

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

Original Application No. 1391/2024

IN THE CASE: News item titled "Vishaw Stream gasps for breath amid mining pollution" appearing in Greater Kashmir dated 16.12.2024.

IN THE MATTER OF: Reply on behalf of Respondent No. 5 pursuant to order dated 03.01.2025 passed by the Hon'ble Tribunal.

May it please your Lordship, the answering respondent most humbly submits as under:

1. That, through the medium of order dated 03.01.2025, the Hon'ble Tribunal has directed the respondents to file their reply/response to the above titled news item.
2. That, strict directions have been passed to the District Mining Officer (DMO), District Police, all Tehsildars as well as the field functionaries of Irrigation and Flood Control Department in the district to ensure regular vigil and initiate necessary action to prevent the illegal and unauthorized mining. The Geology and Mining Department is overseeing the extraction of minerals and other building material from the said stream strictly in pursuance of the guidelines issued by the Govt. of Jammu and Kashmir from time to time. The Govt. of Jammu and Kashmir has notified the "Jammu and Kashmir Minor Mineral Concession, Storage, Transportation of Minerals and prevention of illegal Mining Rules, 2016" vide SRO-105 dated 31.03.2016 which are currently in vogue and the Geology and Mining Department has been tasked to oversee the extraction of material from the said stream in accordance with the norms laid out through the medium of the said rules. All other departments including Police and Revenue in the district have been directed to extend necessary support and cooperation to the mining department functionaries.
3. The compliance is reviewed on regular basis at the district level and directions as are required are passed on from time to time.


Dy. Commissioner
★ KULGAM ★

4. That, in accordance with the order dated 03.01.2025 passed by the Hon'ble Tribunal, reports were called from all relevant quarters. In the same vein, action taken report has been obtained from the District Mineral Officer, Kulgam as well. The report of the District Mineral Officer reveals that during the financial year 2024-25, 59 FIRs have been lodged against the violators, 227 vehicles/machines have been seized and 86.51 lacs has been realized as fine/penalty from the violators. Tehsildar Kulgam as well as Tehsildar Qaimoh have also reported the lodging of FIRs against the violators, confiscation of vehicles/machines used for extraction of minerals and dismantling of link roads leading to illegal mining spots.
5. That, District Administration Kulgam is working tirelessly to prevent illegal mining in the Vishaw Stream and is committed to restoring the ecosystem of the stream. For this purpose, all the concerned stakeholders have been taken on board and also Municipal Committees and Gram Panchayats have been tasked to help out with the cleansing of the said stream and it's tributaries.


Dy. Commissioner
KULGAM

Respondent No. 5

Deputy Commissioner Kulgam

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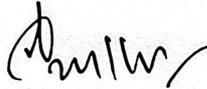
Original Application No. 1391/2024

IN THE CASE: News item titled "Vishaw Stream gasps for breath amid mining pollution" appearing in Greater Kashmir dated 16.12.2024.

IN THE MATTER OF: Affidavit in support of reply.

I, Athar Aamir ul Shafi Khan S/o Mohd Shafi Khan R/o DC Residence Kulgam presently posted as District Magistrate Kulgam do hereby solemnly affirm and declare as under:-

1. That the deponent has gone through the averments made in the reply. The same are correct and true to the best of my knowledge and are based on the official record made available and that nothing has been concealed.
2. That the submissions made in the reply are believed to be true.

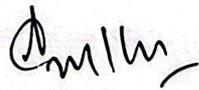

 Deponent
Dy. Commissioner
 ★ KULGAM ★

Verification:-

Verified today on 11th of April 2025 that the averments made herein are true and correct to the best of my knowledge and belief and nothing has been concealed.


 Identified By-

Raashid ul Haq
 S/o Abdul Rashid Shah


 Deponent
Dy. Commissioner
 ★ KULGAM ★