

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

Original Application No.624/2023

In re: News item published in The Tribune dated 28.09.2023 titled
“Hills ‘vanish’ as illegal mining rampant in Beet area”

Date of hearing: 16.10.2023

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Ms. Sunieta Ojha, Adv. for Punjab PCB
Mr. Harbhajan Singh, DFO, Garhshankar

ORDER

1. This Original Application has been registered in *suo moto* exercise of powers on the basis of the news item dated 28.09.2023 published in the Tribune titled “Hills ‘vanish’ as illegal mining rampant in Beet area”. News item discloses that on account of the illegal mining, Shivalik Hills, as high as 200 feet in the Beet area of Garhshankar sub-Division, are slowly vanishing. As per the news report, the mining mafia is carrying out illegal mining in the forests and mountains and that the stone crusher operators in the villages of Kalewal-Beet, Khuralgarh Sahib and Garhimansowal along with Mahindpur, Kheda, Kalmot, Bhangla, Haripur, Plata and Splanwa Salsunga of Rupnagar District have ravaged the green cover due to illegal mining.

2. News Report further states that illegal mining has reached to a record level of 200 ft. deep and at some places, entire hills have been erased by the mining mafia and inspite of the complaint, no action is being taken by the competent authorities.

3. As per the Mining and Geology Department, mining can be done only upto 3 feet in the de-silted area, but the land in Garhshankar subdivision comes under Section 4 and 5 of the Indian Forest Act, 1927, and the Punjab Land Security Act, where no type of mining can be done.

4. On the basis of the advance notice, Deputy Commissioner, Hoshiarpur has filed the report disclosing that the area mentioned in the news item falls in Garhshankar sub-Division of District Hoshiarpur and some of the area falls in Rupnagar District. As per the report, the joint inspection was done and in the spot visit, it was found that the place of illegal mining falls in village Kheda Kalmot, Tehsil Anandpur Sahib. District Rupnagar.

5. Another short reply has been filed on behalf of the Member Secretary, Punjab Pollution Control Board disclosing that during the visit the traces of fresh as well as old mining were found and XEN Mining Rupnagar has informed that the FIRs were registered against the violators including transporters, machine operators and they have confiscated the machinery. The report so submitted by the Secretary, PPCB is vague as it does not disclose the extent of illegal mining and also does not disclose the details of the FIRs which have been registered and the equipment which has been seized. The report is absolutely silent in respect of the stone crushers which are operating in the area either illegally or legally.

6. Hence, in the circumstances of the case, we implead following authorities as respondents in the matter:-

- i. Additional Chief Secretary (ACS)/Principal Secretary (PS), Mining Department, State of Punjab

- ii. Additional Chief Secretary/PS, Department of Environment, State of Punjab
 - iii. Member Secretary, Punjab Pollution Control Board
 - iv. District Magistrate, Hoshiarpur
 - v. District Magistrate, Rupnagar
 - vi. Chief Conservator of Forest, Regional Office, MoEF&CC, Chandigarh
7. Let notice be issued to the above respondents enabling them to file detailed comprehensive replies disclosing the situation on the spot as also the action taken in the meanwhile.
8. List this matter on 11.01.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

October 16, 2023
Original Application No.624/2023
SN