

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

**Original Application No. 178/2015**

**Hari Ram Vs. Union of India & Ors.**

**CORAM :** HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER  
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER

**Present:** Applicant/Appellant(s) :Mr. Sant Dharamveer Chotiwalla, Adv.  
Respondent No. 1 :Mr. Vikas Malhotra, Mr. M.P. Sahay, Adv.  
Respondent No. 2to6 :Mr. Anil Grover, AAG, Ms. Noopur Singh, Adv. With  
Mr. Jagdish Mining Officer

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 23 October 15, 2015</b>	<p style="text-align: center;">Heard. Perused.</p> <p>The Applicant - resident of Village Harsana, District Sonipat, Haryana has made grievance about the illegal activity of mining/excavation of soil in his village and in support of it has also produced photographs at annexure P-5. Written statement filed by the Mining Engineer on behalf of the respondent nos. 3 to 5, without disputing the fact of mining /excavation of soil, reveals that permissions were granted for lifting earth over a depth ranging between 3 to 4.5 feet under different permits in the area in question and the excavations upto the depth of 6-7 feet on some patches of land did take place, for which action for exceeding the limits granted under the permission has been taken in terms of forfeiture of security deposit and recovery of price, royalty and fine. Admittedly, there is no environmental clearance granted for mining/excavation of soil in question.</p> <p style="text-align: center;">We had at length dealt with issue of excavation of soil, a minor mineral without obtaining EC from the</p>

Competent Authority in Himmat Singh Shekhawat case: *2015 ALL(1) NGT REPORTER(1) (DELHI) 44 Himmat Singh Shekhawat vs. State of Rajasthan & Ors..* We had directed all States that there shall be no permission granted for carrying on sand mining or minor mineral extraction on river bed or otherwise without the concerned person obtaining EC from the Competent Authority.

Our view has not been unsettled by the higher forum. We, therefore, see no reason in withholding ourselves in not passing relief in favour of the applicant. We, therefore, direct the respondents to stop the illegal activity of mining/excavation without obtaining EC in village Harsana, District Sonipat, Haryana.

Original Application No. 178/2015 stands disposed of with no order as to costs.

.....,JM  
(U.D. Salvi)

.....,JM  
(M.S. Nambiar)

.....,EM  
(Dr. D.K. Agrawal)

.....,EM  
(B.S. Sajwan)

.....,EM  
(Ranjan Chatterjee)