusher shall not pass through any village.
  - xvi) Stone crusher will be located in the minimum area of 0.4 hectare which should be owned by the stone crushing unit as per land registry along with the NOC application.
24. The pollution control devices shall be interlocked with the manufacturing process of the industry.

*Sd-*  
Asstt. Environmental Engineer  
Zonal Office, Jalandhar

Date: 14-7-03

Endst. No: 895

A copy of the above is forwarded to the Environmental Engineer, Regional Office, Batala for information and necessary action

*Sd-*  
Asstt. Environmental Engineer  
Zonal Office, Jalandhar

*[Signature]*  
// TRUE COPY //

## ANNEXURE A-3

ESLIP MANAGEMENT SYSTEM

[http://eslippathankot.com/Reports/Frm\\_PrintSlipPathankot.aspx?id...](http://eslippathankot.com/Reports/Frm_PrintSlipPathankot.aspx?id...)

Slip No: 126

1. Permit Number and Date of Contract or Lease
2. Date of Expiry of the Permit and Contact of Lease
3. Name of the Quarry or Mine:
4. Name and Address of Contractor
5. Truck/Tractor No.
6. Description & Wt. of Material Dispatch (In Tons)
7. Amount (In Rupees)
8. Time of Departure of Truck or Tractor From Mine:

Mining Officer  
PATHANKOT**FORM-T**  
Weightment Slip

01-07-2011  
30-06-2014  
TAJPUR (PATHANKOT)  
MANISH KHULLAR .  
PB 06 L 2259  
GRAVEL & 10.000 Tons  
Rs. 435.00  
11:51:47

Date: 10-07-2013

Signature of Contractor

  
**// TRUE COPY //**

**ANNEXURE A-4**

ESLIP MANAGEMENT SYSTEM

[http://eslipathankot.com/Reports/Frm\\_PrintSlipPathankot.aspx?id..](http://eslipathankot.com/Reports/Frm_PrintSlipPathankot.aspx?id..)

**FORM-T**  
**Weightment Slip**

**Date:** 10-07-2013

Slip No: 127

- 1. Permit Number and Date of Contract or Lease
- 2. Date of Expiry of the Permit and Contact of Lease
- 3. Name of the Quarry or Mine:
- 4. Name and Address of Contractor
- 5. Truck/Tractor No.
- 6. Description & Wt. of Material Dispatch (In Tons)
- 7. Amount (In Rupees)
- 8. Time of Departure of Truck or Tractor From Mine:

01-07-2011  
 30-06-2014  
 TAJPUR (PATHANKOT)  
 MANISH KHULLAR ,  
 PB 06 L 2260  
 GRAVEL & 8.700 Tons  
 Rs. 377.00  
 12:45:43

Mining Officer  
PATHANKOT

Signature of Contractor

  
 //TRUE COPY//

**ANNEXURE A-5**

EMENT SYSTEM

[http://eslppathankot.com/Reports/Frm\\_PrintSlipPathankot.aspx?id=...](http://eslppathankot.com/Reports/Frm_PrintSlipPathankot.aspx?id=...)

**FORM-T**  
**Weightment Slip**

Date: 06-08-2013

Slip No: 232

- 1. Permit Number and Date of Contract or Lease
- 2. Date of Expiry of the Permit and Contact of Lease
- 3. Name of the Quarry or Mine:
- 4. Name and Address of Contractor
- 5. Truck/Tractor No.
- 6. Description & Wt. of Materiel Dispatch (In Tons)
- 7. Amount (In Rupees)
- 8. Time of Departure of Truck or Tractor From Mine:

01-07-2011  
 30-06-2014  
 TAJPUR (PATHANKOT)  
 MANISH KHULLAR .  
 PB 06 L 2259  
 GRAVEL & 10.600 Tons  
 Rs. 460.00  
 10:35:01

Mining Officer  
PATHANKOT

Signature of Contractor

  
 //TRUE COPY//

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Permit Account for Mineral Sale Management and Monitoring

(index.php)

Management

Home (https://minesandgeology.punjab.gov.in/k3/index.php) >  
(https://minesandgeology.punjab.gov.in/k3/index.php?c=k3-orders&Cid=9)

Order Detail :

Form T  
K3 Weighment Slip

No./SlipID: K3T-13224

Order Date: 07-12-2024 12:54 PM

Material: Ordinary Sand/Gravel(Bajri)

Name of drainage system/Canal: Shahpurkandi Dam

Reduce Distance (RD) number of drain/canal From: 4000

Reduce Distance (RD) number of drain/canal To: 4300

Entity/Applicant Address: Executive Engineer, Shed No.18 Near Pesco Line Shahpurkandi Township

Name of the Consignee: MS VIJAY LAXMI GRAM UDYOG VILLAGE KALGARH (TAJPUR)

Category of Consignee: Stone Crusher

Mobile Number of consignee: 9697360005

GST No. of the consignee (if applicable): 03ABC7898258128

Destination Location of the Material: KALGARH (TAJPUR), PATHANKOT, Pathankot

14  
Log In As: v

(inde  
c=k3-  
order

ANNEXURE A-6

Vehicle no.: PB068E9539

Vehicle owner name: VIJAY

Driver Name: PARSHAN

Driver Mobile Number: 98767266128

Load carrying capacity of vehicle as per RC(in kg):

Unladen weight of vehicle as per RC(MT): 0

Weight of Loaded Truck on weighbridge(MT): 0

Weight of material (MT): 28(MT)  
700(CFT)

Amount of material: 3948

GST on material: 197.4

Validity of weighment slip(Date/Time): 07-12-2024 03:14 PM



2024 © Mineral Sale Management & Monitoring System.

*Shubh*  
// TRUE COPY //

Management

Home (https://minesandgeology.punjab.gov.in/k3/index.php) >  
(https://minesandgeology.punjab.gov.in/k3/index.php?c=k3-orders&Cid=9)

Order Detail :

Form 'T'  
K3 Weighment Slip

No./SlipID: K3T-13317

Order Date: 07-12-2024 09:15 PM

Material: Ordinary Sand/Gravel(Bajri)

Name of drainage system/Canal: Shahpurkandi Dam

Reduce Distance (RD) 4000  
number of drain/canal  
From:

Reduce Distance (RD) 4300  
number of drain/canal  
To:

Entity/Aplicant Address: Executive Engineer, Shed No.18 Near Pesco Line Shahpurkandi Township

Name of the Consignee: MS VIJAY LAXMI GRAM UDYOG VILLAGE KALGARH (TAJPUR)

Category of Consignee: Stone Crusher

Mobile Number of consignee: 9697360005

GST No. of the consignee (if applicable): 03ABCP89825B1ZB

Destination Location of the Material: KALGARH (TAJPUR), PATHANKOT, Pathankot

(Inde:  
c=k3-  
order

Vehicle owner name: VIJAY LAXMI

Driver Name: LADA

Driver Mobile Number: 9478255767

Load carrying capacity  
of vehicle as per RC(in  
kg):

Unladen weight of  
vehicle as per RC(MT): 0

Weight of Loaded Truck  
on weighbridge(MT): 0

Weight of material (MT): 28(MT)  
700(CFT)

Amount of material: 3948

GST on material: 197.4

Validity of weighment  
slip(Date/Time): 07-12-2024 11:35 PM



*Shubh*  
//TRUE COPY//

K3 Permit Account for Mineral Sale Management and Monitoring  
(index.php)

Management

Home (https://minesandgeology.punjab.gov.in/k3/index.php) >  
(https://minesandgeology.punjab.gov.in/k3/index.php?c=k3-orders&Cid=9)

Order Detail :

Form T  
K3 Weighment Slip

No./SlipID: K3T-13222

Order Date: 07-12-2024 12:52 PM

Material: Ordinary Sand/Gravel(Bajri)

Name of drainage system/Canal: Shahpurkandi Dam

Reduce Distance (RD) number of drain/canal From: 4000

Reduce Distance (RD) number of drain/canal To: 4300

Entity/Applicant Address: Executive Engineer, Shed No.18 Near Pesco Line Shahpurkandi Township

Name of the Consignee: MS VIJAY LAXMI GRAM UDYOG VILLAGE KALGARH (TAJPUR)

Category of Consignee: Stone Crusher

Mobile Number of consignee: 9697360005

GST No. of the consignee (if applicable): 03ABCPS9825812B

Destination Location of the Material: KALGARH (TAJPUR), PATHANKOT, Pathankot

Log in As: v

(index.php?c=k3-order)

Vehicle no.: UPB5CTS870

Vehicle owner name: VIJAY

Driver Name: LABA

Driver Mobile Number: 9478255767

Load carrying capacity of vehicle as per RC(in kg):

Unladen weight of vehicle as per RC(MT): 0

Weight of Loaded Truck on weighbridge(MT): 0

Weight of material (MT): 28(MT)  
790(CFT)

Amount of material: 3918

GST on material: 187.4

Validity of weighment slip(Date/Time): 07-12-2024 03:12 PM



2024 © Mineral Sale Management & Monitoring System.

*Shub*  
//TRUE COPY//