

Item No. 6

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.446/2022

Balwinder Kumar

.Applicant

Versus

State of Haryana & Ors.

...Respondents

Date of hearing: 19.04.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Applicant in Person.

Respondents: Mr. Rahul Khurana, Advocates for Respondent No. 1 to 6.
Mr. Narender Pal Singh and Ms. Anjali Advocates for Respondent No. 7, 8 & 11.
Mr. Rajesh Punia, SDM Chhachhroli, Mr. Virender Singh, DFO, Yamunanagar.
Mr. Narender Singh, DDPO, Yamuna Nagar and Mr. Vikas Kumar Panchayat Officer.

Application is registered based on a letter petition received by Post.

ORDER

1. Replies have been filed by respondents no. 5 (DC, Yamuna Nagar) and 13 (DDPO, Yamuna Nagar) vide email dated 18.04.2024.
2. Replies have also been filed by respondents no. 7, 8 and 11 (Project Proponents) vide separate emails dated 18.04.2024.
3. Written request for exemption from personal appearance has been made on behalf of the Deputy Commissioner, Yamuna Nagar. In view of the reasons mentioned the request is allowed.

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4. We have gone through the reply filed by respondents no. 5 and 13 and we find that the information given in the same suffers from contradictions and ambiguities.

5. Learned Counsels for respondents no. 1 to 6 seeks time to file additional reply on behalf of respondents no. 5 and 13.

6. Respondent no.1-State of Haryana is directed to file response mentioning in detail (1) steps taken for prevention of illegal mining; (2) reclamation of the illegally mined land; (3) utilization of the common land vesting in the Gram Panchayat, Bhudkalan; and (4) status of all khasra numbers of land with details regarding encroachments made, steps taken for removal of the encroachments; (5) litigations pending regarding the same with all relevant details regarding present status/pendency of the litigation and (6) details regarding the criminal cases pending with present status.

7. Respondent no. 13 is also directed to file separate response mentioning in detail resolutions passed by the Gram Panchayat, Bhudkalan regarding utilization of the land, action taken regarding illegal mining, reclamation of land illegally mined and recovery of compensation from the violators.

8. Respondent no. 4-HSPCB is directed to look into the matter of imposition and realization of environmental compensation from the violators against whom FIR has been registered and also reclamation/restoration and appropriate utilization of land illegally mined.

9. Responses as directed above be filed by respondents no. 1, 4 and 13 within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

10. List for further consideration on 04.07.2024.

11. In view of the facts and circumstance of the case, we also consider personal appearance of the officers duly authorized by the Director Mining and Geology, Haryana and the Deputy Commissioner, Yamuna Nagar as well as the Divisional Forest Officer and the District Development and Panchayat Officer, Yamuna Nagar, Haryana through VC before this Tribunal on the next date of hearing to be essential for producing the relevant record and assisting this Tribunal in just and proper adjudication of the questions involved in the case and they are accordingly directed to remain present before this Tribunal physically.

12. A copy of this order be sent to the Director, Mining and Geology, Haryana, the Deputy Commissioner, the Divisional Forest Officer and the District Development and Panchayat Officer, Yamuna Nagar, Haryana by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr.Afroz Ahmad, EM

April 19th, 2024
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