

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 551/2024

In the matter of

News Item titled "पंजाब का बड़ा मुद्दा पंजाब के बॉर्डर एरिया में नहीं रुक रहा अवैध खनन, देश को सुरक्षा को खतरा बढ़ा" appeared in Amar Ujala dated 09.04.2024.

Reply by way of affidavit of Er. Gurindar Singh Majithia, Member Secretary, Punjab Pollution Control Board, Nabha Road, Patiala (respondent No. 2) in compliance of order dated 17.05.2024.

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

Respectfully Showeth:

1. That briefly submitted the Hon'ble National Green Tribunal has taken suo moto cognizance of a news item titled "पंजाब का बड़ा मुद्दा पंजाब के बॉर्डर एरिया में नहीं रुक रहा अवैध खनन, देश को सुरक्षा को खतरा बढ़ा" appeared in Amar Ujala Newspaper dated 09.04.2024 and the case in Original Application No. 551 of 2024 has been registered. The news item has highlighted the issue relating to illegal mining in the State of Punjab.
2. That after consideration of the matter, the Hon'ble Tribunal was pleased to pass an order dated 17.05.2024 thereby impleading the State of Punjab through its Chief Secretary and Punjab Pollution Control Board, through its Member Secretary as respondent in the case. The Member Secretary, Punjab Pollution Control Board has been directed to file the reply on affidavit disclosing the status of illegal mining in the State of Punjab.
3. That in order to make compliance of order dated 17.05.2024 of the Hon'ble Tribunal, the deponent Member Secretary, Punjab Pollution Control Board has



examined the news item dated 09.04.2024 published in Amar Ujala Newspaper and it is observed that some factors as mentioned below have been highlighted in the news item.

- a) The railway bridge in Chakki Khad in Pathankot has been damaged and second bridge has also remained closed for months together and has been opened after repair.
- b) Illegal mining in the area of village Andhoi (district Pathankot) connecting the State of Punjab and Himachal Pradesh is in full swing and many routes connecting the 2 States have been closed.
- c) About 1735 MT of illegal mining has taken place in Rupnagar.
- d) Illegal mining of Pathankot and Gurdaspur is a matter of concern.

4. That the Punjab Pollution Control Board in coordination with its regional offices across the States has sought information from the Department of Mining and Geology, Government of Punjab about the status of illegal mining and the measures being taken by the Department to curb illegal mining. The reply to the factors highlighted in the news item dated 09.04.2024 and the relevant facts relating to the issue of illegal mining in the State may kindly be read in the following paragraphs.

- a) **The railway bridge in Chakki Khad in Pathankot has been damaged and second bridge has also remained closed for months together and has been opened after repair.**

The mining in Chakki River Upstream (U/S) and Downstream (D/S) of Railway Bridge No. 32 and Chakki Riverbed has been completely halted within Punjab's jurisdiction. The Mining Department has diligently enforced the guidelines of the Mining Policy, ensuring strict adherence to the regulations. As Chakki River is an interstate river, this issue is to be taken up with the State of Himachal Pradesh, as they are responsible for regulating and monitoring mining activities within their jurisdiction. Further, it has been continuously noticed that various mining operations are underway on Himachal side of Chakki River. The Mining Department, Pathankot has regularly



informed Mining Department of Himachal Pradesh regarding this and has also handed over machines and vehicles engaged in mining activities to concerned authorities of Himachal state.

It is imperative to note that the destruction caused by flash floods of 2022 was primarily a sequence of the deteriorated state of the fall structure, which was originally installed on the downstream portion of the Chakki River by the Railway Authorities. Further, NHAI has already completed the protective works for the concerned bridge. These works were initiated near the bridge after the flash floods of August 2022 and the purpose of these protective structures is to safeguard the NHAI bridge as well as the Railway Bridge over Chakki River.

- b) Illegal mining in the area of village Andhoi (district Pathankot) connecting the Punjab and Himachal Pradesh is in full swing and many routes connecting the two States have been closed.**

In this regard it is stated that no crushers in the jurisdiction of Punjab have been operational in Andoi area for the past two months. Further, it is stated that no mining activity takes place in area around Andoi village on Punjab side and mining activity, if any, takes place on Himachal side of the state boundary where the crushers are operational. Moreover, the Mining Department, Pathankot undertakes routine checking regarding illegal mining in this area along with local villagers/sarpanch. The sarpanch of the village has stated in writing that no illegal mining has taken place in the jurisdiction of his village. The Mining Department, Pathankot will continue to monitor this area and if any incident of illegal mining comes to their knowledge, necessary action as per rules will be taken.

It is also submitted that the Executive Engineer, Pathankot Drainage-cum-Mining and Geology Division, Department of Water Resources, Punjab constantly monitoring the district for any incidents of illegal mining. Any

complaints/reports of illegal mining/ transportation of minor minerals are strictly dealt with as per rules. In this regard, it is intimated that Executive Engineer, Deptt. of Drainage-cum-Mining and Geology, Pathankot vide its letter no. 4729 dated 14.08.2024 has informed that during the period of 01/01/2023 to 14.08.2024, a total of 53 FIRs have been filed by the Executive Engineer in cases of illegal mining and 185 vehicles have been compounded under Rule 74/75 of Punjab Mining of Mineral Rules (PMMR) for cases of illegal transportation in the whole District Pathankot.

**c) About 1735 MT of illegal mining has taken place in Rupnagar.**

In order to curb the illegal mining in District Rupnagar total 141 no. of FIR have been registered from 01.01.2023 to 30.06.2024. The vehicles carrying the mining materials are also being checked from time to time through mobile 'Nakas' and challans of the vehicles carrying illegal mining material is being issued under Rule 74, 75 & 293 of Punjab Minor Mineral Rules. Till date the challan amount of Rs.3,71,59,850/- has been recovered. Further, from 01.01.2023 to till date, total 351 show cause notices have been issued and amount of Rs.14,89,79,420/- has been recovered in the matter of illegal mining.

**d) Illegal mining of Pathankot and Gurdaspur is a matter of concern.**

That the illegal mining is continuously being checked in different areas of the international border of villages Makora, Kalanore and Dera Baba Nanak. The mining activities are also being checked by the Mining Department jointly with Border Security Force (BSF). Apart from this, monthly meetings are also being taken with BSF regarding the prevention of illegal mining at the border area. During the checking of illegal mining by the Mining Department, Gurdaspur in the last one year, 05

FIRs have been got registered and 07 challans have been issued due to illegal mining activities.

**Various steps taken by the State Government to curb illegal mining.**

5) That the Chief Engineer / Drainage-cum-Mines and Geology, Department of Water Resources, Punjab vide memo no 602/E-7-742321 dated 08.08.2024 has informed that various steps have been taken by the Government of Punjab to curb illegal mining in the State and in this regard the Department of Mines and Geology has filed replies before the Hon'ble National Green Tribunal in O.A No. 222 of 2024. The steps taken by the Government of Punjab, Department of Mines and Geology are summarized herein below:

- i. That the District Survey Reports have been prepared in the State as per Enforcement & Monitoring Sand Mining Guidelines, 2020 issued by MOEF&CC, in which all the identified potential riverbed deposits have been geo-tagged and geo-fenced through DGPS Survey and are available in public domain at <https://minesandgeology.punjab.gov.in/cms/dsr>.
- ii. That all approved mining sites are again geo-tagged and geo-fenced by the department. Currently, geo-tagging or geo-fencing of mines located in the state of Punjab has already been completed and are also available in the public domain at <https://minesandgeology.punjab.gov.in/operational-minings>.
- iii. That for all the mining sites in the State of Punjab, pre-mining survey through UAV (Drone) has been conducted by the IIT Ropar before the start of mining operations. While conducting the survey, the adjacent v area falling in 500 meter distance from the permitted area has also been included. This survey will be conducted again at the time of closing of mining operations to calculate the amount of material excavated from the mine to check any over extraction.



- iv. That the technical mechanism for registering online complaints has been made in the Punjab State Mining Web Portal (Mineral Sale Management and Monitoring System) <https://minesandgeology.punjab.gov.in>. Along with this, an 'android based mobile app (Punjab Sand), is also available for the purpose of lodging complaints about the illegal mining in which any individual can register a complaint along with the geographical locations and photos of illegal mining spots. It also helps in maintaining the record and checking the status of each complaint registered and further helps in curbing illegal mining in the State.
- v. That the State has issued policy guidelines on 14.03.2016 for prevention and monitoring of illegal mining in the State.
- vi. That the Department of Mines and Geology has also constituted a 'District Level Task Force' to curb illegal mining in the State to take all necessary steps as per the orders passed by Hon'ble National Green Tribunal in O.A. No. 360 of 2015.
- vii. That the Department of Mines & Geology, Punjab has constituted District level Committees and Sub Divisional Level Committees. The officials from the Revenue, Police, Forest & Mining Department are members of this Committee.
- viii. That the Department has also made deterrent provision in Rule 75 of PMMR 2013 vide notification dated 29.10.2022, under which heavy penalty ranging from 50,000 to 2,00,000 is being imposed on the illegal transportation of minerals.
- ix. That the department has launched a toll free number 18001802422, on which any person can register a complaint of illegal mining and the complaint is then forwarded to the concerned Executive Engineers-cum-District Mining Officers, to check and take suitable action as per the rules.
- x. The Department of Mines & Geology has also submitted the details of FIRs registered in different districts of the State of

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Punjab from April, 2021 to May 2024 and details of the same are attached as **Annexure-A**.

- xi. That flying squads have been constituted vide office order no.6074-78 dated 05.09.2023 to keep check illegal mining activities in the State of Punjab.

The reply containing the status of illegal mining of the State of Punjab is hereby submitted in compliance to order dated 17.05.2024 for kind consideration of the Hon'ble Tribunal.

  
Deponent

(Gurindar Singh Majithia)  
Member Secretary  
Punjab Pollution Control Board,  
Patiala.  
(Respondent no.2)

Date: 28/8/2024

Place: PATIALA

#### Verification

Verified that the contents of the above affidavit are true and correct to the knowledge of the deponent as derived from the official record. No part of the above reply / affidavit is wrong and nothing material has been kept concealed therein.


  
Deponent

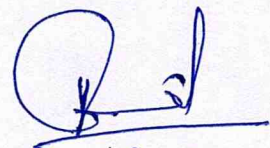
(Gurindar Singh Majithia)  
Member Secretary  
Punjab Pollution Control Board,  
Patiala.  
(Respondent no.2)

Date: 28/8/2024

Place: PATIALA

Details of no. FIRs in the different Districts in the State from 01.04.2022 to 31.05.2024			Annexure-A
Sr. No.	Name of District	No. of FIRs	
1	Ropar	230	
2	Jalandhar	103	
3	Ludhiana	79	
4	SBS Nagar	12	
5	Bathinda	4	
6	Moga	13	
7	Sri Muktsar Sahib	4	
8	Ferozepur	47	
9	Fazilka	47	
10	Hoshiarpur	141	
11	Pathankot	78	
12	Kapurthala	31	
13	Taran Tarn	28	
14	Amritsar	225	
15	Gurdaspur	27	
16	SAS Nagar	79	
17	Faridkot	3	
18	Barnala	2	
19	Sangrur	9	
20	Mansa	0	
21	Patiala	37	
22	Fatehgarh Sahib	4	
23	Malerkotla	1	

  
28/8/2024  
MS PACB

  
Er. Jaspal Singh  
EE, HQ-2, PPCB  
Patiala