

**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)

INDEX

Sr. No.	Particulars	Page No.
1.	Reply by way of affidavit of Er. Rajesh Kumar, Environmental Engineer, Regional Office, Batala on behalf of Punjab Pollution Control Board (respondent no.4) in compliance of order dated 05.05.2026.	1-4
2.	Annexure R-4/A Copy of the notification no. E977900/PJB/320 dated 12.09.2025.	5-7
3.	Vakalatnama	8-9
4.	Proof of Service	10

Submitted by

Date : 01-07-2026

Place : Batala


Naman Kumar
Advocate (D/6574/2023)

Law Office of Apar Gupta

Advocate for Respondent No. 4

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

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

Original Application No.265 of 2026

Jatinder Singh Aulakh

..... Applicant

Versus

State of Punjab and Others

.... Respondents

Short reply by way of affidavit of Er. Rajesh Kumar, Environmental Engineer, Regional Office, Batala on behalf of Punjab Pollution Control Board (respondent no.4) 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 Er. Rajesh Kumar is working as Environmental Engineer in the Punjab Pollution Control Board and is posted in the Regional Office of the Board at Batala. The deponent is well conversant with the facts of the case and is competent and authorized to swear and file the present short reply by way of affidavit on behalf of respondent no.4 Punjab Pollution Control Board.
- 2) That briefly submitted Mr. Jatinder Singh Aulak 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, construction of kutcha 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 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 office of the Board, 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-4/A**.
- 7) That the Joint Committee comprising of Dr. K Muthamizh Selvan, Additional Director/Scientist 'E', (nominee of Deputy Director General of Forests (C), Ministry of Environment, Forest and Climate Change, Chandigarh); Executive Engineer-Cum- District Mining Officer, Water Resources Cum Mining & Geology Division, Pathankot (nominee of District Magistrate, Pathankot) and the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Batala (nominee of the Member Secretary, Punjab Pollution Control Board, Patiala) had visited the site in question on 15.06.2026 when the Executive Engineer-Cum- District Mining Officer, Pathankot apprized the Joint Committee that the Government of Punjab, Department of Mines and Geology vide notification no. E977900/PJB/320 dated 12.09.2025 has allowed the farmer upto 31.12.2025 to remove the silt / sand and river borne material from their agricultural fields to prepare the field for next sowing season.
- 8) That the Joint Committee 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.

- 9) That in view of the above stated facts, it is reiterated that no mining activity is occurring at village Marara & Adalatgarh. 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.
- 10) That the deponent may kindly be allowed to place on record the present short reply by way of affidavit on behalf of Punjab Pollution Control Board respondent no.4 in compliance to order dated 05.05.2026

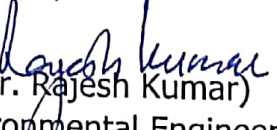
Date: 1/7/2026
Place: Batala

Deponent

(Er. Rajesh Kumar)
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Batala
(On behalf of respondent no.4)

Verification

Verified that the contents of paragraphs 1 to 10 of the above short reply by way of affidavit of the deponent are true and correct as derived from the official record. No part of the above short reply is false and nothing material has been kept concealed therein.

Date: 1/7/2026
Place: Batala

Deponent

(Er. Rajesh Kumar)
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Batala
(On behalf of respondent no.4)

GOVERNMENT OF PUNJAB
DEPARTMENT OF MINES AND GEOLOGY
(PROJECT BRANCH)

Annexure R-4/A

NOTIFICATION

The September 12th 2025

No. E977900/P50/320 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/RJ6/322

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/RJ6/323

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

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI
ORIGINAL APPLICATION NO. 265 OF 2026

IN THE MATTER OF:

Jatinder Singh Aulakh

...Applicant

versus

State of Punjab & Ors.

...Respondents

VAKALATNAMA

KNOWN ALL to whom these presents shall come that I, Rajesh Kumar, aged around 46 years, Environmental Engineer and the authorised representative of the Punjab Pollution Control Board, Respondent No. 4 presently having its office at Regional Office-Punjab Pollution Control Board, Regional office, Batala, Distt. Gurdaspur-143516, do hereby appoint in the present matter: Mr. Apar Gupta (D/500/2007), Ms. Avanti Deshpande (MAH/2073/2023), Mr. Naman Kumar (D/6574/2023), Ms. Indumugi C. (D/5685/2022), E-215, East of Kailash, New Delhi: 110065, Tel:- 9990000256 (hereinafter called the 'Advocates') to be the Advocates for the Respondent No. 4 in the above-mentioned causes, to do all the following acts, deeds and things or any of them, that is to say:-

1. To act, appear and plead in the above-mentioned cause in this Court or any other Court in which the same may be tried or heard in the first instance or in appeal or letters patent appeal or review or revision or execution or in any other stage of its progress until its final decision.
2. To present pleadings, appeals, letters patent appeal, petition of appeal to the Supreme Court, High Courts, cross-objections, or petitions or execution, review, revision, withdrawal compromise or other petitions or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of the said cause in all its stages.

3. To withdraw or compromise the said cause or submit to arbitration any differences or dispute that shall arise touching or in any manner relating to the said cause.
4. To receive moneys and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and during the prosecution of the said cause.
5. To employ any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred on the advocates whenever they may think fit to do so.

AND I hereby agree to ratify whatever the advocates or their substitute shall do in the premises.

AND I hereby agree not to hold the Advocates or their substitute responsible for the result of the said cause in consequence of their absence from the Court when the said cause is called up for hearing.

AND I hereby agree that in the event of the whole or any part of the fee agreed by me to be paid to the Advocates remaining unpaid, they shall be entitled to withdraw from the prosecution of the said cause until the same is paid.

IN WITNESS WHEREOF I hereunto set my hand to these presents and the contents of which have been explained to and understood by me, this 1st day of July 2026.



Apur Gupta
APAR GUPTA
 (D/500/2007)

Accepted
 (Client)
Rajesh Kumar
ENVIRONMENTAL ENGINEER
PUNJAB POLLUTION CONTROL
BOARD, BATALA

Avanti
AVANTI DESHPANDE
 (MAH/2073/2023)

Naman Kumar
NAMAN KUMAR
 (D/6574/2023)

Indumugi C.
INDUMUGI C.
 (D/5685/2022)



28

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Rahul Clerk <courtclerk@aparlaw.in>

Advance Service of Reply and Report of the Joint Committee in O.A. No. 265 of 2024 (Jatinder Singh Aulakh v. State of Punjab & Others)

1 message

Rahul Clerk <courtclerk@aparlaw.in>
To: "rightway.gsp@gmail.com" <rightway.gsp@gmail.com>

Thu, Jul 2, 2026 at 1:34 PM

Dear Sir/Madam,

Please find attached the Advance Service of Reply and the Report of the Joint Committee in O.A. No. 265 of 2024, titled *Jatinder Singh Aulakh v. State of Punjab & Others*.

Kindly treat this email as advance service of the said reply upon the Respondents.

Thank you.

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Kind regards

Rahul

Court Clerk

Law Office of Apar Gupta

@ courtclerk@aparlaw.in

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2 attachments

 **Report of Joint Committee OA 265 of 2026.pdf**
3790K

 **Reply of Respondent No 4 OA 265 of 2026.pdf**
7269K