

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

**ORIGINAL APPLICATION NO. 791 OF 2024**

**U/S 14 and 18 OF THE NATIONAL GREEN TRIBUNAL ACT 2010**

**IN THE MATTER OF**

**AJIT PAL SINGH**

**.....APPLICANT**

**VERSUS**

**UNION OF INDIA AND OTHERS**

**.....RESPONDENTS**

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**WRITTEN SUBMISSION ON BEHALF OF APPLICANT**

By way of Original Application filed under Section 14 and Section 18 of the National Green Tribunal Act – 2010, applicant has requested URGENT INTERVENTION of the Hon'ble Apex Green Tribunal of World's largest Democracy.

It is respectfully submitted that applicant has made the following prayers in the Original Application No. 791 of 2024:

- a. Constitute a Joint Committee comprising of the Member Secretary, Central Pollution Control Board, Director, Department of Mines and Geology, State of Haryana, Haryana State Pollution Control Board and Representative of Inspector General Vigilance Department, State of Haryana for carrying out Joint Inspection, examine the relevant record

and submit the report relating to extent of illegal mining by M/S P. S. Buildtech.

- b.** Direct Respondents and in particular the Department of Mines and Geology, State of Haryana to immediately stop all mining activities carrying out by M/S P. S. Buildtech at Mine Lease Area of 101.27 Ha situated at Village Jathlanaand Dhakwala, Tehsil, Radaur, District YamunaNagar, Haryana.
- c.** Impose Exemplary Environmental Compensation on M/S P. S. Buildtech for carrying out illegal mining activities at Mine Lease Area of 101.27 Ha situated at Village Jathlanaand Dhakwala, Tehsil, Radaur, District YamunaNagar, Haryana in accordance with Polluter Pays Principle as enshrined under Section 20 of the National Green Tribunal Act 2010.
- d.** Pass any other or further orders, as this Hon'ble Court may deem fit and proper in the circumstances of the present case.

### **BACKGROUND OF THE APPLICATION**

1. That the present Original Application was filed under Sections 14 and 18 of the National Green Tribunal Act, 2010 by the Applicant, seeking urgent intervention of this Hon'ble Tribunal in relation to the continued

illegal mining operations being carried out by M/s P.S. Buildtech (Respondent No. 10) at the mining lease area admeasuring 101.27 hectares situated in Village Jathlana and Dhakwala, Tehsil Radaur, District Yamunanagar, Haryana, in total disregard of the binding statutory framework. The Applicant submits that although Environmental Clearance (EC) was granted to Respondent No. 10 on 17.03.2017, the same stood expired in March 2022 by efflux of time. However, despite the expiry of the EC, mining activities are being carried out unabated by the Respondent 10 with the apparent knowledge and support of the regulatory authorities.

2. That the gravamen of the Applicant's case is that once the EC expired in March 2022, no further mining could have lawfully been permitted at the said site. The continuation of mining operations, issuance of e-Rawana permits, and the grant of downstream approvals like Consent to Operate (CTO) by the Haryana State Pollution Control Board, in absence of a valid EC, are in blatant violation of the Environment (Protection) Act, 1986, the EIA Notification 2006, and the binding guidelines laid down by the Ministry of Environment, Forest and Climate Change (MoEF&CC), including the Sustainable Sand Mining

Management Guidelines, 2016 and Enforcement and Monitoring Guidelines for Sand Mining, 2020.

3. That this Hon'ble Tribunal has time and again emphasized that an Environmental Clearance is a condition precedent to the commencement and continuation of any mining activity. The same has also been upheld by the Hon'ble Supreme Court in *Common Cause v. Union of India*, (2017) 9 SCC 499, wherein it was categorically held that mining operations conducted without valid EC are illegal and attract environmental compensation. In the present case, the continued operations by Respondent No. 10 post-March 2022 constitute illegal mining, and therefore, exemplary environmental compensation ought to be imposed on the violator in accordance with the 'Polluter Pays' principle under Section 20 of the NGT Act, 2010.
4. That the Applicant has placed on record conclusive evidence in the form of e-Rawana record annexed to the Original Application clearly showing that sand extraction and transportation has been continuing even after the expiry of the EC. These records are concrete evidence that mining activity is not only ongoing but also systemically facilitated by the very regulatory institutions which are duty-bound to ensure compliance with environmental safeguards. The continued issuance of

transport permits by the Department of Mines and Geology, State of Haryana, in the absence of a valid EC, is not only illegal and unsustainable, but also suggests regulatory complicity or gross negligence.

5. The Applicant submits that the present case is not merely a dispute concerning the tenure of a mining lease but one that strikes at the heart of environmental governance and statutory compliance. The continued mining operations by Respondent No. 10, in the absence of a valid Environmental Clearance, constitute a direct affront to the environmental rule of law and render the entire exercise ultra vires the Environment (Protection) Act, 1986 and the principles laid down under the sustainable sand mining framework. The Applicant respectfully urges that unless this Hon'ble Tribunal intervenes with appropriate urgency and firmness, such regulatory evasion will set a dangerous precedent for similarly placed project proponents to continue exploiting natural resources under the guise of expired or vague clearances, thereby defeating the very object of environmental jurisprudence in the country.

The Applicant respectfully wishes to submit the following before this Hon'ble Court:

1. That sand holds significant ecological and environmental value. Coastal dunes, river, and seabeds act as natural buffers against storms, floods, and rising sea levels, thereby enhancing climate resilience. Sand also supports vital ecosystems by providing habitat for numerous plant and animal species, including microorganisms crucial to nutrient cycling and water purification. Its role in maintaining the structural integrity of freshwater and marine systems underscores its contribution to biodiversity and environmental sustainability. As such, the stewardship of sand resources is not only an economic imperative but also an ecological necessity.
2. That the validity of Environmental Clearance (EC) for river sand mining projects is expressly capped under the Sustainable Sand Mining Management Guidelines, 2016, issued by the Ministry of Environment, Forest and Climate Change. These Guidelines, which are binding in nature, clearly provide that EC “shall be valid for the mine lease period subject to a ceiling of 5 years.” The ceiling operates independently of the lease period and reflects the legislative intent to subject such projects to periodic environmental reappraisal, given the fragile nature of riverine ecosystems. In the present case, EC was granted to Respondent No. 10 on 17.03.2017. Therefore, by mandate of law, it

stood expired in March 2022. Any continued operation thereafter is without legal authority and constitutes an environmental illegality.

3. That importance of the District Survey Report (DSR) in the regulatory framework for sand and riverbed mining cannot be overstated. Paragraph 7 of the EIA Notification, 2006 lays down the process for grant of Environmental Clearance. While Paragraph 7(i) governs new projects and outlines the four stages of screening, scoping, public consultation, and appraisal, Paragraph 7(ii) deals with expansion or modernisation. Crucially, it is in this very framework that Paragraph 7(iii) was introduced through the Notification dated 25.07.2018 issued by Respondent No. 1, which for the first time formally mandated the preparation of DSRs for all sand mining and riverbed mining projects. The said amendment made it explicitly clear that the DSR shall form the basis for applying for EC, for the preparation of appraisal reports, and for the environmental appraisal itself. Further, it mandated that DSRs must be updated every five years, reflecting the need for continuous scientific assessment of mineable reserves, replenishment capacity, and ecological conditions. Therefore, when the EC is entirely predicated on a DSR that itself has a legal shelf life of five years, the proposition that an EC can be stretched for 30 years becomes not only

illogical but also legally unsustainable. An EC based on a time-bound document cannot survive beyond its foundation, to argue otherwise is to hollow out the purpose of the DSR itself.

4. That the response filed by the Respondent no. 2 i.e. Central Pollution Control Board (CPCB) dated 14.10.2024 offers a categorical and independent affirmation of the Applicant's core contention. At paragraph 8 of the reply, CPCB expressly acknowledges that, as per the Sustainable Sand Mining Guidelines, 2016, Environmental Clearance is valid for five years only. Consequently, the EC granted to P.S. Buildtech on 17.03.2017 "is liable to expire on 17.03.2022." This admission by the apex pollution regulatory body leaves no room for doubt: post-March 2022, the project proponent no longer had a valid clearance in law to carry out mining operations. Furthermore, the CPCB placed on record that it had written twice — on 02.09.2024 and 18.09.2024 — to the Haryana State Pollution Control Board, calling upon it to coordinate with the Mining Department and furnish a factual report. The inaction of the HSPCB in responding to these directions not only reflects administrative laxity but also reinforces the Applicant's submission that unauthorized mining was allowed to continue with tacit institutional complicity.

5. That the affidavit filed by the Respondent no. 1 i.e. Ministry of Environment, Forest and Climate Change (MoEF&CC) dated 17.12.2024 unequivocally supports the Applicant's case and puts to rest any ambiguity regarding the validity of the Environmental Clearance granted to Respondent No. 10. In paragraph 3 of the affidavit, the Ministry clearly states that the Environmental Clearance granted on 17.03.2017 "expired on 17.03.2022 as per the five-year validity stipulated in the guidelines." Furthermore, the Ministry has relied upon its own Office Memorandum dated 24.12.2013, which explicitly provides that EC for riverbed mining shall be valid "for the mine lease period subject to a ceiling of 5 years." The affidavit further clarifies that the enhancement of EC validity to 'project life' under the 2022 Notification is applicable only to clearances that were still valid as of 12.04.2022 and not to those which had already expired. Thus, in the present case, the EC granted to P.S. Buildtech ceased to exist in law as of 17.03.2022. Any continued mining thereafter is without legal sanction and constitutes a direct violation of the EIA Notification, 2006, and the binding policy instruments of the MoEF&CC itself.
6. It is respectfully submitted that the Mining Plan Approval Letter dated 10.06.2016, annexed by Respondent No. 10 with its reply, clearly

records that that the mining plan, along with the progressive mine closure plan, is approved for a period of five years only, and shall not entitle the project proponent to any extension of the lease period. It further states that such approval is without prejudice to any order or direction of a competent court of law. This explicit temporal limitation within the mining plan reinforces the Applicant's central contention that the entire mining activity, right from planning to closure, was designed to operate within a five-year regulatory cycle. The approval itself makes it clear that there is no automatic right of continuation beyond the five-year period, and that the proponent was under an obligation to seek fresh appraisal or revised permissions for any activity beyond that period. In fact, this statement directly undercuts the Respondent's argument that the mining project was valid for ten years based on the Letter of Intent or lease contract. It is a well-settled position in law that the mining plan, once approved, governs the technical and regulatory framework of the mining operations, and must be read harmoniously with the EC and the DSR. Therefore, even the mining plan approval—on which the entire EC process is predicated—confirms a five-year operational window, beyond which all activity becomes ultra vires and environmentally unsanctioned.

7. It is further submitted that the Revised Mining Scheme submitted by Respondent No. 10 was again approved by the Department of Mines and Geology, Haryana on 24.08.2023 for a period of only five years. This approval, which followed multiple rounds of correspondence and rectification between the Department and the proponent, clearly shows that the competent regulatory authority itself recognized the statutory ceiling and policy mandate of a five-year operational block. In fact, the very act of requiring and approving a revised scheme for a new five-year period amounts to an administrative acknowledgment that the previous regulatory approvals had expired, and that fresh appraisal was necessary.

Furthermore, this subsequent approval did not and could not revive or extend the expired Environmental Clearance. In law, an approved mining scheme is not a substitute for an Environmental Clearance, which must be obtained separately through the process laid down in the EIA Notification, 2006. Therefore, even post-August 2023, unless a fresh EC was granted, mining operations remain environmentally unauthorized.

8. That it is also respectfully submitted that the reply filed by Respondent No. 10 dated 25.09.2024, far from helping their case, in fact reveals a

legally flawed and environmentally dangerous understanding of the applicable regulatory framework. The cornerstone of their defense — that the Environmental Clearance dated 17.03.2017 remains valid for 10 years based on the “life of the mine” or the terms of the Letter of Intent — collapses in light of the binding provisions of the Sustainable Sand Mining Management Guidelines, 2016 and the Office Memorandum dated 24.12.2013, both of which categorically impose a maximum ceiling of 5 years for riverbed sand mining projects, regardless of the lease area or contractual terms.

9. It is further submitted that the assertion made by Respondent No. 10 that the five-year ceiling prescribed under the Sustainable Sand Mining Management Guidelines, 2016 applies only to Category B2 projects (i.e., those with lease areas between 5–25 hectares), and therefore not to their lease which exceeds 100 hectares is a fundamentally flawed and selective reading of the regulatory framework. Nowhere in the 2016 Guidelines or in any other official document issued by the MoEF&CC is it stated that projects above 25 hectares are exempt from the five-year validity cap. The Guidelines explicitly states: *"EC will be valid for the mine lease period subject to a ceiling of five years."* There is no record, document, or regulatory instrument that exempts larger

projects from this ceiling or permits automatic extension of EC beyond five years.

Furthermore, even assuming for argument's sake that the lease area of 101.27 hectares places the project in Category B1, that only increases the scrutiny level requiring baseline Environmental Impact Assessment, and public consultation etc. but does not alter the maximum validity period of the Environmental Clearance. In fact, the categorization into B1 or B2 pertains to procedural appraisal routes, not to the substantive duration of clearance. The attempt by the Respondent to draw an artificial distinction and escape the five-year limitation is not supported by any statutory notification, guideline, or judicial pronouncement. No policy paper, circular, or MoEF&CC directive states that ECs for projects above 25 hectares enjoy a longer validity. In conclusion, the ceiling of five years is categorical, binding, and uniform, and the Respondent's effort to evade it is not only legally untenable but also environmentally perilous.

- 10.** It is further respectfully submitted that the MoEF&CC Notification dated 12.04.2022 explicitly provides that "the prior Environmental Clearance granted for mining projects shall be valid for the project life

as laid down in the mining plan approved and renewed by the competent authority, from time to time, subject to a maximum of thirty years, whichever is earlier.” In the present case, the original mining plan approved on 10.06.2016 was valid only for five years. Therefore, by the express language of the notification itself, the EC could not have been valid beyond five years, as that was the project life defined in the approved plan.

The phrase “whichever is earlier” leaves no room for ambiguity. Since the mining plan itself fixed the project life at five years, that automatically determined the outer limit of EC validity. The Respondent’s attempt to stretch the EC to ten years or more is not only contrary to the mining plan it relied on, but also inconsistent with the statutory ceiling incorporated in the very notification it seeks to invoke.

11. That it is respectfully submitted that this Hon’ble Tribunal in *Ajit Kumar v. State of M.P. and oths.*, noted following:

*“The Hon’ble Supreme Court in its Judgment dated the 27.02.2012 in I.A. No.12- 13 of 2011 in Special Leave Petition (C) No.19628-19629 of 2009, in 8 the matter of Deepak Kumar etc. Vs. State of Haryana and Others etc. made prior*

*environment clearance mandatory for mining of minor minerals irrespective of the area of mining lease. On 24.12.2013, the MoEF issued an OM which mandates that “EC will be valid for the lease period subjected to a ceiling of 5 years”. Thereafter, in 2016 the MOEF issued the Sustainable Sand Mining Management Guidelines, 2016 (hereinafter referred to as SMMG, 2016), interalia, with an endeavor to ensure that sand and gravel mining is done in an environmentally sustainable and socially responsible manner, and to further ensure the conservation of river equilibrium and its natural environment by protection and restoration of the ecological system. The same was again updated in 2020 and the same made it a sine qua non that EC is valid only for a period of 5 years, after which the same has to be renewed only with prior permission of the nodal agencies.”*

12. That it is respectfully submitted that the Hon’ble Supreme Court in State of Uttar Pradesh and Anr vs. Gaurav Kumar and ors. (CIVIL APPEAL NO. 14170 OF 2024), 2025 INSC 650 concluded the following:

*“Having considered the regulatory regime introduced from time to time, increasing the width as well as the depth of scrutiny before granting an environmental clearance for sand mining, we are of the opinion that there is a mandatory requirement of preparation of a DSR. The DSR shall form the basis for application of environmental clearance. It shall also be the basis for preparation of reports and also appraisal of the projects. Another important facet of DSR is that it shall be prepared for all the districts and the draft is to be placed in the public domain. There is a requirement for keeping a copy of DSR in Collectorate. It must also be posted on the district’s website for 21 days. After comments are received, they shall be considered and if found correct, they will be incorporated in the final report. The final DSR will then be finalized within 6 months by the DEIAA. The lifetime of the report is five years. After five years the existing DSR will not be tenable and a new DSR will have to be prepared and finalized. The purpose and object of prescribing a lifetime of five years for subsistence of a DSR is for the reason that the position of ecology and the environment is rapidly changing and the position that exists five years back,*

*may not subsist for later days. It is true that it might have changed even before the expiry of five years but a reasonable estimate, to work as a benchmark is a policy consideration. May be a precautionary principle, it is not only legal and valid but is also mandatory. It must be enforced strictly and with all vigor."*

13. Thus, the combined force of this Hon'ble Tribunal's ruling in *Ajit Kumar v. State of M.P.* and the Hon'ble Supreme Court's authoritative pronouncement in *State of U.P. v. Gaurav Kumar* makes it manifestly clear that Environmental Clearances for sand mining are strictly time-bound and cannot be presumed to survive beyond the statutory ceiling of 5 years, especially where the foundational DSR has expired. Any mining conducted beyond this statutory period is not only unauthorized but also environmentally unsustainable and contrary to binding judicial precedent."

It is respectfully submitted that from the pleadings, following is the **Substantial Questions of Law relating to Environment** which arose in the present Original Application for adjudication by this Hon'ble court:

- A. Whether, under the prevailing legal and regulatory framework, the validity of an Environmental Clearance granted for a sand mining

project is statutorily limited to a maximum period of five years, and whether such validity lapses automatically by operation of law irrespective of whether the expiry date is explicitly stated in the clearance document?

- i. It is respectfully submitted that the validity of Environmental Clearance (EC) for sand mining projects is not indefinite nor co-terminus with the lease term, but rather governed by binding executive instruments issued under the Environment (Protection) Act, 1986. Both the Office Memorandum dated 24.12.2013 and the Sustainable Sand Mining Management Guidelines, 2016 categorically provide that the EC for river sand mining shall be valid for the lease period subject to a ceiling of five years. These guidelines are not advisory — they are mandatory directions of the Ministry of Environment, Forest and Climate Change (MoEF&CC), and their violation renders any continued operation illegal.
- ii. It is also a settled position of law that even if the EC document is silent on the expiry date, the statutory limit prescribed under governing guidelines operates independently and automatically. This Hon'ble Tribunal, in *Ajit Kumar v. State of M.P.*, has clearly

held that the EC for sand mining expires after five years by operation of law, and any renewal or extension must be obtained through a fresh appraisal process by the competent authority. Likewise, the Hon'ble Supreme Court in State of U.P. v. Gaurav Kumar affirmed that DSRs—on which ECs are based—have a lifespan of five years, beyond which neither the DSR nor EC can survive.

- iii. It is respectfully submitted that therefore the Environment Clearance granted to P.S. Buildtech on 17.03.2017, even though it did not specify an explicit expiry date, stood expired on 16.03.2022 by force of law. The failure to obtain a renewed or fresh EC beyond that point renders all subsequent mining operations ultra vires, and neither the mining lease nor administrative approvals (such as e-Rawana issuance) can override this legal bar. EC validity is not a matter of contractual interpretation but a statutory mandate, and it binds both the project proponent and the State.

B. Whether the State of Haryana and the officials of Department of Mines and Geology, Haryana can allow P.S. Buildtech to mine mineable minerals from Mining Lease Area of 101.27 Ha situated at Village

Jathlanaand Dhakwala, Tehsil, Radaur, District YamunaNagar, Haryana after the expiry of Environmental Clearance dated 17/03/2017.

- i. It is respectfully submitted that Environmental Clearance (EC) is a mandatory precondition for conducting mining operations, and its validity is not co-terminous with the mining lease, but rather governed by the applicable environmental regulations. In the present case, the EC granted to Respondent No. 10 on 17.03.2017 had a maximum validity of five years in terms of the Sustainable Sand Mining Management Guidelines, 2016 and MoEF&CC Office Memorandum dated 24.12.2013, and stood automatically expired on 16.03.2022, irrespective of whether an expiry date was mentioned in the EC document.
- ii. That the State of Haryana and its Department of Mines and Geology had no legal authority to permit or facilitate mining activities post expiry of the EC, including through the issuance of e-Rawana permits or approvals under the mining lease. The continuation of mining operations after

17.03.2022, despite the lapse of EC, constitutes a blatant violation of the Environment (Protection) Act, 1986, and any administrative approvals granted thereafter are rendered null and void in law.

- iii. It is well, that any mining activity conducted without a valid Environmental Clearance is illegal per se, and both the operator and enabling authorities are liable under the “polluter pays” and “precautionary” principles. Therefore, the State's conduct in permitting or ignoring continued extraction after EC expiry not only violates environmental norms but also erodes the statutory duty of environmental oversight entrusted to the State under the public trust doctrine.

C. Whether the project proponent i.e. P. S. Buildtech should be directed to pay environmental compensation for the damage caused by their continued unauthorized operations, in accordance with the Polluter Pays Principle, to restore and rehabilitate the affected environment and communities?

- i. It is submitted that once the Environmental Clearance dated 17.03.2017 stood expired on 16.03.2022, any mining

activity undertaken thereafter by P.S. Buildtech was unauthorized, unregulated, and illegal, irrespective of the status of the mining lease. Under settled environmental jurisprudence, particularly the Polluter Pays Principle, the project proponent is liable not merely for compensating the monetary value of the illegally extracted mineral, but also for the irreparable ecological harm and loss of environmental services caused to the affected area and communities.

- ii. That the Hon'ble Supreme Court in Common Cause v. Union of India, (2017) 9 SCC 499, held that environmental compensation must account for both mineral value and environmental degradation, and reiterated that no person can benefit from illegal exploitation of natural resources. In the present case, Respondent No. 10 continued sand extraction after the legal expiry of EC, thereby causing unassessed and uncompensated degradation to the Yamuna riverbed ecosystem, warranting exemplary compensation.

- iii. That this Hon'ble Tribunal has consistently invoked the Polluter Pays Principle to direct restoration of the environment, rehabilitation of impacted communities, and imposition of deterrent penalties. Given the willful continuation of mining operations beyond March 2022 and the systemic failure to renew or seek fresh EC, this case calls for the imposition of strict environmental compensation not only to repair the ecological damage already caused, but also to deter future violations by similarly placed project proponents.

D. Whether the unauthorized and illegal operations of P.S. Buildtech, subsequent to the expiry of their EC, have caused or are likely to cause significant environmental harm, including degradation of land, pollution of water resources, loss of biodiversity, and adverse effects on the health and livelihood of local communities?

- iv. That riverbed mining, especially when carried out without scientific planning and beyond replenishment capacity, leads to lowering of the water table, disturbance of aquatic ecosystems, erosion of riverbanks, and the destruction of natural habitats—effects that are well-documented in

environmental literature and repeatedly acknowledged by this Hon'ble Tribunal in multiple pronouncements.

- v. That in the instant case, the project proponent continued extraction without a valid EC and without any fresh environmental impact study, replenishment assessment, or updated District Survey Report, thereby removing the essential checks and balances required to prevent over-extraction and ecological degradation. Such activity is inherently hazardous and violates the very principles of sustainable mining.
- vi. In the absence of valid environmental clearance, there is no evaluation or monitoring of impacts on hydrology, groundwater recharge, sediment balance, riparian vegetation, aquatic habitats, or air quality. Continuous extraction of sand beyond the assessed mineable reserve or in the absence of replenishment studies results in loss of biodiversity, alteration of river geomorphology, and elevated turbidity and siltation, directly affecting water quality and availability for surrounding communities.

vii. The Precautionary Principle, which is now firmly embedded in Indian environmental law, mandates that in cases of scientific uncertainty, action must be taken to prevent environmental degradation. In this case, the continued unauthorized mining operations not only violate the principle but also pose direct risks to local livelihoods, especially agricultural and fishing communities that depend on a healthy river system. The likelihood of long-term environmental damage and socio-economic displacement is high, and inaction would defeat the constitutional mandate under Article 21 to ensure a clean and safe environment.

**In conclusion**, it is respectfully submitted that the present case strikes at the very foundation of environmental governance and the rule of law in the context of riverbed sand mining. The record unambiguously establishes that the Environmental Clearance granted to Respondent No. 10 on 17.03.2017 stood expired by operation of law on 16.03.2022, in terms of the binding Office Memorandum dated 24.12.2013 and the Sustainable Sand Mining Management Guidelines, 2016, both of which impose a statutory ceiling of five years on such clearances. The continued operation of the mining project

thereafter, without obtaining a renewed or fresh EC, is patently illegal, ecologically unsustainable, and violative of both statutory and constitutional mandates.

It is not open to the project proponent or the State authorities to override these binding environmental safeguards through administrative conveniences such as e-Rawana permits or by drawing strength from lease conditions or contractual documents. Environmental Clearance is not a procedural formality; it is the core regulatory instrument meant to balance development with ecological integrity. Its absence renders all mining activity void ab initio, irrespective of the status of lease rights. The law is equally clear that silence in the EC document regarding expiry cannot override the express statutory ceiling imposed by binding guidelines — which operate with full legal force under the Environment (Protection) Act, 1986.

In view of above mentioned facts and circumstances, applicant requests this Hon'ble Tribunal to allow the relief as prayed in the Original Application. Anything less would set a dangerous precedent where statutory ceilings are reduced to optional guidelines, and illegal mining continues under the garb of bureaucratic inaction or regulatory ambiguity, a result that

would irreparably undermine both environmental justice and public accountability.

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