

BEFORE THE NATIONAL GREEN TRIBUNAL,

PRINCIPAL BENCH, NEW DELHI

Original Application No. 1331/2024

Raja Muzaffar Bhat (Applicant)  
Versus  
Union Territory of Jammu and Kashmir & Ors  
Respondent (s)

In the matter of: Reply on behalf of respondent No. 1 and 4 to the Original Application.

Most Respectfully showeth as under:

1. That, the contents of Para No.1 are admitted to the extent of residence of the applicant, rest of the contents of the para is the matter of record.
2. That, the contents of Para No.02 are admitted to the extent of official positions of the official respondents, rest of the contents of the para is the matter of record.
3. That the contents of Para No. 03 to the extent of issuance of EC are matter of record and in reply to the rest of the contents, it is submitted, that the official respondent, through District Mineral Officer Pulwama has time and again intimated to all the lease holders to abide by the terms and conditions of the Environmental Clearance granted and not to use any kind of mechanical means for extraction of material. Copy of the communication issued to the lease holders is annexed herewith and marked as **Annexure-I**.
4. That, in reply to the contents of Para No. 4 it is submitted that the incidence of light excavator (JCB), photo of which has been appended, by the Applicant, was being utilized for loading purpose (semi mechanized method). The block holder has accumulated the material previously and loaded it by means of JCB as claimed by the lease holder.
5. That the contents of Para No. 5 are admitted to the extent that the Sasara Nallah is a tributary of Rambiara which originates from Pir Panjal mountains. In reply of rest of the content it is submitted that all feasible parameters were put in to the consideration prior to the grant of

  
District Mineral Officer  
Geology & Mining Deptt.  
Pulwama

Environmental Clearance. It is further submitted that respondent is not allowing any kind of machinery for mining in the said Nallah.

6. That, the contents of Para No. 6 are matter of record, hence anything contrary to the record is vehemently denied.
7. That, in reply to the contents of Para No. 7, it is submitted that the official respondents are putting best efforts to quell every kind of illegal mining in and around the area. This can be gauged from the below depicted table indicating the seizures in and around the Nallah Sasara;

S.No.	Year	No. of Seizures	Compounding in Lacs	FIR's Lodged
01	2022-23	01	0.22 Lacs	Nil
02	2023-24	07	1.90 Lacs	Nil
03	2024-25	09	1.51 Lacs	Nil
	<b>Total</b>	<b>17</b>	<b>3.63 Lacs</b>	

It is worthwhile to mention here that complete vigil is being put in the Nallah Sasara including Block No. 12 which is presently completely non-operational and no mining operation whether manual or mechanical is being carried out in the said block which can be verified from the local residents residing nearby the Nallah.

8. That in reply to the contents of Para No. 8 (A & B), it is submitted that respondent is not allowing any kind of machinery for mining in the said Nallah. It is further submitted that Block No. 12 is non-operational and no mining operation whether manual or mechanical is being carried out in the said block.

9. That the contents of Para No.8 (C & D) are matter of record, hence anything contrary to the same is vehemently denied.

10. That in reply to the contents of Para No. 8 (E to G) it is submitted that the detailed reply to the said paras has already been submitted in the preceding Paras and are not being repeated here in order to avoid repetition and for the sake of brevity.

11. That the contents of Para No. 8 (H to O) are matter of record, hence anything contrary to the same is vehemently denied.

*(Signature)*  
 District Mineral Officer  
 Geology & Mining Deptt  
 Pulwama

An affidavit in support is enclosed herewith.

**PRAYER:**

Keeping in view of the submissions made herein above and those to be urged at the time of hearing. It is therefore most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to dismiss the Original application filed by the applicant against the answering respondents in the interest of Justice and play.

Any other order/direction which this Hon'ble Tribunal may deem fit in the facts and circumstances of the case.

Place: *Simnagar*  
Dated: *26.06.2025*

**For and on behalf of  
Respondent no.1 & 4**

  
**District Mineral Officer  
Geology & Mining Deptt.  
Pulwama**  
Khurshid Ahmad Dar,  
District Mineral Officer, Pulwama,  
Mob No: 7006331608

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**Raja Muzaffar Bhat**  
**Applicant**

**Versus**

**Union Territory of Jammu & Kashmir & Ors.**  
**Respondent(s)**

**IN THE MATTER OF: AFFIDAVIT IN SUPPORT OF REPLY**

I **Khurshid Ahmad Dar**, Age 50 years presently posted as District Mineral Officer, Pulwama, do hereby state on oath/solemn affirmation that I have read the contents of reply of the above titled Original Application and declare that the contents of reply are true and correct as per the records available in the Department and nothing has been concealed therein.

  
District Mineral Officer  
Geology & Mining Deptt.  
Pulwama  
**DEPONENT**

**Verification**

I solemnly swear/affirm that this affidavit is true and no part of this is false and nothing has been concealed therein.

  
District Mineral Officer  
Geology & Mining Deptt.  
Pulwama  
**DEPONENT**

Government of Jammu & Kashmir  
DEPARTMENT OF GEOLOGY & MINING  
OFFICE OF THE DISTRICT MINERAL OFFICER PULWAMA

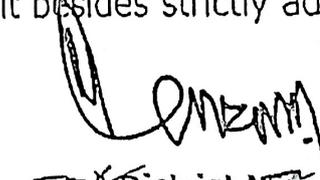
1. Mr. Ranbir singh -lessee block no 12
2. Mr Khurshid ahmad mir - lessee block no 03
3. Mr. Umesh kumar sharma --lessee block 36
4. Mr. Arvind kumar gupta -lessee block block no. 37

Sub: Complaint on Non-compliance of Environmental Clearance Conditions by the project proponents in various RBM mining blocks of Pulwama District Regarding.

Ref: Joint Director (K), Geology and Mining deptt Srinagar letter No. MSK/DGM/SGR/F-42-III/6277-86 dated 24.01.2024

In reference to the cited subject and reference you are directed to desist from utilising any kind of excavator in your allotted blocks and adhere to the condition No. 53 of the Environmental Clearance issued for your mining blocks in letter and spirit besides strictly adhere to all EC conditions laid down therein.

No:-DMO/Pul/DGM/DP/Block/ 4469-75  
Dated: 24-01-2024

  
District Mineral Officer  
Pulwama.

Copy for the information to the:

1. All concerned \_\_\_\_\_ Area In-charge for Information and with the direction not to allow use of any kind of excavator in the blocks and keep strict vigil and watch in the blocks to allow mining activity as per provisions of Ec.