



**Government of Jammu & Kashmir**  
**DIRECTORATE OF GEOLOGY & MINING, J&K**

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The Consultant (Judicial),  
Hon'ble National Green Tribunal,  
Principal Bench, New Delhi.

No: 317/DGM/LCJ/NGT/OA 690/2023(7435343)

Dated:04-04-2024

**Subject: OA No. 690/2023 titled Raja Muzaffar Bhat V/s Union Territory of Jammu & Kashmir &Ors.**

**Reference: Hon'ble NGT's order dated 05-02-2024.**

Sir,

In reference to the above noted subject, it is submitted that the Hon'ble National Green Tribunal vide its Order dated 05-02-2024 passed in the aforesaid case directed as under:-

".....other respondents (Respondent No 1- UT of J&K through Chief Secretary, Respondent No. 3- JK PCB, Respondent No. 4- DGM & Respondent No 6- Private Respondent Umesh Kumar Sharma) are also directed to file their response at least one week before the next date of hearing by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. "

List on 12.04.2024.

In this regard, kindly find enclosed herewith the compliance report as **Annexure-A** in compliance to the directions of the Hon'ble National Green Tribunal's passed vide Order dated 28-11-2023 in OA No. 690/2023 titled *Raja Muzaffar Bhat V/s Union Territory of Jammu & Kashmir & Ors.*

It is, as such, requested that the report may kindly be taken on record and placed before the Hon'ble NGT for kind consideration please.

Yours faithfully,

Encl: A/A

(P. S. Rathore) JKAS,  
Director, Geology & Mining, J&K

04.04.2024

Copy to:-

1. Mr. G.M. Kawoosa, Additional Standing Counsel for UT of J&K, Hon'ble National Green Tribunal, H-24, 2<sup>nd</sup> Floor, Lajpat Nagar-01, New Delhi.
2. Deputy Secretary to the Government, Forest, Ecology and Environment Department, J&K Civil Secretariat, Srinagar/Jammu.
3. Senior Law Officer, Mining Department, J&K Civil Secretariat, Jammu.

**Compliance Report in terms of the Hon'ble National Green Tribunal's Order dated 28-11-2023 passed in OA No. 690/2023 titled Raja Muzaffar Bhat V/s Union Territory of Jammu & Kashmir & Ors.**

It is submitted that the Department of Geology and Mining had carved out five (05) Minor Mineral Blocks in Nallah Romushi in District Pulwama which were put to e-Auction in the year 2020 by the District Level Auction Committee, headed by the concerned Deputy Commissioner. The detail of the successful bidders in the said e-auction, in respect of these five (05) Minor Mineral Blocks is as under:-

S. No.	Block No.	Description of the Minor Mineral Block	Name of the successful bidder	Bid Amount Offered (₹)
1	35	A-Rahmoo Bridge U/ Stream	Jugesh Aggarwal s/o Ram Chand R/o Anandpur Pathankot Pnb	₹92,00,000/-
2	36	B-Rahmoo Bridge D/ Stream	Umesh Kumar S/o Shiv Narayan Sharma R/o Saroop Nagar Ludhiana Pnb	₹96,60,000/-
3	37	C-Chewa Bridge U/ Stream	Arvind Kumar Gupta S/o Ram Chander Gupta R/o RajguranagarLudhainaPnb	₹98,90,000/-
4	38	D-Chewa Bridge D/Stream	Jagdish Singh S/o. Vijay singhMalikpur Pathankot, Tehsil and District Pathankot (PB)	₹1,51,30,000/-
5	39	E- Newa Diversion Bridge U/stream	Vinod Kumar Shukla S/o ChanderNarain Shukla R/o BehinarUnnao UP	₹2,36,10,000/-

However, the successful bidders of the Minor Mineral Block No. 35, 36 & 39 could not submit the requisite documents viz. the Environmental Clearance (EC), Consent to Operate (CTO) and the Mining Plan and subsequently the period given to these highest bidders to compete the requisite formalities in the Letter of Intents (LoIs) issued also expired.

In the same e-auction, Sh. Umesh Kumar S/o Sh. Shiv Narayan Sharma R/o Saroop Nagar, Ludhiana, Punjab and Sh. Arvind Kumar Gupta S/o Ram Chander Gupta R/o Rajpura Nagar, Ludhiana, Punjab **emerged as the highest bidders** for the **Minor Mineral Block No. 36 and 37** of District Pulwama with the description, '*B-Rahmoo Bridge D/ Stream Nallah Romushi*' and '*C-Chewa Bridge U/ Stream NallahRomushi*' respectively. These successful bidders were accordingly issued Letter of Intent (LoIs) by the Department of the Geology and Mining for offering the highest bid amount of ₹9660000/- & ₹9890000/- for the blocks 36 & 37 respectively.

Further, in the Letter of Intent (LoI) issued by the Department, these highest bidders were directed not to indulge in the mining activities unless and until they secured the pre-requisite documents/conditions viz.

Environmental Clearance **(EC)** from J&K Environmental Impact Assessment Authority (JKEIAA), Department of Ecology, Environment and Remote Sensing and Consent to Operate **(CTO)** from the Pollution Control Board **(PCB)**. After the completion of all formalities, these Minor Mineral Blocks were leased out in August, 2022 and finally handed over to the lease holders in October, 2022 for mining.

The Minor Mineral Block in question i.e., Block No. 36, like other leased out Minor Mineral Blocks, are catering to the needs of various Developmental activities as well as for general masses in the area. The Department is not allowing use of machinery in any Minor Mineral Blocks for extraction of the River Bed Material (RBM). Further, strict instructions have also been passed to the field functionaries not to allow any kind of mining outside the prescribed areas. During the monsoon period, all sort of the extraction in the Minor Mineral Blocks remains suspended for 2 ½ months.

However, in response to the complaints received regarding illegal extraction of material from the Nallah Romshi during odd / wee hours by locals residing on the banks of the said nallah or with regard to the use machinery, the Department acts promptly by seizing of vehicles /machinery found involved if any and heavy penalties are imposed on such violation and FIRs are also lodged against repeated offenders under rules. Here below is the yearly detail of seizures of vehicles and penalties imposed on violators and the number of FIRs lodged in District Pulwama:-

S. No.	Year	No. of Seizures	Compounding/Penalty imposed (Rs. in lakhs)	FIRs lodged
1	2021-22	48	8.81	10 FIRs
2	2022-23	77	12.49	06 FIRs
3	2023-24	72	15.26	07 FIRs

It is pertinent to mention here that in-spite of the limited manpower/ resources, the Department of Geology and Mining is leaving no stone unturned in order to curb the menace of illegal mining/ transportation of Minor Minerals. More stringent actions like lodging of the FIRs, heavy pecuniary penalties and punishment for the offences as provided under **Sections 21, 23 A and 23 B** of the MMDR, Act 1957.

The UT Govt. have also constituted Multi-Departmental Task Force Cell vide Govt. Order No.1569-GAD of 2018 dated 22-10-2018 (copy enclosed as **Annexure-A-1**), headed by the District Magistrate concerned and SSP concerned as its member to ensure to check illegal mining, effect seizures and late-night patrolling and announcements through local mosques to curb the illegal mining activities.

Further, the UT Government have constituted an Inspection Committee vide Govt. Order No. 990-JK(GAD) of 2023, dated 21-08-2023 for implementation of Hon'ble NGT's Order dated 26-02-2021 passed in OA No. 360/2015 (with other connected matter) National Green Tribunal Bar Association V/s Vijendra Singh (copy of the G.O. No.990-JK(GAD)of

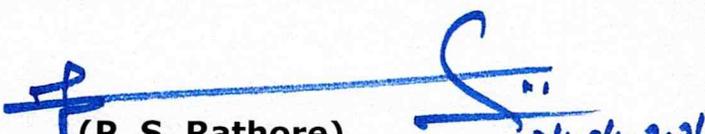
2023, Dated 21-08-2023 is annexed as **Annexure-A-2**). The terms of reference of the said Committee are as follows:-

1. *To conduct periodic inspections at least thrice for each lease as per the directions of Hon'ble NGT order mentioned here in above.*
2. *To prepare inspection reports of hoisting on the website of JKEIAA, to be acted upon by the implementing agencies.*

Further, it is submitted that the Minor Mineral Block No.36, with the description, '*B-Rahmoo Bridge D/Stream*' has already been closed w.e.f the first week of February, 2024 by the Department in compliance to the direction passed by the J&K Pollution Control Committee, Jammu vide Order No. 227/JK/PCC of 2024 dated 01-02-2024 and no extraction of any sort has been done/reported in this Minor Mineral Block by the lessee/authorized agents.

Besides, the area Incharge concerned has also been strictly directed to ensure that no minor mineral is lifted from the said Block and in case of any illegal activity in and around the said Minor Mineral Block is noticed, the report must be sent to the higher authorities for immediate action under rules. Additionally, in order to ensure that minerals extracted only from the legal sources are transported to the end users, every time the vehicles engaged in transportation of Minerals are required to carry a valid '**Mineral Transport e-Challan/Form-A**' generated from the e-Market Place portal of the department which depicts the source/pit head location as well as the destination of the supplies. Without these e-challans, no transportation of minerals is allowed.

It is reiterated that this drive against the illegal mining and transportation shall be continued more vigorously.

  
(P. S. Rathore)  
Director, Geology & Mining, J&K  
04.04.2024



GOVERNMENT OF JAMMU AND KASHMIR,  
GENERAL ADMINISTRATION DEPARTMENT,  
Civil Secretariat, J&K

**Subject:** Constitution of Inspection Committee for implementation of Hon'ble NGT order dated 26.02.2021 passed in original application No. 360/2015 titled National Green Tribunal Bar Association V/s Virendra Singh.

**Ref:** U.O No. FST-Lit/40/2021-02- received from Forest, Ecology & Environment Department.

Government Order No: 990-JK (GAD) of 2023

Dated: 21-08-2023

Sanction is hereby accorded to constitution of Inspection Committee, comprising the following, for implementation of Hon'ble NGT order dated 26.02.2021 passed in original application No. 360/2015 (with other connected matter) National Green Tribunal Bar Association V/s Virendra Singh:-

**Jammu Division:**

S. No.	Designated Officer	Designation
1.	Sh. Lal Chand	Chairman, JKEIAA
2.	Er. B.B. Sharma	Member, JKEAC
3.	Prof. Anil Kumar Raina	Member, JKEAC
4.	Regional Director, JKPCC, Jammu	Member
5.	Regional Officer, MoEF&CC, IRO, Jammu	Member

**Kashmir Division:**

S. No.	Designated Officer	Designation
1.	Er. Nazir Ahmad	Member, JKEIAA
2.	Mr. Irfan Yasin	Member, JKEAC
3.	Mr. M.A. Tak	Member, JKEAC
4.	Regional Director, JKPCC, Kashmir	Member
5.	Regional Officer, MoEF&CC, IRO, Jammu	Member

**The terms of reference of the Committee:**

1. To conduct periodic inspections at least thrice for each lease as per directions of Hon'ble NGT order mentioned here in above.

2. To prepare inspection reports for hoisting on the website of JKEIAA, to be acted upon by all implementing agencies.

By order of Government of Jammu and Kashmir.

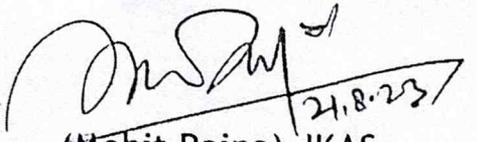
Sd/-  
(Sanjeev Verma) IAS  
Commissioner/Secretary to the Government

No. GAD-ADM0IV/243/2022-09-GAD

Dated: 21.08.2023

Copy to the:-

1. Principal Secretary to Government, Forest, Ecology & Environment Department.
2. Principal Secretary to the Hon'ble Lieutenant Governor, J&K.
3. Joint Secretary (J&K) Ministry of Home Affairs, Government of India, New Delhi.
4. Director, Archives, Archaeology and Museums, J&K.
5. Chairman, JKEIAA.
6. Private Secretary to the Chief Secretary, J&K.
7. Private Secretary to Advisor (B) to the Hon'ble Lieutenant Governor.
8. Private Secretary to Commissioner/Secretary to the Government, GAD.
9. Government Order/Stock file/Website, GAD. Hindi and Urdu version shall follow.

  
(Mohit Raina) JKAS  
Under Secretary to Government





GOVERNMENT OF JAMMU AND KASHMIR,  
GENERAL ADMINISTRATION DEPARTMENT,  
**Civil Secretariat, Srinagar.**

Subject:- Constitution of "Multi Departmental District Level Task Force Cell" in Geology & Mining Department.

Reference: UO No.IND/MNG/70/09 dated 28.09.2018 from Industries & Commerce Department.

**Government Order No. 1569-GAD of 2018**  
**Dated: 22.10.2018**

Sanction is hereby accorded to the constitution of "Multi Departmental District Level Task Force Cell" in Geology & Mining Department, comprising the following:-

1	Deputy Commissioner (concerned).	Chairman
2	Superintendent of Police (concerned).	Member
3	Assistant Commissioner, Revenue (concerned).	Member
4	Executive Engineer, I&FC Department (concerned).	Member
5	Divisional Forest Officer (concerned).	Member
6	Mineral Officer, Geology & Mining Department (concerned).	Member
7	District Mineral Officer (concerned).	Member Secretary

The mandate and term of reference of the Cell shall be to:-

- i. identify sites located beyond the boundaries of leaseholds and agencies involved in illegal mining activities;
- ii. quantify material extracted on account of illegal mining and imposition of penalties including cost material, royalty and its recovery thereof;
- iii. refer such illegal mining activities to the Director, Geology & Mining Department empowered for such purpose in accordance with rules compounding of offence;
- iv. case the offender does not attend to the Directorate of Geology & Mining for compounding of offence, such matters shall be referred to judicial authorities in consultation with the Cell;
- v. inspect mining belts with respect to title of land, status of mining pits/benches with regard to existence of flora and fauna including forestation etc. and examining the issues

*[Handwritten signatures]*

- related to safety besides, safeguarding Ecology and Geo-environment and highlighting the area of immediate concern and remedial measures thereof;
- vi. identify sites where e-auction of material in nallah beds, quarry belts is to be undertaken;
  - vii. evaluate price/sale of mineral at Pit head, cost of transportation to its destination;
  - viii. check whether extraction of major mineral is permitted under the garb of minor mineral;
  - ix. check whether the labour working in the mines is exploited by owners in respect of wages, facilities. In such a case, the labour laws and mines regulation shall be a guiding factor;
  - x. prevent illegal miners /forest contractors from violating rules of Geology & Mining Department;
  - xi. submit the annual progress reports of study and analysis together with its recommendations to the Industries & Commerce Department;
  - xii. enforce provisions of SRO-105 dated 31.03.2016 and SRO-302 dated 19.07.2017; and
  - xiii. chairman of this committee may constitute sub-committee in the matter, if it is found necessary to enforce the TOR in more effective manner.

By order of the Government of Jammu and Kashmir.

**Sd/-**

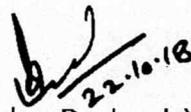
(Hilal Ahmad) IAS,  
Commissioner/Secretary to the Government.

Dated: 22.10.2018.

No. GAD(Adm)148/2012-IV

Copy to the:

1. **Principal Secretary to the Government, Industries & Commerce Department. His UO file is also returned herewith.**
2. Principal Chief Conservator of Forest, J&K.
3. Director, Geology & Mining Department, J&K.
4. Chief Engineer, I&FC Department, Jammu/Kashmir.
5. All Deputy Commissioners.
6. Director, Archives, Archaeology and Museums, J&K.
7. OSD/Spl. Assistant to Advisor (V), (K) and (G) to the Hon'ble Governor.
8. All Assistant Commissioners (Revenue).
9. Private Secretary to the Chief Secretary.
10. Private Secretary to the Commissioner/Secretary to the Government, GAD.
11. Government Order file/Stock file GAD website.

  
(Chander Parkash),

Deputy Secretary to the Government.

22/10