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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO. 362 OF 2022

IN THE MATTER OF:

Aravalli Bachao Citizens Movement

...Applicant

Versus

Union of India & Ors.

...Respondents

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Through



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Rejoinder On Behalf Of Applicant To The Affidavit Of Chief Secretary, Haryana (Respondent No. 2) Dated 12.04.2023, Mines And Geology Department, Government Of Haryana (Respondent No. 3) Dated 11.04.2023, Affidavit Of Haryana Pollution Control Board (Respondent No. 5) Dated 10.03.2023 And Affidavit Of Director General Of Police, Haryana Dated 12.04.2023

MOST RESPECTFULLY SHOWETH:

1. That the above titled Application was filed raising substantial question of environment by bringing to the notice of the Tribunal illegal sand and stone mining happening in several locations of the Aravalli range in Haryana.
2. That at the outset, it is submitted by the Applicant that despite repeated directions by this Hon'ble Tribunal to ensure prevention of illegal mining, mining of sand and stone is still being undertaken throughout the Aravalli ranges in Haryana. The Applicant organisation has complained about fresh cases of illegal mining in Nuh district and Kadarapur & Baliawas villages in Gurugram district and of areas mentioned in the Original Application where illegal mining is continuing vide emails dated 24.04.2023, 02.01.2023 and 01.12.2022 to all the respondents herein and to the Director General of Police. However, the authorities have failed to take any action against the cases of illegal mining in Aravallis, in clear violation of the directions of this Hon'ble Tribunal.

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Copy of the emails dated 24.04.2023, 02.01.2023 and 01.12.2022 are annexed herewith as **ANNEXURE A-1.**

3. That instances of illegal mining in the Aravallis have also been reported in daily newspapers which are as follows:

(i) The Hindustan Times, a national daily newspaper reported on 18.04.2023 about non- functionality of check posts. The article also notes that:

"Mohan Rathee, 55, a resident of Gairatpur Baas, said the check post near his village was removed six years ago, and forest officials visit the area only around once a week. "Illegal activities have grown in the area and every day, and at least 20 tractor trolleys carry stones illegally mined from the area. Despite our requests to officials to keep a check on the illegal activities, no one bothers to check the hillocks where mining is going on unabated. Mange Ram, 38, a resident of Raisina village, said: "There is no check here, forest officials visit once in a while to mark their attendance. There is no fear among the illegal miners. They know that there is no surveillance in the area and continue to mine stones in the area. The business has flourished in the last couple of years," he said. HT also spotted fresh truck tyre marks in the rocky terrain that showed that heavy vehicles were coming into the area to carry out the illegally mined stone in Raisina, Gairatpur Baas, Sohna, Kadarapur and Ghamroj."

Copy of the article titled "No trace yet of 51 forest check posts to be set up in Aravalli zone of Gurugram and Sohna in 2016" dated 18.04.2023 is annexed herewith as **ANNEXURE A-2.**

(ii) Times of India dated 23.03.2023- It was reported that the mining offices of the areas in Aravallis are understaffed which is leading to a situation that there are not enough guards to prevent illegal mining. The article notes that Nuh district which is a hotspot for illegal mining does not still have a mining division. All the guards posted at Nuh are of other districts.

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Copy of the article titled "1 mining officer & an understaffed dept to watch Aravalis in Gurgaon, Nuh" dated 23.03.2023 is annexed herewith as **ANNEXURE A-3**.

4. That vide Order dated 10.10.2022, this Hon'ble Tribunal was pleased to direct the following:

"16. In view of the above referred deficiencies, we are constrained to direct the DGP, Haryana and Director, Mining and Geology to file detailed reports giving information by way of statements in the tabular form as to the aspects mentioned below:-

(a) Statement regarding all complaints received by the Police (i) date of receipt of complaint, (ii) name of the complainant, (iii) particulars of FIRs registered, (iv) final report filed and (v) order passed by the Court;

(b) Statement regarding complaints received by the Police from the Mining Department (i) date of receipt of complaint, (ii) action taken on complaint by the Police and (iii) information given to the Mining Department.

(c) Statement regarding complaints received by the Mining Department from the Police (i) date of receipt of complaint, (ii) action taken on complaint by the Mining Department and (iii) information given to the Police.

17. The PCCF (HoFF), Government of Haryana and Member Secretary, Stat PCB are also directed to file reports giving information regarding complaints in respect of illegal mining received by them and action taken on the same by way of statements in tabular form with reference to the aspects of (i) date of receipt of complaint, (ii) action taken on the complaint, and (iii) information given to the Police/Mining Department."

5. That in compliance with the Order, Affidavits were filed by Chief Secretary, Haryana (Respondent No. 2) dated 12.04.2023, by Mines And Geology Department, Government Of Haryana (Respondent No. 3) dated 11.04.2023, by Haryana Pollution Control Board (Respondent No. 5) dated 10.03.2023 and by the Director General Of Police, Haryana dated 12.04.2023.

**REJOINDER ON BEHALF OF APPLICANT TO AFFIDAVIT OF
CHIEF SECRETARY (RESPONDENT NO. 2) DATED 12.04.2023**

6. That Respondent No. 2 has filed Affidavit dated 12.04.2023 in compliance of this Hon'ble Tribunal's direction dated 10.10.2022 with respect to constitution of special cells and autonomous statutory authority by the name of **"Aravallis Environment Management & Sustainable Development"**. The relevant part of the Order dated 10.10.2022 is reproduced here for reference:

*"21. We also find from the reports received that there is lack of proper communication and effective coordination between the Administrative agencies- the Police, the Mining Department, the Forest Department and the Revenue Department, which are required to deal with the complaints of illegal mining, and also with the Statutory Authorities-CPCB and HSPCB. Lack of such communication and coordination by implication benefits/facilitates the persons indulging in illegal mining who in consequence thereof escape payment of royalty/penalty and environmental compensation as well as prosecution for illegal mining in substantial number of cases. In the prevailing scenario, there appears to be an urgent need for **constitution of Special Cell having Officers from the Police, Forest, Revenue and Mining besides Industries, Panchayati Raj/Rural Development, Water Resources, Agriculture and Animal Husbandry Departments as may be considered appropriate for ensuring coordination, evolving policy, planning and implementation of programmes for the protection and management of Aravalli Hills.** The Government of Haryana may also consider the desirability of setting up an autonomous statutory authority **"Aravallis Environment Management & Sustainable Development"** for integrated environment management and sustainable development of the Aravalli range in the State of Haryana. The Chief Secretary, Government of Haryana may*

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accordingly take requisite steps for consideration of the matter by Government of Haryana and file an affidavit in this regard within four weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF."

7. It is submitted that the Affidavit dated 12.04.2023 of Respondent No. 2 gave reference about formation of such cells and autonomous authority, however no details as such or any document related to the formation is provided.

Submission on setting-up of Aravalli Rejuvenation Board

8. That in Para 2 of its Affidavit (Page 624), the Chief Secretary has stated that it has been decided to set-up an "**Aravalli Rejuvenation Board**", a statutory authority and proposal for the same has been forwarded to the competent authority in the State Government.
9. It is submitted that the Affidavit has failed to provide any specific information about the Aravalli Rejuvenation Board that is proposed to be set-up. Therefore, it is not certain how compliance with the directions contained in the Order of this Hon'ble Tribunal dated 10.10.2022 has been done by the Chief Secretary.
10. That in this regard, the Applicant has sent an application under RTI dated 25.04.2023 to the office of the Chief Secretary requesting to provide copy of the proposal that has been submitted to the competent authority in the Haryana Government for the constitution of the 'Aravalli Rejuvenation Board'. It is submitted that it is not possible for the Applicant to make any comment without the details of the proposed autonomous authority is made available. Further, no proper direction can be issued by this Hon'ble Tribunal also in absence of any such disclosure about the autonomous authority as proposed to be constituted by the Chief Secretary of State of Haryana.

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Copy of the RTI Application dated 25.04.2023 sent by the Applicant organisation to the office of the Chief Secretary is annexed herewith as **ANNEXURE A-4**.

11. That the Applicant herein without prejudice to their right of making submission on the details of the autonomous authority provided to them, making some suggestions with respect to the objective of such authority and also the persons which can be involved in the constitution of such authority.
12. Following are the suggestions on the objective of the authority on behalf of the Applicant organisation:
 - (i) Aravalli Rejuvenation Board being set up by the Haryana government should look into the management of the entire Aravallis range in all the Aravalli districts of Haryana.
 - (ii) The Aravalli Rejuvenation Board should look into overall protection of Aravallis and take into account the judgements of the Hon'ble Supreme Court pertaining to protection of the Aravalli range including the Order dated 14.05.2008 in ***M.C. Mehta v. Union of India*** reported in **[2008] 8 SCR 828** which prohibited clearing/ breaking up of land for any activity.
 - (iii) Aravalli Rejuvenation Board must be an autonomous statutory authority with atleast 50 percent of its members being from civil society groups working on the Aravallis, representation from grassroot rural communities living in the Aravalli foothills, independent ecologists, wildlife experts, water experts, geologists, climate scientists, legal experts and others. Suggested names of experts willing to be part of the Aravalli Rejuvenation Board:
 - (a) **Vijay Dhasmana** is a rewilder and eco-restoration practitioner who has helped transform an abandoned mining site in Gurugram into a lush Aravali forest called

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the Aravali Biodiversity Park -- the first OECM site in India. He has been working on several ecological restoration projects in Haryana, Rajasthan and Uttarakhand. His projects in Haryana Aravallis are in collaboration with several government agencies such as Forest Department, GMDA and MCG and the NGO I am Gurgaon. He has immense knowledge regarding the native flora of the Aravallis and in the practice of eco-restoration and native planting. Vijay is a member of the Hon'ble Supreme Court Oversight Committee on the Delhi-Dehradun road. He is also a member of Delhi State Biodiversity Council and has been part of a few task forces set up by the Ministry of Environment, Forest and Climate Change.

Email ID: vijay.dhasmana@gmail.com

(b) Dr Rajendra Singh also known as the 'Waterman of India' is a water conservationist who has decades of experience in reviving dried up rivers, other water bodies and regenerating degraded areas in the Aravallis and other regions across India. He is a recipient of the Magsaysay Award in 2001 and Stockholm Water Prize in 2015 and is currently the Chairman of the People's World Commission on Drought and Flood.

Email ID: jalpurushtbs@gmail.com

(c) Dr. Ghazala Shahabuddin is an ecologist who has published extensively on the human impacts of forest use, modification, conversion and fragmentation in India. She has supervised a number of mammal, bird and plant surveys in the Aravallis and Sultanpur Jheel in Haryana. She has also carried out extensive

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ornithological studies in the Aravallis, Western Ghats and Western Himalayas with a focus on studying vulnerability of woodpecker species to forest modification. She is currently a Visiting Professor (Environmental Studies) at Ashoka University in Haryana and a Senior Adjunct Faculty at Ashoka Trust for Research in Ecology and Environment (ATREE).

Email ID: ghazala303@gmail.com

(d) Dr Pia Sethi is an ecologist, consultant and researcher who has 20 years of experience in ecological and policy-based research on forests, biodiversity natural resource management and climate change.

Email ID: piaseethi77@gmail.com

Other than the experts mentioned above, independent experts in the field of hydrology, geology, climate science should also be invited to be part of the Aravalli Rejuvenation Board.

Suggested names and profiles of citizens who are willing to be part of the Aravalli Rejuvenation Board are as follows:

(d) Neelam Ahluwalia, Co-Founder, Aravalli Bachao Citizens Movement has played a key role in spearheading the cause of saving the Aravallis and creating awareness in a cross section of people about the importance of saving India's oldest mountain range. Promoting environment conservation and sustainable development has been her passion and area of professional work for the past 3 decades. She has worn many different hats ranging from being an environment television journalist, documentary film maker and communications consultant to program

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manager for climate change and natural resource management projects. In her voluntary capacity, she has promoted many environment initiatives, mentored school and college students to be more eco-conscious and made films on native tree planting, decentralised waste management, say no to single use plastic campaign, water & forest conservation (www.healingourcities.org).

Email id: nahluwalia72@gmail.com

(e) Col Sarvadaman Oberoi feels very passionately about saving the Aravallis. He has spent the last few years after retiring from the army researching on legal aspects of forest protection and other public interest issues. The 73-year-old has filed many cases for Aravalli protection, saving water bodies and others.

Email id: manioberoi@gmail.com

(f) Ibrahim Khan, a 70-year-old resident of Bagola village in Ferozepur Jhirka in Nuh district heads the Jal Biradari of Mewat. He has spearheaded water recharge projects under the guidance of Dr Rajendra Singh, Waterman of India in villages in the foothills of the Aravallis in Ferozepur Jhirka. Having grown up in the lap of the Aravalli hills, he feels very passionately about saving the Aravallis.

Mobile number: 9416362790

Submission on constitution of special cell

13. That the Affidavit of the Chief Secretary in Para 3 (Page 624), has stated about the decision to constitute a special cell at district level in Nuh, Faridabad and Gurugram for the periodic monitoring of the Aravallis. It is submitted that the Hon'ble Tribunal in their Order dated 10.10.2022 has indicated for constitution of "**special cell**" for

protection of Aravalli hills in the State of Haryana and not confining to only three districts mentioned in Para 3 of the Affidavit dated 12.04.2023. Therefore, the constitution of the specific cells at the district level for the periodic monitoring of the Aravalli areas should be for all the Aravalli districts in the state of Haryana including Mahendergarh, Rewari, Palwal, Bhiwani, Charkhi Dadri; along with Gurugram, Nuh and Faridabad.

14. It is further submitted that the Affidavit has failed to provide information on who will constitute as members of the special cell. The special cell must include independent civil society organisations and environmentalists, apart from government entities.

**REJOINDER TO AFFIDAVIT OF DIRECTOR MINES AND
GEOLOGY, DEPARTMENT OF HARYANA (RESPONDENT NO. 3)
DATED 11.04.2023**

15. That Respondent No. 3 has filed Affidavit dated 11.04.2023 in compliance of this Hon'ble Tribunal's direction dated 29.11.2022 with respect to constitution of a Control Room for reporting of illegal mining and also clarify the status of the 44 complaints received from the Police Department. The relevant part of the Order dated 29.11.2022 is reproduced here for reference:

*"6. Vide order dated 29.11.2022, the Director, Mining and Geology, Haryana was directed to look into the matter personally and file affidavit **giving all requisite details with full particulars of action taken in all the 44 complaints received from the Police.** The Director Mines and Geology, Haryana was directed to **ensure implementation of the SOP as well the above guidelines and orders and the Administrative Officers** posted in the field may be made accountable for violations of the same. The Director, Mining and Geology, Haryana was also **directed to immediately setup a Control Room, if not already setup, and notify its mobile number, email id and web-portal for making of complaint***

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*regarding illegal mining by any member of the public/NGO, receiving such complaints and arranging conducting of timely raid for prompt action against the violators. **It was also directed that due publicity regarding setting up of the Control Room be also made by way of affixing public notices/display boards outside the Administrative Offices in Faridabad, Gurugram and Nuh on the website of the Haryana Government and also through Haryana Public Relations Department and Haryana State Legal Services Authority.***

16. That the Mines and Geology Department has stated in Para 4 (at Page 607) that the 44 complaints that were sent back to the Mining Department by the Police pertained to transportation of mineral without e-ravana/ transit pass and in all the cases, the vehicles were seized.
17. That in the hearing dated 29.11.2022, the counsel for the respondents had orally stated that the possibility of fitting of vehicles moving in and out of Aravallis with GPS systems can be looked into. However, the Affidavits filed by the authorities are silent on the same and no information has been provided on whether any step has been taken for fitting of GPS systems for tracking the vehicles for illegal mining.
18. It is submitted that the Mining Department has provided no information on the complaints that were filed regarding illegal mining of sand and stone. The information that has been provided only pertains to illegal transportation of minerals.

Submission on constitution of District Level Task Force Committee

19. That in Para 5 (at Page 610), it is stated that District Level Task Force Committee has been set-up to examine the issue relating to illegal mining at District Level and all concerned departments i.e. Police Department, Mining Department, Forest Department and District Transport Office are working in proper coordination with

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each other to prevent illegal mining and illegal transportation of mineral in the three districts.

20. It is submitted that apart from government departments, civil society organisations working on the issue of mining and Aravallis be made members of the District Level Task Force Committees formed to act as watchdogs and ensure proper monitoring and action taken to stop illegal mining. It should be ensured that the District Level Task Force Committees work in coordination with special cells being set up by the order of the Chief Secretary in different districts and civil society organisations to ensure maximum synergies and cooperation for protection of the Aravallis.

Submission on toll-free number and email ID to register complaints against illegal mining

21. That in Para 7 (at Page 611), the Affidavit states that a toll free number (1800-180-5530) and an email ID (aravalibachaoggn@gmail.com) of the Control Room has been provided in the public domain to receive complaints of illegal mining for District Faridabad, Nuh and Gurugram.
22. That the Applicant organisation had sent emails to the email ID and made phone calls to the toll free number to make complaints with respect to illegal mining noticed by the Applicant.
23. That the Applicant organisation sent complaints about illegal mining on 24.04.2023 on the email ID provided in public domain, however, the email bounced back stating that the delivery address was not found.

Copy of the email dated 24.04.2023 and reply is annexed herewith as **ANNEXURE A-5.**
24. That another email ID was provided by the person manning the toll-free number set up by the Mining Department of Haryana which is as follows: aravalibachaofgn@gmail.com.

25. That the Applicant organisation had sent a mail complaining of 6 locations of illegal mining in Aravalli hills and forests in Gurugram and Nuh districts documented from November 2022 to March 2023 to the email ID provided subsequently, which is not in public domain. However, no acknowledgement or complaint number has been received from the email id: aravalibachaofgn@gmail.com regarding the complaint made for 6 locations of illegal mining.
26. That in the last few days, 8 members of the Applicant organisation called the toll-free number: 1800-180-5530 at different times of the day (early morning, during office hours and late evening and night) over 4 days to report on different locations of illegal mining in Gurugram and Nuh Aravallis. Most calls of members of Applicant organisation who tried this toll-free number were not picked up even though the persons manning the toll free number told the members who called that mining department staff members are available on this toll-free number 24*7 and the number is operational on all 7 days of the week.

Screenshots taken for calls made by different members of the applicant organisation dated 23.04.2023 are annexed herewith as

ANNEXURE A-6.

Copy of the email from a member of the Applicant organisation dated 25.04.2023 is annexed herewith as **ANNEXURE A-7.**

27. That with respect to making the toll free number functional to meet the objective of proper reporting and action on the illegal mining, the Applicant is making the following submissions:

- a) The system needs to be more formal and accountable. The person receiving call regarding illegal mining on the toll-free number must give a formal complaint number to the citizen calling regarding complaint on illegal mining for reference and follow up in the future.

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- b) The objective of setting up of a toll free number can only be achieved when a skilled staff who is receiving the calls immediately report the illegal mining instances by email to the concerned mining officer and then follow up to get back to the caller with feedback on the complaints made.
- c) Feedback must be given to the citizen on complaint made regarding illegal mining.
- d) Name of the concerned mining officer must be shared with the citizen calling to complain about illegal mining for detailed discussion or follow up.
- e) Correct information regarding timings when the toll-free number is manned and days must be given to the public, which is not the case currently.

**REJOINDER TO AFFIDAVIT BY HARYANA STATE POLLUTION
CONTROL BOARD (RESPONDENT NO. 5) DATED 10.03.2023**

28. That vide Order dated 10.10.2022, the Hon'ble Tribunal had directed the Haryana State Pollution Control Board (hereinafter referred to as "**HPCB**") to provide the following information:

"17. The PCCF (HoFF), Government of Haryana and Member Secretary, State PCB are also directed to file reports giving information regarding complaints in respect of illegal mining received by them and action taken on the same by way of statements in tabular form with reference to the aspects of (i) date of receipt of complaint, (ii) action taken on the complaint, and (iii) information given to the Police/Mining Department.

18. Reports be filed by the DGP, Haryana, Director, Mining and Geology, Government of Haryana, PCCF (HoFF), Government of Haryana and Member Secretary, State PCB within four weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF."

29. That in Para 2, the HPCB has stated that no complaints regarding illegal mining has been received at the regional offices of HPCB.
30. This statement of the HPCB cannot be considered as correct as the Applicant organisation has themselves sent complaints to the HPCB reporting illegal mining happening in the Aravalli. The Applicant organisation has sent email dated 08.07.2021 to HPCB complaining about illegal mining in 4 locations. No reply was received on the same.

**REJOINDER TO AFFIDAVIT BY DIRECTOR GENERAL OF
POLICE DATED 12.04.2023**

31. That in Para 5 of the Affidavit of the Director General of Police dated 12.04.2023, it is stated that a Standard Operating Procedure for investigation of cases related to illegal mining has been issued on 10.01.2019.
32. It is the submission of the Applicant that even though the Standard Operating Procedure has been issued, it is not being implemented as despite receiving multiple complaints regarding illegal mining, no action has been taken to prevent them.

Recommendations on Drones

33. The Applicant in its Reply to the Joint Committee Report dated 28.11.2022 had put suggestions that the authorities should incorporated usage of drones to monitor illegal mining in the Aravalli range. However, the Affidavits filed by the authorities before this Hon'ble Tribunal are silent on this aspect. The Applicant is reiterating the suggestions on use of drone technology below for consideration of this Hon'ble Tribunal:
34. Protecting Aravallis by using Advance Drone Technology: The Hon'ble Tribunal in its order dated 23.05.2022 had observed:

"The averments made in the petition raise substantial questions relating to adequacy and efficacy as well as failure of surveillance

and monitoring mechanism evolved for preventing illegal mining and measures required to be taken for this purpose in the area and protecting the Aravalli range from further degradation in view of its immense ecological importance."

35. By incorporating directions given in several court orders, the Ministry of Forest, Environment and Climate Change (MoEF&CC) formulated its recent guidelines i.e Enforcement & Monitoring Guidelines for Sand Mining (EMGSM) 2020 which recommend:

- Use of unmanned aerial vehicles (UAVs), also known as Drones, with advanced cameras to identify illegal sand mining hotspots.
- Constant monitoring of mining activity using Drones and night surveillance of mining activity to be done using night-vision Drones. Section 5.2.2 of the EMGSM-2020 guidelines (Page 31-32) lays down in detail the instruments and software requirement for such monitoring.

Government of Haryana should follow the EMGSM-2020 guidelines and various court orders and use Advanced Drone Technology and other tools for monitoring and stopping illegal stone and sand mining and other non-forest activities in the Aravallis.

Table 1: Court Orders related to Monitoring of Illegal Mining using Technology/Drones

SI No.	Party Name	Date of orders	Relevant orders
1	OA No. 173 of 2018 Sudarsan Das v. State of West Bengal & Ors	04.09.2018	NGT directed MoEFCC to revise the Sustainable Sand Mining and Management Guidelines 2016 due to persistent gaps in monitoring illegal sand mining from river beds by the states.
2	OA No. 44 of 2016 Mushtakeem Vs MoEF & CC and Ors.	05.09.2018	Court directed for a dedicated monitoring mechanism to be set up. The order mentioned the Mining Surveillance System (MSS) developed by the Ministry of Mines & Indian Bureau of Mines. MSS is a satellite based

			monitoring system which aims to curb instances of illegal mining activity through automatic remote sensing detection technology.
3	OA 360/2015 National Green Tribunal Bar Association Applicant(s) Versus Virender Singh (State of Gujarat)	05.04. 2019	State government directed to set up effective monitoring mechanism for preventive and remedial measures including surveillance system and recovery of compensation.
4	O.A. No. 40/2020/ EZ Pawan Kumar Vs. State of Bihar & Ors.	14.10.2020	Court directed that in preparation of DSR, the procedure and the parameters laid down under the Sustainable Sand Mining Management Guidelines (SSMMG) 2016 and Enforcement and Monitoring Guidelines for Sand Mining (EMGSM) 2020 will be read in sync with each other and followed. In case of any ambiguity or variation between the provisions of these documents, the provision made of the "EMGSM-2020" shall prevail.
5	OA 169/2020 Kuldeep Singh Versus State of Haryana & Others	18.1.2022	NGT order stated that Advance Technological Drones should be provided to the Haryana State Mining Department to take prompt action against illegal mining activity.

Examples of Use of Drones for checking Illegal Mining in India

Jharkhand: Drones are being used by the forest department in Jharkhand for monitoring forest growth, tracking movement of wildlife and checking forest fires. In addition, Drones have also proved to be helpful in

monitoring the legal mining done in the forest areas and checking illegal mining, and helps monitor the actual reclamation done by the mining companies after mining is completed in particular areas.

Gujarat: The Drone Surveillance Project was initiated in 2018 by the former Gujarat Chief Minister Vijay Rupani to keep an eye on illegal sand mining in rivers like Sabarmati. The project led to a 144 per cent increase in penalties recovered from individuals involved in illegal mining activities in Gujarat since 2018, according to the Commissioner of Geology. During the four-year period (2017-21), the number of illegal mining cases was reduced by 8.5 per cent in Gujarat. A total of over 30,146 illegal mining cases were registered across Gujarat during the same period. The Mining Surveillance System uses space technology for curbing illegal mining activities was developed in the country through the Indian Bureau of Mines by the Union Ministry of Mines. The project has been discontinued as of January 2021 according to news reports. In the HT article dated 16th January 2022, the Commissioner of Geology is quoted as saying that the project will be restarted soon.

Other states such as Tamil Nadu, Bihar, UP and Punjab have also announced plans to use Drones for monitoring and stopping illegal mining.

Favourable Environment for Use of Drone Technology in Haryana

Haryana is the first state to create a separate corporation to speed up the Unmanned Aerial Vehicle (UAV) or Drone Driven Governance. The Drone Imaging and Information Service of Haryana Limited (DRIISHYA) will help undertake aerial surveys, imaging and mapping to facilitate decision support activities for various organs of the government. It will acquire, manage, operate and maintain Drones and Unmanned Aerial Vehicles (UAVs) as imaging and information collection platforms with sensors of various kinds. It is also setting up a training institute to train Drone pilots. The procurement of Drones for checking on illegal mining and other illegal activities in the Aravalli and Shivalik hills and forests can easily be routed through this corporation.

“This is a unique beginning in the state as now with the help of Drones, illegal encroachments can also be controlled along with detecting expansion of area as earlier manual surveys were conducted at regular intervals which were very time consuming, costly and required more manpower,” said Haryana’s Chief Minister Mr. Manohar Lal Khattar, quoted in the 15th April 2022 India Times news article. Mr. Khattar said that besides the Revenue Department, the use of Drones should also be ensured by other departments like Mining, Forest, Urban Local Bodies,

Disaster Management, Power, Traffic, Town and Country Planning, Agriculture, etc.

The Haryana State Forest Department had initiated and piloted a Drone program in 2018 and spent Rs 20 lakh to procure two Drones. While the basic drone was to carry out survey, the industrial drone could be embedded with various sensors, including the thermal sensor, to spot any crime against wildlife or non-forest activity like cutting trees, building roads, illegal mining and encroachments, in real time. This drone was fitted with an optical sensor of 43 megapixels and a camera and could fly up to 250 metres at a speed of more than 60 metres per hour. Both the Drones were equipped with night-vision cameras and were tested successfully in the Bandhwari region of the Aravallis. "These Drones will help in gathering data of forest health, encroachments, the presence of wildlife to prepare management plans and developing decision support. The Drones can take several pictures and videos that are better than satellite images and thus can be used for making a 3D model of the area," stated Vinod Kumar, Chief Conservator of Forests (Wildlife), Gurugram circle in the TOI article dated 5th May 2018.

Initially a private company was helping to operate these Drones but after the formation of DRIISHYA, the forest department has handed over the 2 Drones to the corporation. Going forward, DRIISHYA can act as a nodal agency to coordinate Drone flying permits for various departments, i.e. forest department, police and mining department, for the purposes of tracking illegal mining and other illegal activities in the Aravalli hills and forests.

In light of the above facts and circumstances, the Applicant prays for the following with regard to use of drone technology:

- a) Direct the Haryana government authorities to use 'Advanced Drone Technology' and other latest tools for monitoring illegal sand and stone mining in the Aravallis to bridge gaps in the current surveillance and monitoring system and to prevent and apprehend the perpetrators of illegal felling of trees, encroachments and other non-forest activities.
- b) Direct that Illegal mining mostly happens early morning from 6 am to 10 am. It is imperative for drones to be used at this time and at night when dynamite blasting is done to break the hills.
- c) This drone surveillance data must be put up on a public website for citizens, independent experts and media to monitor the footage.

729

C.) Pass any other order as this Hon'ble Tribunal may deem fit in the facts and circumstances of the present case.



APPLICANT

THROUGH

RITWICK DUTTA



RAHUL CHOUDHARY
ADVOCATES
 COUNSELS FOR THE APPLICANT
 N-73, LGF, Greater Kailash - 1,
 New Delhi - 110048
 Mobile: +91 9312407881
 Email: litigation.life@gmail.com

VERIFICATION

Verified by Jyoti Raghavan, Managing Trustee of the Applicant organisation, aged about 46 years, resident of BS-4K, Birch Street, Malibu Towne, Sohna Road, Gurugram- 122001, do hereby verify that the contents of Paragraphs 1 to 35 are true to my personal knowledge and nothing material has been concealed therefrom.



APPLICANT

730

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 362 OF 2022**

IN THE MATTER OF:**Aravalli Bachao Citizens Movement****...Applicant****Versus****Union of India****...Respondents****AFFIDAVIT**

I, Jyoti Raghavan, Managing Trustee of the Applicant organisation, aged about 46 years, resident of BS-4K, Birch Street, Malibu Towne, Sohna Road, Gurugram- 122001 ^{presently at New Delhi} do hereby solemnly affirm and declare as under:

1. That I am the authorized representative of the Applicant organisation in the above titled Application, and hence well conversant with the facts and circumstances described in the present case and as such, I am competent to swear this Affidavit.
2. That the contents of the accompanying Rejoinder are true and correct and nothing material has been concealed therefrom.

I, IDENTIFIED THE
DEPONENT WHO HAS
SIGNED IN MY PRESENCE


DEPONENT


VERIFICATION

Verified on this 26 day of April 2023 that the contents of the present Affidavit are true and correct to my knowledge and belief and nothing material is concealed therefrom.



ATTESTED

NOTARY PUBLIC


DEPONENT

731 Annexure A-1

ANNEXURE A-1: Reporting on 6 locations of illegal mining in Gurugram & Nuh Aravallis

From Aravalli Bachao <aravallibachao.team@gmail.com>

To itisha.awasthi@proton.me

Date Thursday, April 27th, 2023 at 2:08 AM

----- Forwarded message -----

From: **Aravalli Bachao** <aravallibachao.team@gmail.com>

Date: Mon, Apr 24, 2023 at 6:57 PM

Subject: Reporting on 6 locations of illegal mining in Gurugram & Nuh Aravallis

To: <aravalibachaofgn@gmail.com>,
<aravalibachaoggn@gmail.com>

Cc: T.L. Satyaprakash, IAS <dcgrg@hry.nic.in>, Deputy
Commissioner <dcfbd@hry.nic.in>, <cp.ggn@hry.nic.in>,
<jtcp.ggn@hry.nic.in>, <dcp.southggn@hry.nic.in>,
<dcp.hqggn@hry.nic.in>, <dcnuh@hry.nic.in>,
<spmwt@hry.nic.in>, <cf.gurgaon@gmail.com>, <dmg.mines-
hry@nic.in>, <dfogurgaon1@gmail.com>, <cs@hry.nic.in>

Dear Mining Department Officials and other Officials of Haryana
Government,

Greetings from Aravalli Bachao Citizens Movement.

Below is the Email id for citizens to report on illegal mining in the
Aravallis provided by the person manning the toll free number (1800-
180-5530) set up for citizens to report on illegal mining:

aravalibachaofgn@gmail.com

The Email id provided to NGT in the attached Affidavit dated 11 April
2023 by Mr Mukul Kumar (IAS), Director Mines and Geology,
Department of Haryana is as follows: aravalibachaoggn@gmail.com

Please let us know by return email tomorrow and the general public
via newspapers and other ways of advertisement as to what is the
correct email id on which citizens can write to report on illegal
mining in the Aravallis.

For now, we have addressed this mail to both email ids.

**In this email, we are making a complaint for 6 locations of illegal
mining in Gurugram and Nuh Aravallis** documented from

17.98 MB 12 files attached

Image 1_27.11.22.jpg 175.93 KB

Image 2_27.11.22.jpg 167.26 KB

Image 3_27.11.22.jpg 124.39 KB

Image 4_27.11.22.jpg 140.08 KB

Image 5_27.11.22.jpg 123.07 KB

Image 6_25.11.22.jpg 236.13 KB

Image 9_06.11.22.jpg 79.33 KB

Image10_06.11.22.jpg 184.71 KB

Image7_22.11.22.jpg 4.65 MB

Image 8_22.11.22.jpg 5.05 MB

Image 9_Illegal mining in Nuh A... is.jpg 1.50 MB

AFFIDA~2.202 5.59 MB

November 2022 to March 2023:

732

LOCATION 1: ILLEGAL STONE AND SAND MINING IN ARAVALLI HILLS IN NUH DISTRICT (NEAR RAJASTHAN BORDER):

These are the coordinates of Image 9 taken on 23 March 2023 attached with this email:

Latitude: 27.746922

Longitude: 77.022429

Illegal mining is happening on a big scale in the hills around this location.

LOCATION 2: ILLEGAL MINING NEAR KADARPUR VILLAGE, GURUGRAM DISTRICT REPORTED VIA EMAIL SENT TO HARYANA GOVERNMENT AUTHORITIES (SEE TRAIL MAIL BELOW) BY ARAVALLI BACHAO CITIZENS MOVEMENT ON 2 JAN 2023:

Locals in the area told our team members on 31st December 2022 that some people from the village come early morning everyday and take tractor loads full of sand everyday between 6 am and 9 am.

1st Location of illegal sand mining and waste dumping in the forest, Kadarpur village, close to Sector 63, Gurugram:

Latitude: 28.390518

Longitude: 77.109595

A lot of waste is dumped here in the forest at this location. The single use plastic is extremely dangerous for the wildlife and birds living in the forest and needs to be picked up immediately.

2nd location of illegal sand mining in the forest, Kadarpur village:

Latitude: 28.391124

Longitude: 77.109027

LOCATION 3: ILLEGAL MINING DOCUMENTED NEAR BALIAWAS VILLAGE, GURUGRAM ARAVALLIS

Aravalli Bachao Citizens Movement heard about illegal sand mining taking place in the Aravalli forest area next to Baliawas Village. On 27.11.2022 evening, Aravalli Bachao Citizens Movement team visited this area. **As the team members approached the forest area at the end of the village road ahead of Mr Dairy, they crossed 2 tractors carrying sand out of the forest. Both the tractors had no number plates.** The team followed the tractor marks on the kuccha road into the forest and came across a big hillock of sand from where the tractors would have picked up the sand.

Location coordinates of the site of illegal mining in this location are as follows: Latitude 28.425655 and Longitude 77.122073

As the team walked a little further, they heard voices of many men and some work going on. It was getting dark and so the team decided to head back. **After a few minutes, a JCB came from behind them. This is the number of the JCB: HR30 R 6002.**

Photographs from the site visit conducted on 27.11.2022 along with google images of the Aravalli forest area near Baliawas village showing illegal sand mining spots and tractor marks on the kucha path are annexed herewith as Image 1, 2, 3, 4 and 5 dated 27.11.22.

LOCATION 4: PANDALA HILLS NEAR GAIRATPUR BAS VILLAGE in GURUGRAM

Evidence of fresh illegal mining was found on a site visit conducted near Rathee Café on 25.11.2022

Location coordinates are as follows: Lat.: 28.343666, Long: 77.00292.

The illegal mining appeared to have been undertaken in a few days prior to the date of the visit on a hill side near the road.

Copy of the photograph derived as a screenshot from a geotagged video taken during the site visit on 25.11.2022 is annexed herewith as Image 6, 25.11.22

LOCATION 5: ARAVALLI AREA CLOSE TO ITC GRAND BHARAT HOTEL IN MANESAR

Our team walked in this Aravalli area behind ITC Grand Bharat hotel for 2 hours and reached the site near Kharak village on 22.11.2022.

When the team members were photographing the first hill with the X sign marked in white, a local man on a motorbike saw them. The image of this location is attached herewith as Image 7, 22.11.22.

After a 15-minute walk, the team reached an area where many hills were marked with x, kharak village, 2x written in white and red on the hills everywhere. The image of this location is attached herewith as Image 8, 22.11.22.

After taking photographs, when the team was heading out of the forest, they heard blasting sounds in the vicinity.

When the Aravalli Bachao Citizens Movement team came out of the forest, a local man on the motorbike questioned them as to why they were filming the hills marked with X signs. The team

members told the motor biker that they were regular walkers and kept exploring different Aravalli areas. **The motor biker then told them that he thought they were officials from the mining department and so had messaged the people working on breaking the hills to leave the area where all the X signs were marked.**

LOCATION 6: ARAVALLI AREA NEAR TIKLI VILLAGE, ANSAL RETREAT AREA

On 06.11.2022, the Aravalli Bachao Citizens Movement team walked in the Aravalli area close to Aravali Pathways school in Ansal Retreat area near Tikli village. **The team saw illegal mining taking place in many spots.** Location coordinates are as follows:

(a) Lat: 28.30511, Long: 77.001166

b) Lat: 28.301066, Long: 77.002306

c) Lat: 28.301378, Long: 77.003105.

Copy of the photographs of the different areas in this location where illegal mining activity was taking place are annexed herewith as Image 9, 06.11.22 and Image 10, 06.11.22.

ILLEGAL MINING REPORTED IN LAST 4 LOCATIONS (3 TO 6) ABOVE HAD ALSO BEEN REPORTED VIA EMAIL TO HARYANA GOVERNMENT AUTHORITIES (SEE IN TRAIL MAIL BELOW) BY ARAVALLI BACHAO CITIZENS MOVEMENT ON 1 DEC 2022.

We urge the mining and police department to use drones for surveillance and monitoring throughout the Aravallis. Night time and 6 am to 10 am is when the illegal miners are most active.

We would like a written report on actions taken to stop illegal mining in the Aravalli hills and forests in all the above 6 locations sent by email.

Regards,

Jyoti Raghavan (9250317207)

Managing Trustee

Aravalli Bachao Citizens Movement

----- Forwarded message -----

From: **Aravalli Bachao** <aravallibachao.team@gmail.com>

Date: Mon, Jan 2, 2023 at 3:34 PM

Subject: Illegal sand mining documented in Aravallis on 31 Dec 2022 in Gurugram

To: <cf.gurgaon@gmail.com>, <cp.ggn@hry.nic.in>, T.L.

Satyaprakash, IAS <dcgrg@hry.nic.in>, Commissioner Municipal Corporation <cmc@mcg.gov.in>

Cc: <dcp.southggn@hry.nic.in>, <dcp.hqggn@hry.nic.in>, <jtcp.ggn@hry.nic.in>, <adgp.laworder@hry.nic.in>, Gurgaon

North Region Hspcb <hspcbrogrn@gmail.com>, <hspcb.ms@gmail.com>, <spmwt@hry.nic.in>, Dushyant Chautala <deputycmharyana@gmail.com>, pccf-hry@nic.in <pccf-hry@nic.in>, „ Pspccf@gmail.com <Pspccf@gmail.com>, „ papccf@gmail.com <papccf@gmail.com>, „ pccfwlhry@gmail.com <pccf-hry@nic.in>, <ccb.cpcb@nic.in>, <mscb.cpcb@nic.in>, <dmg.mines-hry@nic.in>, <acsmghry@gmail.com>, <acs-minesg@hry.gov.in>, <cmharyana@nic.in>, <bhupender.yadav@sansad.nic.in>, <secy-moef@nic.in>, <adcmc4@mcg.gov.in>, <cs@hry.nic.in>, <judicial-ngt@gov.in>, <dfogurgaon1@gmail.com>, dfo.gurgaon@gmail.com <dfo.gurgaon@gmail.com>, malik.karamvirsingh@gmail.com <malik.karamvirsingh@gmail.com>, <police@hry.nic.in>

Dear DC, CP, CF, MCG Commissioner Gurugram and other Haryana govt authorities,

In continuation to our below mail sent on 1st December 2022 highlighting illegal sand and stone mining taking place in 5 locations in the Aravallis in Gurugram and Nuh, we are today writing to bring to your attention another active location of illegal sand mining that our team came across in the Aravalli forest area near Kadarapur village (close to Sector 63) in Gurugram district. Geo tagged images of the 2 locations of illegal mining in this area are attached as google drive images below. Locals in the area told our team members on 31st December 2022 that some people from the village come early morning everyday and take tractor loads full of sand everyday between 6 am and 9 am.

1st Location of illegal sand mining and waste dumping in the forest, Kadarapur village:

Latitude: 28.390518

Longitude: 77.109595

A lot of waste is dumped here in the forest at this location. The single use plastic is extremely dangerous for the wildlife and birds living in the forest and needs to be picked up immediately.

2nd location of illegal sand mining in the forest, Kadarapur village:

Latitude: 28.391124

Longitude: 77.109027

We urge the authorities to use drones to monitor these illegal activities in our forests and put proper systems in place to catch the culprits.

736

 image.png image.png

Best,

Jyoti Raghavan

Managing Trustee

Aravalli Bachao Citizens Movement

----- Forwarded message -----

From: **Aravalli Bachao** <aravallibachao.team@gmail.com>

Date: Thu, Dec 1, 2022 at 1:48 PM

Subject: Illegal mining documented in Aravallis in Nov 2022 in Gurugram & Nuh

To: <cs@hry.nic.in>

Cc: <adgp.laworder@hry.nic.in>, <secy-moef@nic.in>, Gurgaon

North Region Hspcb <hspcbrogrn@gmail.com>,

<ccb.cpcb@nic.in>, <mscb.cpcb@nic.in>,

<hspcb.ms@gmail.com>, pccf-hry@nic.in <pccf-hry@nic.in>,,

Pspccf@gmail.com <Pspccf@gmail.com>,, papccf@gmail.com

<papccf@gmail.com>,, pccfwhry@gmail.com <pccf-hry@nic.in>,

<cf.gurgaon@gmail.com>, <cforest@hry.nic.in>,

<police@hry.nic.in>, <varunsingla.ips@gmail.com>,

<spmwt@hry.nic.in>, <cp.ggn@hry.nic.in>, <adcnuh@hry.nic.in>,

<dcp.southggn@hry.nic.in>, <dcp.hgggn@hry.nic.in>, T.L.

Satyaprakash,IAS <dcgrg@hry.nic.in>, <dcnuh@hry.nic.in>,

<dmg.mines-hry@nic.in>, <acsmghry@gmail.com>, <[\[minesg@hry.gov.in\]\(mailto:minesg@hry.gov.in\)>, <\[jtcp.ggn@hry.nic.in\]\(mailto:jtcp.ggn@hry.nic.in\)>,](mailto:acs-</p></div><div data-bbox=)

<cmharyana@nic.in>, Dushyant Chautala

<deputycmharyana@gmail.com>,

<bhupender.yadav@sansad.nic.in>,

<anilvijcomplaints@gmail.com>

Dear Chief Secretary,

This mail is to bring to your attention that Aravalli Bachao Citizens Movement has documented illegal mining taking place in 4 locations in the Aravallis in Gurugram and Nuh districts in the month of November 2022 and heard of illegal mining continuing in Palla village in Nuh from a local. Geotagged images of the 4 illegal mining sites are attached with this email. We have described what our team saw during our visit to each of the locations of illegal mining in the mail below.

We urge you to please take steps to stop illegal mining activities in the below locations. We also urge you to use Drones from 6 am to

10 am in the morning and at night across the Aravalli hills and forests in Gurugram, Nuh, Faridabad and other districts to capture illegal mining & other non-forest activities. Early morning is when the illegal miners are most active. The culprits need to be caught and dealt with strictly.

ILLEGAL MINING REPORTED IN 5 LOCATIONS IN NOVEMBER 2022

LOCATION 1: NEW LOCATION OF ILLEGAL MINING DOCUMENTED IN GURUGRAM ARAVALLIS

Aravalli Bachao Citizens Movement heard about illegal sand mining taking place in the Aravalli forest area next to Baliawas village. On 27.11.2022 evening, Aravalli Bachao Citizens Movement team visited this area. **As the team members approached the forest area at the end of the village road ahead of Mr Dairy, they crossed 2 tractors carrying sand out of the forest. Both the tractors had no number plates.** The team followed the tractor marks on the kuccha road into the forest and came across a big hillock of sand from where the tractors would have picked up the sand. Location coordinates of this site are as follows: Latitude 28.425655 and Longitude 77.122073

As the team walked a little further, they heard voices of many men and some work going on. It was getting dark and so the team decided to head back. **After a few minutes, a JCB came from behind them. This is the number of the JCB: HR30 R 6002.**

Photographs from the site visit conducted on 27.11.2022 along with google images of the Aravalli forest area near Baliawas village showing illegal sand mining spots and tractor marks on the kucha path are annexed herewith as Image 1, 2, 3, 4 and 5 dated 27.11.22.

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Evidence of fresh illegal mining was found on a site visit conducted near Rathee Café on 25.11.2022

Location coordinates are as follows: Lat.: 28.343666, Long: 77.00292.

The illegal mining appeared to have been undertaken in a few days prior to the date of the visit on a hill side near the road.

Copy of the photograph derived as a screenshot from a geotagged video taken during the site visit on 25.11.2022 is annexed herewith as Image 6, 25.11.22

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Our team walked in this Aravalli area behind ITC Grand Bharat hotel for 2 hours and reached the site near Kharak village on 22.11.2022.

When the team members were photographing the first hill with the X sign marked in white, a local man on a motorbike saw

them. The image of this location is attached herewith as Image 7, 22.11.22.

738

After a 15-minute walk, the team reached an area where many hills were marked with x, kharak village, 2x written in white and red on the hills everywhere. The image of this location is attached herewith as Image 8, 22.11.22.

After taking photographs, when the team was heading out of the forest, they heard blasting sounds in the vicinity.

When the Aravalli Bachao Citizens Movement team came out of the forest, a local man on the motorbike questioned them as to why they were filming the hills marked with X signs. The team members told the motor biker that they were regular walkers and kept exploring different Aravalli areas. **The motor biker then told them that he thought they were officials from the mining department and so had messaged the people working on breaking the hills to leave the area where all the X signs were marked.**

LOCATION 4: ARAVALLI AREA NEAR TIKLI VILLAGE

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b) Lat: 28.301066, Long: 77.002306

c) Lat: 28.301378, Long: 77.003105.

Copy of the photographs of the different areas in this location where illegal mining activity was taking place are annexed herewith as Image 9, 06.11.22 and Image 10, 06.11.22.

LOCATION 5: ARAVALLI HILLS NEAR PALLA VILLAGE IN NUH

The villager from Palla who had shown the Aravalli Bachao team members, the sites of illegal stone and sand mining in December 2021 informed us on 23.11.2022 that illegal mining has still not stopped in Palla village. 2 tractor loads of illegally mined stone and sand are taken every day to sell in the market.

TWO OTHER IMPORTANT ANNEXURES WITH THIS MAIL

PFA with this email, a document prepared by the Aravalli Bachao Citizens Movement on the use of Advanced Drone Technology shared with the Haryana government earlier in our mail dated 2nd August 2022 and our organization's submission to NGT on 28th November 2022 detailing steps that should be taken by the Haryana government to stop this menace of illegal mining which is destroying our precious Aravallis which are the highly polluted and water stressed Haryana state's and the National Capital Region's pollution sink, climate regulator, only barrier against desertification, critical water recharge zone and wildlife habitat.

Best,

Jyoti Raghavan

Managing Trustee

Aravalli Bachao Citizens Movement

739

No trace yet of 51 forest check posts to be set up in Aravalli zone of Gurugram and Sohna in 2016

[hindustantimes.com/cities/gurugram-news/none-of-the-51-forest-check-posts-promised-by-the-government-to-prevent-illegal-mining-and-exploitation-in-the-aravallis-zone-of-gurugram-and-sohna-exist-according-to-an-investigation-by-hindustan-times-the-aravallis-are-vital-for-the-well-being-of-around-64-million-people-in-the-national-capital-region-acting-as-a-natural-barrier-between-the-ncr-and-the-thar-desert-while-also-serving-as-a-groundwater-recharging-zone-and-biodiversity-hot-spot-environmentalists-have-called-for-a-dedicated-aravallis-task-force-and-drone-monitoring-of-the-area-101681792341303.html](https://www.hindustantimes.com/cities/gurugram-news/none-of-the-51-forest-check-posts-promised-by-the-government-to-prevent-illegal-mining-and-exploitation-in-the-aravallis-zone-of-gurugram-and-sohna-exist-according-to-an-investigation-by-hindustan-times-the-aravallis-are-vital-for-the-well-being-of-around-64-million-people-in-the-national-capital-region-acting-as-a-natural-barrier-between-the-ncr-and-the-thar-desert-while-also-serving-as-a-groundwater-recharging-zone-and-biodiversity-hot-spot-environmentalists-have-called-for-a-dedicated-aravallis-task-force-and-drone-monitoring-of-the-area-101681792341303.html)

April 18, 2023

None of the 51 forest check posts to be set up in the Aravallis zone of Gurugram and Sohna in 2016 exist as of date, an HT investigation has found, underlining the vulnerability of the eco-sensitive region which has suffered irreversible damage over the years due to plunder by the illegal-mining mafia.



The 51 check posts were originally set up in 2016, but discontinued in 2017. (Manoj Kumar/ HT Photo)

In January 2018, the government promised to set up a task force and 51 check posts to prevent exploitation of the area by the end of the year.

In December 2018, Gurugram-based environmentalist Vaishali Rana filed a right to information application, seeking information about these check posts, and the status of the Aravallis task force.

In its response in March 2019, the Haryana forest department said six check posts were functional — Gairatpur Baas village, Raisina Aravalli retreat, near Raisina village, Rojka Gujjar sectors 4 and 5, Kadarpur hilly area, and Ghamroj hills. HT has seen a copy of the RTI application and the forest department's response.

Four years later, none of the six is functional as confirmed by HT's spot check. After HT asked the Haryana government about this, Jawahar Yadav, officer on special duty (OSD) to Haryana chief minister Manohar Lal Khattar promised that the posts would be set up again and the task force formed in the next few months.

The 51 check posts were originally set up in 2016, but discontinued in 2017, as mentioned in a letter from the Haryana forest department to the principal chief conservator of forests Panchkula. "Since 2016, a network of forest check posts/nakas have been established in the Aravallis. The protection watchers from among local villages were engaged in these nakas. However, this system was discontinued since August 2017 due to the want of budget which would adversely affect the bio-diversity and hydrology of the area. Therefore, it is proposed that the system of nakas and protection watchers is to be continued and revived," the letter said. HT has seen a copy of it.

According to experts, the Aravallis are intrinsic to the well-being of around 64 million people in the National Capital Region (NCR). They act as a natural barrier between the NCR and the Thar, preventing the relentless march of the desert, a process termed desertification. It also acts as a massive groundwater recharging zone, and a biodiversity hot spot.

All posts abandoned, damaged

Based on the information by the forest department, HT visited all six locations to check the status of the posts, and found that none of them exist any more.

Local residents said till five years ago, security staff used to come for patrolling, but all of these structures have now been abandoned and they lie decrepit and damaged.

Mohan Rathee, 55, a resident of Gairatpur Baas, said the check post near his village was removed six years ago, and forest officials visit the area only around once a week. "Illegal activities have grown in the area and every day, and at least 20 tractor trolleys carry stones illegally mined from the area. Despite our requests to officials to keep a check on the illegal activities, no one bothers to check the hillocks where mining is going on unabated."

Mange Ram, 38, a resident of Raisina village, said: "There is no check here, forest officials visit once in a while to mark their attendance. There is no fear among the illegal miners. They know that there is no surveillance in the area and continue to mine stones in the area. The business has flourished in the last couple of years," he said.

HT also spotted fresh truck tyre marks in the rocky terrain that showed that heavy vehicles were coming into the area to carry out the illegally mined stone in Raisina, Gairatpur Baas, Sohna, Kadarapur and Ghamroj.

Karambir Malik, Gurugram forest range officer, admitted that since 2018 there have been no check posts in the Aravalli. "The department had hired locals who were deployed at these posts but due to non-payment they left work. We are also short staffed and cannot

put officials at check posts. Over the years, the remaining six posts -- of the total 51 — have also dwindled”.

Malik said the tents, cabins and other material used to set up the posts were stolen by unidentified miscreants.

What experts say

Since 2018, local environmentalists have been demanding a dedicated Aravallis task force and drone monitoring of the region where illegal mining is being carried out. “We have been demanding this since 2018, but nothing has happened. The rapid deforestation and illegal activities are destroying the unique landscape that requires immediate attention,” said Rana.

Col Sarvadaman Oberoi, an activist who has been involved in several cases to protect the Aravallis, said that the desertification and land degradation Atlas-2021, released by the Indian Space Research Organisation (ISRO) states that around 360,000 hectares or 8.2% of Haryana’s total land area has degraded between 2016-17 and 2018-19. “Desertification occurs when fertile land turns into a desert by losing its flora and fauna. Experts attribute desertification in the state of Haryana to mining and encroachments in the Aravallis which is leading to destruction of the Aravalli hills and loss of forests and green cover,” Oberoi said.

“Hill after hill has been razed to the ground across the Aravalli range, and the resulting loss of vegetation and green cover means that there are fewer obstacles to stop wind erosion. Temperatures are also rising as our forest cover is declining,” said Oberoi.

Neelam Ahluwalia, co-founder of the Aravalli Bachao citizens’ movement, said the Aravallis are being ravaged and destroyed on account of illegal tree felling, mining and encroachments. “Deforestation is negatively impacting our right to breathe clean air, as well as affecting water security,” she said.

“Check points across the Aravalli range need to be increased — not reduced — to control these illegal activities, along with the use of drones for surveillance and monitoring of the area. Haryana has the lowest forest cover in the country, barely 3.6% against the national average of 21%, and consequently, cities with the highest air pollution and water stress. We have been repeatedly asking the government to increase the number of check posts and use drones at night and early morning to control the plunder of our pollution sink, barrier against desertification and critical water recharge zone. The lives of millions of people living in Haryana and India’s National Capital Region is at stake,” she said.

Jawahar Yadav, officer on special duty (OSD) to Haryana chief minister Manohar Lal Khattar, said that they hold meetings with forest officials and will ensure check posts are set up again in Aravalli to curb illegal activities. “We will form an Aravalli Task Force within two months and regular patrolling will be done by the teams to ensure no illegal mining,

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poaching of wildlife/birds or cutting trees is carried out. We have also directed enforcement agencies to take prompt and strict action against people found indulged in these activities,” he said.

Assuring prompt action, Yadav said that they have directed the forest officials to send forest guards to certain locations inside the forests from where regular complaints are reported. “We will hold a joint meeting with environmentalists and the forest department this month to discuss preventive steps to stop illegal activities in Aravallis,” he said.

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Aravalis: 1 Mining Officer & An Understaffed Dept To Watch Aravalis In City, Nuh | Gurgaon News

TOI timesofindia.indiatimes.com/city/gurgaon/1-mining-officer-an-understaffed-dept-to-watch-aravalis-in-city-nuh/articleshow/98928444.cms

Ipsita Pati / TNN / Updated: Mar 23, 2023, 08:44 IST

Trending Topics

1 mining officer & an understaffed dept to watch Aravalis in Gurgaon, Nuh

The division has a sanctioned strength of 25 mining guards and 10 inspectors, who are key to stopping any stone quarrying on the ground.

GURGAON: The Aravalis in Nuh and Gurgaon are currently under the watch of just one mining officer, who has two more districts to supervise and heads an understaffed team running on less than one-third of its strength.

The two NCR districts comprise some of the most vulnerable swathes of the Aravalis and present formidable administrative challenges – illegal construction in Gurgaon and illegal mining in Nuh.

In July last year, a group of miners fleeing in a truck ran over DSP Surender Singh Bishnoi, who had intercepted them in Nuh's Pachgaon. Nuh doesn't have a mining division of its own, and normally, the Gurgaon mining department would be responsible for its administration.

But after the DSP's killing, the state government posted mining officer Anil Kumar and five mining guards from other districts in Nuh. However, a government order last week (March 17) transferred Kumar to Sonipat. As a result, tracking illegal mining in the Aravalis in Nuh is back in the hands of the Gurgaon mining department.

Data shows the Gurgaon team — which also manages Bhiwani and Charkhi Dadri — is working with 71% vacancies yet to be filled. Just eleven of the 39 posts have been filled. The positions lying vacant include that of 18 mining guards, nine mining inspectors and an accountant.

The division has a sanctioned strength of 25 mining guards and 10 inspectors, who are key to stopping any stone quarrying on the ground.

Officials admitted the district mining offices are understaffed. "The sanctioned strength for guards is 25, but Gurgaon has 18 guards, which makes it very difficult to protect the forests," said Anil Atwal, the mining officer of Gurgaon.

"We need young rangers who are fit and energetic, and can protect our forests," said another official of the department.

Anil Kumar, recently transferred to Sonipat, told TOI: "Nuh so far doesn't have a mining division. All the guards posted at Nuh are of different districts and they, too, were moved there to increase surveillance after last year's incident."

The Supreme Court in 2009 imposed a ban on mining in three south Haryana districts – Gurgaon, Nuh and Faridabad – noting that the Aravali hills were fast deteriorating

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because of illegal stone quarrying. But despite the ban, stone mining is chipping away at the hills that are the only barrier between desert in Rajasthan and the urban sprawl of north India.

In November last year, a committee set up by the National Green Tribunal (NGT) had listed in its report 38 illegal mining sites in the Aravalis of Gurgaon and Nuh based on FIRs filed over the years. Some of these had fresh signs of stone quarrying.

In the past 11 months, the Gurgaon mining department seized 40 vehicles allegedly engaged in illegal mining in the Aravalis. It imposed fines amounting to nearly Rs 1 crore on illegal miners and registered 25 FIRs. In Nuh, 102 vehicles were seized and Rs 4.87 lakh was collected in penalties for mining in 2022-23

The office of state mining minister Mool Chand Sharma said there was a dearth of mining officers in the state. "The Haryana Public Service Commission has issued advertisements for hiring of mining officers in the state. We are aware of the situation and it will take two to three months to recruit mining officers," the office said in response to queries by TOI.

Start a Conversation

CENTRAL GOVERNMENT'S RIGHT TO INFORMATION- 2005, SEE RULE 3
PRESCRIBED FORM TO GET INFORMATION

To,

State Public Information Officer,

Office of Chief Secretary, State of Haryana,
4th Floor, Haryana Civil Secretariat,
Sector-1, Chandigarh – 160001, Haryana.

1] **Name of the Applicant:** Ms. Jyoti Raghavan, Managing Trustee,
Aravalli Bachao Citizens Movement

2] **Address & Contact Details:** BS-4K, Birch Street, Malibu Towne,
Sohna road, Gurugram - 122001
Mobile: 9250317207
Email: joeragskhan@gmail.com

3] **Details of the Information
Required:**

Please provide copy of the proposal that has been submitted to the competent authority in the Haryana Government for the constitution of the 'Aravalli Rejuvenation Board' as mentioned in the Chief Secretary's affidavit to the National Green Tribunal on 12th April 2023 in compliance of directions of the Tribunal issued on 10 October 2022 under the ongoing legal case: Original Application No.362/2022 Aravalli Bachao Citizens Movement Applicant Versus Union of India & Ors. Respondents

Relevant line from the Chief Secretary's affidavit to the National Green Tribunal on 12th April 2023:

"That after receipt of the above said order deponent has convened the meetings of all departments concerned on 15 February 2023 and on 06 April 2023 wherein the aforesaid directions issued by this Hon'ble Tribunal were considered and it was decided to constitute a statutory authority for integrated environment management and sustainable development of the Aravalli range in the State of Haryana namely 'Aravalli Rejuvenation Board'. Accordingly, a proposal has been submitted to the competent authority in the State Government for the constitution of the said Board."

i] **Subject of Information:** Details with respect to constitution of the 'Aravalli Rejuvenation Board'

ii] **Period of Information:** Jan 2023 till May 2023

iii] **Details of Information:** As mentioned above

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- 4] **Information needed by post or hand delivery etc.** (Postage will be added in additional charges) By registered post and email
- 5] **In case of Postage (General, Registered or Urgent):** Registered post
- 6] **Purpose to get the Information:** Protection of the environment

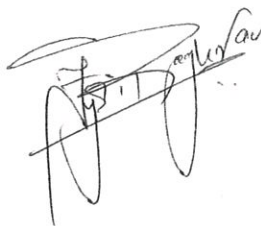
Note: Please find attached to this RTI, a Postal order of Rupees 10

having number 989 569589 .

Place: Gurugram

Date: 25 / 04 / 2023

Signature of RTI applicant:



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Annexure A-5

Annexure 5 : Delivery Status Notification (Failure)

From Aravalli Bachao <aravallibachao.team@gmail.com>

To itisha.awasthi@proton.me

Date Thursday, April 27th, 2023 at 2:22 AM

1.48 KB

1 embedded image

icon.png 1.48 KB

----- Forwarded message -----

From: **Mail Delivery Subsystem** <mailer-daemon@googlemail.com>

Date: Mon, Apr 24, 2023 at 6:58 PM

Subject: Delivery Status Notification (Failure)

To: <aravallibachao.team@gmail.com>

**Address not found**

Your message wasn't delivered to
aravalibachaoggn@gmail.com because the address
couldn't be found, or is unable to receive mail.

[LEARN MORE](#)

The response was:

550 5.1.1 The email account that you tried to reach does not exist. Please try double-checking the recipient's email address for typos or unnecessary spaces. Learn more at <https://support.google.com/mail/?p=NoSuchUser> c36-20020a05687047a400b001729a3fb938sor31606060a1 - smtp

----- Forwarded message -----

From: Aravalli Bachao <aravallibachao.team@gmail.com>

To: aravalibachaofgn@gmail.com, aravalibachaoggn@gmail.com

Cc: "T.L. Satyaprakash,IAS" <dcgrg@hry.nic.in>, Deputy Commissioner

<dcfbd@hry.nic.in>, cp.ggn@hry.nic.in, jtcp.ggn@hry.nic.in, dcp.southggn@hry.nic.in,
dcp.hgggn@hry.nic.in, dcnuh@hry.nic.in, spmw@hry.nic.in, cf.gurgaon@gmail.com,
dmg.mines-hry@nic.in, dfogurgaon1@gmail.com, cs@hry.nic.in

Bcc:

Date: Mon, 24 Apr 2023 18:57:42 +0530

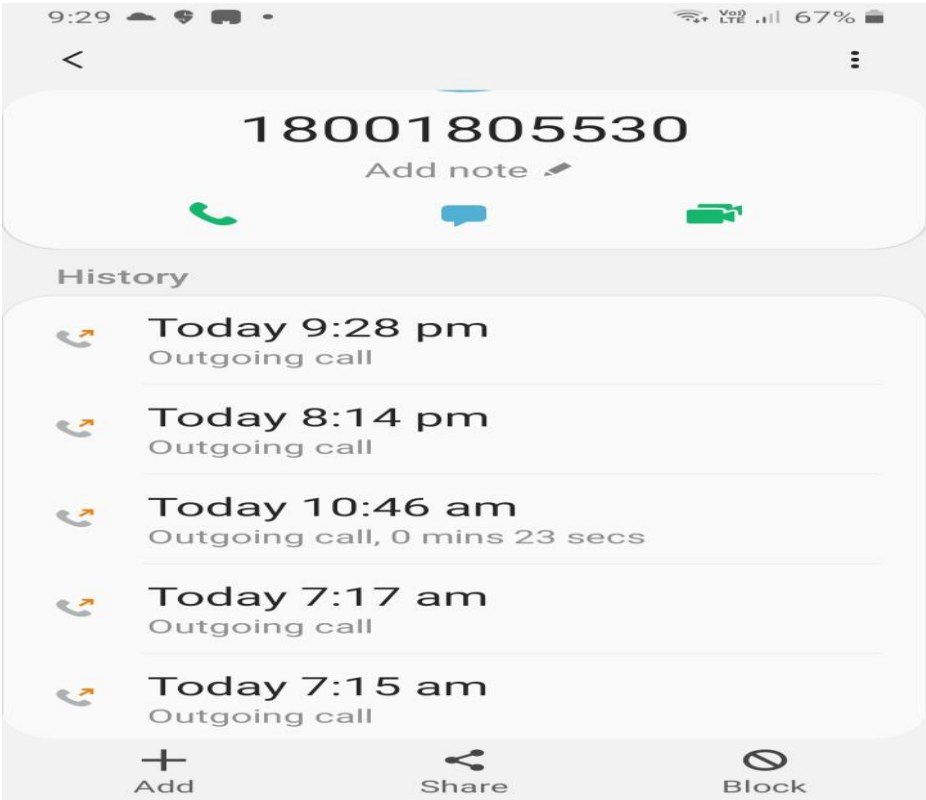
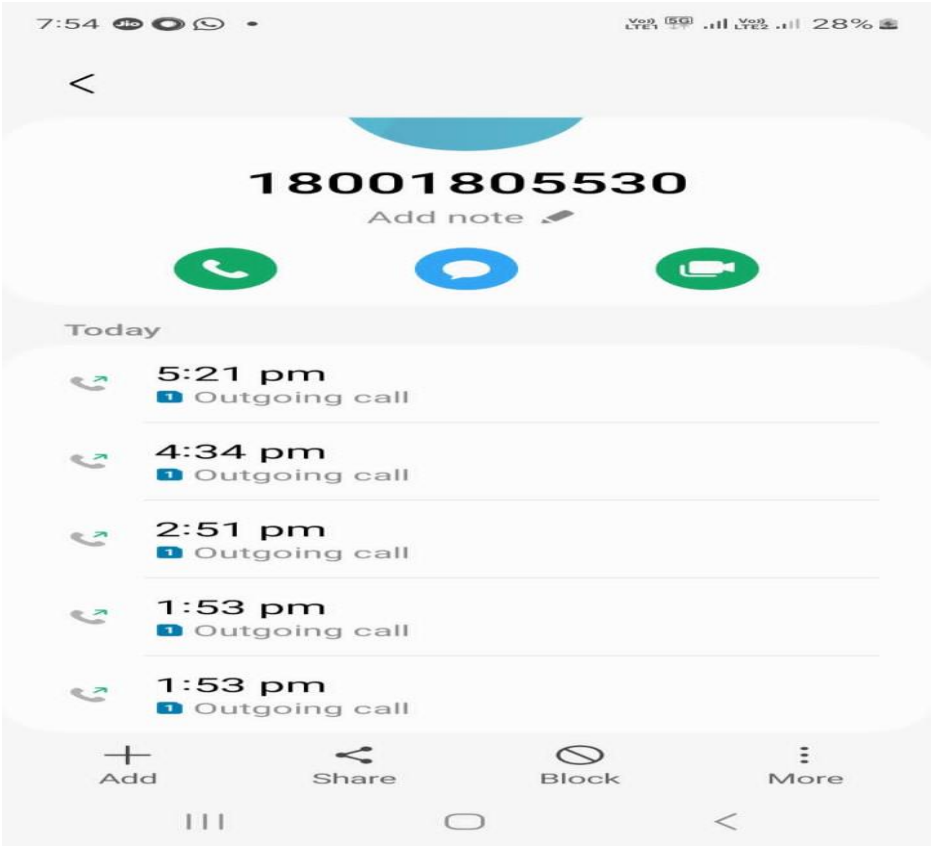
Subject: Reporting on 6 locations of illegal mining in Gurugram & Nuh Aravallis

----- Message truncated -----

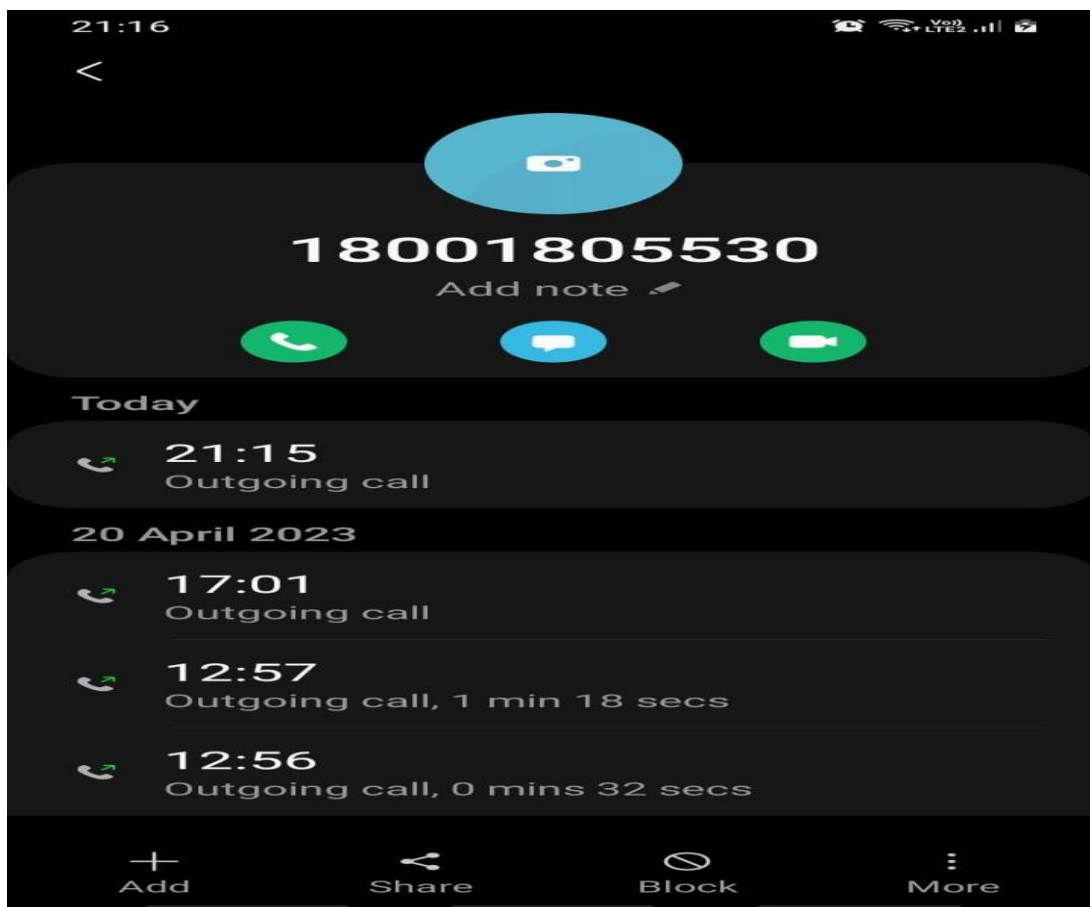
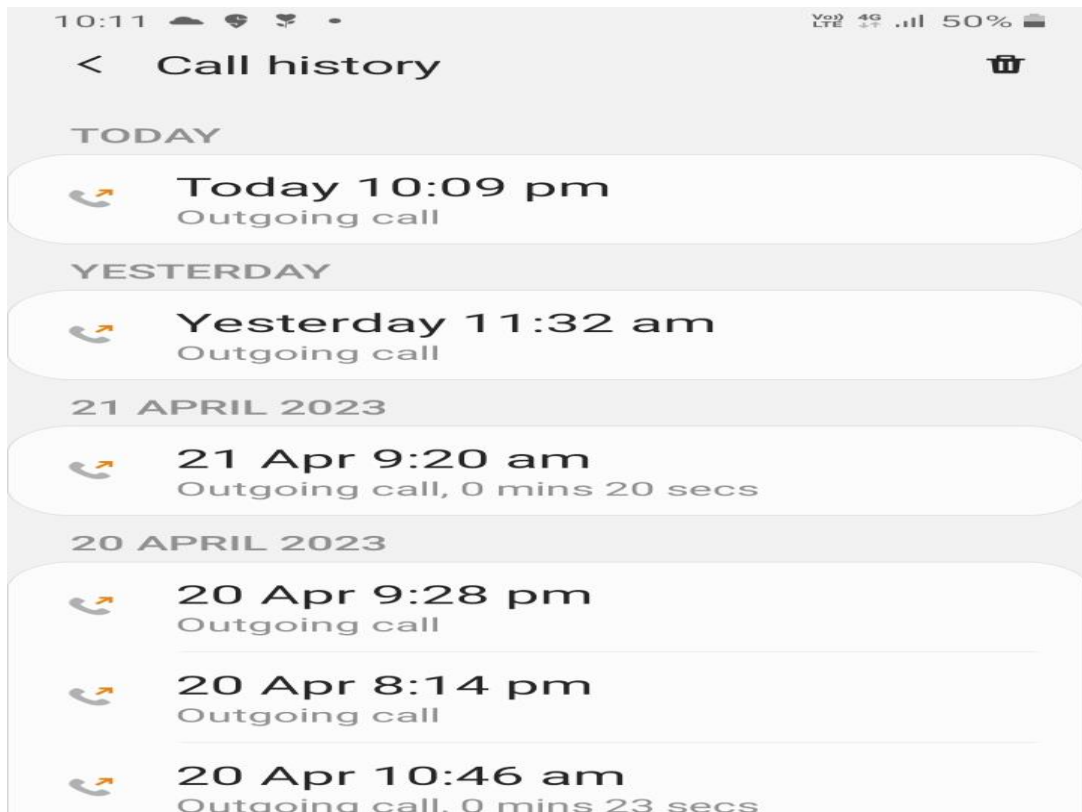
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ANNEXURE A-6

Screenshots of calls made to the toll-free number



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Annexure A-7

Annexure 4: Email sent by member of Aravalli Bachao to Aravalli Bachao

From Aravalli Bachao <aravallibachao.team@gmail.com>

To itisha.awasthi@proton.me

Date Thursday, April 27th, 2023 at 2:20 AM

----- Forwarded message -----

930.21 KB 15 files attached

From: **mahi malhotra**

<mahi.malhotra.ioe@gmail.com>

Date: Tue, Apr 25, 2023 at 6:34 AM

Subject:

To:

<aravallibachao.team@gmail.com>

WhatsApp Image 2023-04-25 at 01.07.08.jpg 110.36 KB

WhatsApp Image 2023-04-24 at 02.41.29.jpg 56.54 KB

WhatsApp Image 2023-04-23 at 21.13.16.jpg 56.54 KB

WhatsApp Image 2023-04-25 at 01.07.47.jpg 113.05 KB

To,

The Aravalli Bachao Team

WhatsApp Image 2023-04-24 at 17.19.00.jpg 38.51 KB

Please find below the log record of calls made on the 24x7 toll-free number 18001805530 to report illegal mining happening at Aravallis. Have attached snapshots of the calls

WhatsApp Image 2023-04-23 at 15.56.56.jpg 56.08 KB

WhatsApp Image 2023-04-23 at 13.21.21.jpg 56.11 KB

WhatsApp Image 2023-04-21 at 14.51.54.jpg 54.57 KB

WhatsApp Image 2023-04-21 at 13.29.14.jpg 55.71 KB

Thursday 20/04 - We made 3 calls at 14.33 pm; 19.11 pm; 21.44 pm. We could not speak to anyone as there was too much disturbance on the phone call and nothing could be heard by either side when we called at 14.33. After 19.11 the phone went no reply.

WhatsApp Image 2023-04-22 at 13.15.04.jpg 52.33 KB

WhatsApp Image 2023-04-21 at 12.07.29.jpg 56.17 KB

WhatsApp Image 2023-04-20 at 21.46.36.jpg 55.98 KB

WhatsApp Image 2023-04-21 at 01.34.31.jpg 56.15 KB

Friday 21/04 - We made 3 calls at 01.33am; at 12.06 noon; at 13.28 pm; at 14.51 pm; The phone was switched off till 13.28pm. At 14.51 pm we could speak with Mr. Rajat Kaushik and registered complaints for illegal mining at all 7 locations. We told him that on Thursday the Toll-free No. went constantly No Reply and

WhatsApp Image 2023-04-24 at 22.58.01.jpg 56.12 KB

WhatsApp Image 2023-04-20 at 21.44.38.jpg 55.98 KB

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he said that the office was being shifted. He took our contact number to forward to the separate teams for Nuh District and Gurgaon Locations. It seems the Toll-free No. is based at the Faridabad location and they forward the complaints of Nuh and Gurgaon districts to other teams located in those regions.

Saturday 22/04 - We called at 13.10 pm

During our call at 13.10 pm, we spoke to duty officer Mr. Arun Duggar and repeated our complaints of illegal mining at 7 locations giving him the names of the villages and landmarks where illegal mining is happening.

We told him that the Toll-free No. goes constantly No Reply before 12.00 noon and after 19.00 pm in spite of the fact that it is a 24x7 phone line. His reply was that they have a shortage of staff and the head office will send more staff shortly.

We told Mr.Arun Duggar that we have been calling to report illegal mining at many locations but have not received any feedback or reply to our complaints.

He then took our mobile number again and said that he will forward the same to the mining officer Mr. Anil Atwal who is the concerned person for taking complaints and noting down the exact location of illegal mining taking place in both Nuh and Gurgaon locations. We told Mr.Arun Duggar that we had called on Friday also to report complaints but did not get any reply.

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Immediately after half an hour, we received a call from Mr. Anil Atwal, the mining officer who again complained about having a shortage of staff and asked us to send him the longitude and latitude details of all 7 locations at his whatsapp mobile number. He assured to get back with proper feedback at the earliest possible.

Sunday 23/04 - We made 3 calls at 13.20pm; at 15.56 pm; at 21.12 pm; at 14.
Each time the phone went no reply.

Monday - 24/04 - We made 3 calls at 02.40am; at 17.18pm ; at 22.57pm
During our call made at 17.18 spoke with Mr. Raju and repeated complaints of all 7 locations where illegal mining is taking place in Nuh and Gurgaon. We told him to write an email about our complaints and follow up with concerned teams and mining officers to get us feedback.

Please find attached snapshots of all the above calls made and snapshots of WhatsApp chat with Mr. Anil Atwal.

The efficacy of the Toll-free line can be increased when it is answered by computer-literate, diligent staff who promptly report the illegal mining instances by mail to the concerned mining officer and then follows up to get back with feedback on the complaints. When we spoke with people attending the calls they wanted us to share the exact longitude and latitude details with the mining officer (that too as an informal whatsapp message). Ideally, they should take all details from us in the mail to

officially register/document the
complaints.

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Thanks & Regards
Mahi Malhotra

Screenshots of the WhatsApp conversations where latitude and longitude of the mining sites were shared, as requested on calls on the toll-free number. However, no reply was received and no action was also taken

