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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI
(PRINCIPAL BENCH)

Original Application No. 265 of 2026

In the matter of

Jatinder Singh Aulakh

Applicants

Versus

State of Punjab and Ors.

Respondent (s)


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Submitted by

Date : 01-07-2026

Place : Batala


(Er. Rajesh Kumar)
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Batala.
(98789-42028)

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..... Applicant

Versus

State of Punjab and Others

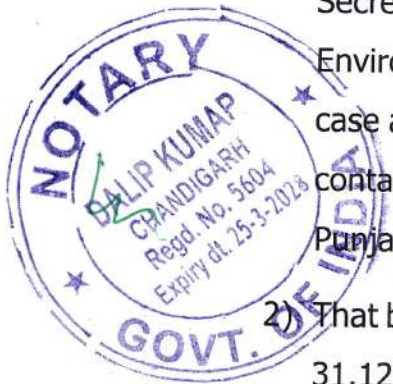
.... Respondents

Short reply by way of affidavit of Shailender Kaur, Special Secretary to Government of Punjab, Department of Science, Technology and Environment on behalf of State of Punjab (respondent no.1) through the Secretary, Environment, Forests and Climate Change, Government of Punjab in compliance of order dated 05.05.2026.

I, the above-named deponent, do hereby solemnly affirm and state as under:

RESPECTFULLY SHOWETH

- 1) That the deponent namely Shailender Kaur is presently working as Special Secretary to Government of Punjab, Department of Science, Technology and Environment. The deponent is well conversant with the facts of the present case and is Competent and authorized to file and swear the present affidavit containing the short reply on behalf of respondent no. 1 i.e. the State of Punjab through the Secretary, Environment, Forests and Climate Change.
- 2) That briefly submitted Mr. Jatinder Singh Aulakh has made a complaint dated 31.12.2025 on the Public Grievances Portal of the National Green Tribunal raising the grievances regarding large scale river sand/gravel mining,



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construction of kutchha roads, and ecological damage to River Ravi at Village Marara Adatgarh, District Pathankot, Punjab alleging Illegal Infrastructural Blockages, Mechanical Encroachment, Geomorphological Damage and illegal Mining Operations.

The complainant has alleged that these activities have led to ecological damage, threat to Human Life as the general public is using these illegal structurally unstable roads to cross the river, posing an imminent threat of accidents or drowning and administrative failure as numerous complaints and photographic evidence has been submitted to the Mining Department but no effective action has been taken which allows the mining mafia to continue unabated.

- 3) That in exercise of Suo-Moto powers, the Hon'ble National Green Tribunal has treated and registered the complaint dated 31.12.2025 of Sh. Jatinder Singh Aulakh as Original Application no. 265 of 2026.
- 4) That after consideration of the matter, the Hon'ble National Green Tribunal was pleased to pass an order dated 05.05.2026 in Original Application no. 265 of 2026 thereby impleading (1) State of Punjab through the Secretary, Environment, Forest and Climate Change, Government of Punjab (2) the Director, Mining and Geology, Government of Punjab (3) the District Magistrate, Pathankot (4) Punjab State Pollution Control Board (PSPCB) through Member Secretary as respondents No. 1 to 4 and sought their response.
- 5) That in view the averments made in the application, the Hon'ble National Green Tribunal also deemed appropriate to constitute a Joint Committee vide the said order dated 05.05.2026 to verify the factual position and take appropriate remedial action comprising of representatives of Deputy Director General of Forests (C), MoEF&CC, Integrated Regional Office at Chandigarh and Member Secretary, PSPCB and the District Magistrate, Pathankot and directed the same to look into the grievances of the applicant, associate the applicant and representative of the concerned project proponents, verify the factual position and suggest appropriate



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remedial action and submit its report within two months. The PSPCB was designated as nodal agency for coordination and compliance.

6) That as per the information available with the Department of Science, Technology and Environment, the State of Punjab was devastated by floods in the year 2025 and due to the floods in River Ravi lot of silt/sand & river borne material has deposited on agriculture fields located on banks of River Ravi. The Government of Punjab, Department of Mines and Geology in exercise of powers conferred by Rule 90 of the Punjab Minor Mineral Rules, 2013 made under Mines and Minerals (Development and Regulation) Act, 1957 (Central Act no. 67 of 1957) has relaxed the provisions of the said rules to allow the farmers to remove and lift silt / sand and river borne material deposited on their agricultural fields as a one-time measure upto 31.12.2025 vide notification no. E977900/PJB/320 dated 12.09.2025 so as to enable the farmers to clear their agricultural fields and prepare the same for next sowing season. A copy of the notification no. E977900/PJB/320 dated 12.09.2025 is enclosed as **Annexure R-1/A**.

7) That as per the further information disclosed by the Punjab Pollution Control Board, the Joint Committee constituted by the Hon'ble National Green Tribunal vide order dated 05.05.2026 has submitted its report concluding therein that no mining activity is occurring at village Marara & Adalatgarh. The mining activity which has been alleged by the complainant is before the date (31.12.2025) upto which the farmers were permitted by the Government vide notification dated 12.09.2025 to clear the river borne material deposited in the agricultural fields due to last year floods in River Ravi.

8) That in view of the above stated facts, it is reiterated that the farmers were allowed by the Government vide notification dated 12.09.2025 to remove silt, sand and river borne material from their agriculture fields upto 31.12.2025 and the date of mining alleged by the complainant (29.12.2025) falls before 31.12.2025. Otherwise there was no mining



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NOTIFICATION

The September 12th 2025

No. E977900/PSG/320 In view of the devastating floods affecting the State of Punjab and in exercise of the powers conferred by rule 90 of Punjab Minor Mineral Rules, 2013 made under Mines and Minerals (Development and Regulation) Act, 1957 (Central Act No. 67 of 1957), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to relax the provisions of the said rules, whichever applicable, with a view to allow the farmers to remove and lift silt/sand and river borne material deposited on their agricultural fields, as a one-time measure, upto the 31st day of December, 2025 enabling the farmers to clear their fields and prepare it for the next sowing season. The Standard Operating Procedure (SOP) given below shall be followed to achieve the said purpose:-

1. The Deputy Commissioners shall ensure that all farm owners/cultivators are informed through various modes of communication (through DPROs, DROs, announcements through religious places, social media, etc) of this time-bound, one time measure 'Jehda Khet, Ohdi Ret", announced by the Government for allowing farmers to remove and lift the silt/sand/river borne material deposited on their fields due to submergence under flood waters, at their own level without seeking any permit/NOC from the Department of Mines and Geology.
2. The removal of silt/sand/river borne material from agricultural land by way of this "one time measure" shall not be considered mining of mineral.
3. The concerned Deputy Commissioner shall declare the list of affected villages in a district where the operation of removal and lifting of deposited silt/sand/river borne material may be done by the affected farmers/cultivators/group of farmers affected by flood material deposition.

4. To mitigate the impact of the recent floods, all District Mining Officers as well as District Level and Sub-Divisional Level Monitoring Committees to prevent illegal mining, notified by Office Order No-5466/4M dated 10th August 2023, shall facilitate the removal and lifting of such silt/sand/river borne material deposits on the affected cultivable lands, without disturbance of the original ground surface by way of pits, trenches or otherwise.
5. The office of the District Mining Officer shall ensure that no such removal takes place from any approved regular river bed mines or out of river bed mines, i.e., Commercial Mining Site (CMS) or Public Mining Site (PMS).
6. The District Level and Sub-Divisional Level Monitoring Committees to prevent illegal mining, shall further ensure that no illegal mining of minor minerals takes place in the garb of the above notification.
7. Any dispute arising in the process of implementation of this notification shall be settled at the level of concerned Deputy Commissioner and his/her decision shall be binding on all the parties.
8. Any violation of the above directions shall be considered as unlawful activity and shall be dealt as per the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 and Rules framed there under.



JASPREET TALWAR, IAS
Additional Chief Secretary to Government of Punjab
Department of Mines and Geology

Endst No. E 977900/P56/321

Dated, Chandigarh 12/9/2025

A copy of above is forwarded to the Controller, Printing and Stationary, Punjab, SAS Nagar with the request to publish this notification in official Gazette (Extra Ordinary) and supply 50 copies thereof to this Department for official use.


Under Secretary

Endst No. E977900/R56/322

Dated, Chandigarh 12/9/2025

All Deputy Commissioners, Punjab, shall ensure that above notification is implemented and followed without any delay, for giving maximum benefit to the affected persons within the prescribed time period.

Ajay Kumar
Under Secretary

Endst No. E977900/R56/323

Dated, Chandigarh 12/9/2025

A copy of above is forwarded to the following for information and necessary action:

1. Additional Chief Secretary/Financial Commissioner to Government of Punjab, Department of Revenue, Rehabilitation & Disaster Management.
2. Additional Chief Secretary to Government of Punjab, Department of Finance.
3. Additional Chief Secretary to Government of Punjab, Department of Home Affairs.
4. Principal Secretary to the Chief Minister of Punjab, for information of Hon'ble Chief Minister, Punjab.
5. OSD to the Chief Secretary of Punjab, for information of Chief Secretary, Punjab.
6. Administrative Secretary, Department of Rural Development and Panchayats.
7. Administrative Secretary, Department of Forest and Wild Life Preservation.
8. All Administrative Secretaries to Government of Punjab.
9. Director, Department of Mines & Geology, Punjab.
10. All Senior Superintendent of Police, Punjab.
11. Chief Engineer, Drainage-cum-Mines & Geology, Punjab.
12. All Superintending Engineers, Drainage-cum-Mines & Geology Circles, Punjab.
13. All Executive Engineers-cum-District Mining Officers, Drainage-cum-Mines & Geology Divisions, Punjab.
14. All Sub Divisional Magistrates, Punjab.

Ajay Kumar
Under Secretary