

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

Original Application No. 593/2023
(I.A. No. 753/2023)

Mursaleen

Versus

Applicant

State of Haryana & Ors.

Respondent(s)

Date of hearing: 06.10.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Vanshdeep Dalmia & Ms. Anisha Jain, Advs.

ORDER

1. The applicant in this original application has made an allegation of rampant and excessive illegal sand, bajri and boulder (BGS) mining in District Yamunanagar, Haryana by mine lease holders/stone crushers and screening plants in connivance with the concerned authorities.

2. The stand of the applicant is that illegal mining is going on in the absence of the valid District Survey Report, Comprehensive Mining Plan, Replenishment Studies and the mining is being done outside the mining lease area based on the defective Environmental Clearances (ECs) granted without EIA Study/EMP or public hearing and granted without cluster EIAs. It is the further case of the applicant that the mining is being done without obtaining CTO/CTE and by using heavy machinery and beyond the permissible depth and that the mining of sand, bajri and boulder is being done on the basis of the ECs issued for sand only.

3. Further allegation is that the EC conditions have not been adhered to and no post monitoring has been done and the mining is being done in a sub-merged water area beyond the permissible depth by using heavy machinery.

4. The allegation made in the OA reveals that the substantial issue relating to environment is involved in the matter.

5. Hence, at the first instance, we deem it proper to call for the report from the Respondent No. 6, State Level Environment Impact Assessment Authority (SEIAA), Haryana. The Respondent No. 6 will give the report covering all the points which have been noted above. Let the report be submitted within six weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

6. List of alleged violators is enclosed as Annexure A1. Since the grievance has been raised against the parties mentioned in Annexure A1 and they will be directly affected by any order passed by the Tribunal, therefore, applicant is directed to implead all the concerned private parties against whom he has made allegation, within three days.

7. The applicant will serve the respondents, including the newly added respondents and file an affidavit of service before the next date of hearing.

8. Registry is directed to prepare an amended memo of parties.

9. List on 20.12.2023.

10. A copy of this order be forwarded to SEIAA, Haryana by e-mail for compliance.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

October 06, 2023
Original Application No. 593/2023
(I.A. No. 753/2023)
DV