

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkpcb@gmail.com
membersecretaryjkpcb@gmail.com

0191 – 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006
Silk Factory Road
Rajbagh, Srinagar, 190 008

**The Consultant Judicial,
Hon'ble National Green Tribunal,
Principal Bench,
New Delhi.**

No: JKPCC/NGT/OA 1331/ 2340-41

Date:- 27-03-2025

Sub:- Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 05.12.2024 passed in O.A No. 1331 of 2024 titled "Raja Muzaffar Bhat V/s UT of Jammu & Kashmir & Ors."

Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated **05.12.2024 passed in O.A No. 1331 of 2024 titled "Raja Muzaffar Bhat V/s UT of Jammu & Kashmir & Ors."**, the report of the J&K Pollution Control Committee is submitted herewith.

It is therefore, requested that the response may kindly be taken on record and placed before the Hon'ble NGT for consideration.

Yours faithfully,

Encl:- As Above


(Ghansham Singh) JKAS
Member Secretary 27.3.25
J&K PCC

Copy to the:-

- 1) Sh. G. M Kawoosa, Additional Standing Counsel for UT of Jammu and Kashmir, New Delhi for information and necessary action.

mailed

53
**Before the Hon'ble National Green Tribunal
Principal Bench, New Delhi**

Original Application No. 1331 of 2024

IN THE MATTER OF

**“Raja Muzaffar Bhat V/s UT of Jammu &
Kashmir and Ors.”**

Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 05.12.2024 passed in O.A No. 1331 of 2024 titled “Raja Muzaffar Bhat V/s UT of Jammu & Kashmir & Ors.”.

Background:

That the Hon'ble National Green Tribunal vide Notice dated **05-12-2024** in **OA No. 1331 of 2024** directed as follows:-

“Prima facie, the averments made in the application raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.”

“Let notice of application along-with copies of documents attached with the same be issued to the respondents requiring them to file their responses thereto at least one week before the date of hearing hereby fixed.”

“The Applicant is directed to serve notices on the respondents by email as well as registered/speed post and to file affidavit of service within 15 days and thereafter to file tracking reports regarding services of notices sent by registered/speed post at least one week before the next date of hearing.”

26/12/24

Status Report:

54

In compliance to the aforesaid directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi, vide dated **05-12-2024** in **OA No. 1331 of 2024**, the report of the J&K Pollution Control Committee is submitted as under:-

1. That, the J&K Pollution Control Committee took up the matter with the following stake holder Departments with the request to share the factual status report w.r.t violation of specific conditions Number 53 of Environmental Clearance and usage of heavy machinery with number and dates indicates against each as under:

Concerned Department	No. & Date	Annexure
Deputy Commissioner, Pulwama	<ul style="list-style-type: none">• JKPCC/Sc./OA1331/2024/2217 dated 11.03.2025.• JKPCC/Sc./OA1331/2024/2295 dated 22.03.2025.	1-2
Director, Geology & Mining Department Jammu & Kashmir.	<ul style="list-style-type: none">• JKPCC/Sc./OA-1331/2024/1600; dated 18.12.2024.• JKPCC/Sc./OA-1331/2024/2173 dated 01.03.2025.• JKPCC/Sc./OA-1331/2024/2289 dated 22.03.2025.	3-5
Regional Director, J&K Pollution Control Committee, Kashmir.	<ul style="list-style-type: none">• JKPCC/Sc./OA-1331/2024/1601 dated 18.12.2024.• JKPCC/Sc./OA-1331/2024/1669 dated 10.01.2025.• JKPCC/Sc./OA-1331/2024/2000 dated 23.01.2025.	6-8

2. The Regional Director, Pollution Control Committee, Kashmir has furnished his report vide letter No. PCC/ROK/LS (NGT)/2025/58-59; dated 24.01.2025 (**copy enclosed as Annexure-9**), key points of the report are given as under:-

- a) Mining Activity is being carried outside lease area.

Signature

- b) Footprints of JCB were observed in the mining area in question which indicates illegal extraction.
- c) Pits/trenches were observed in the Nallah at some locations.
- d) Adequate demarcation board has not been installed.

3. Further, the Deputy Commissioner, Pulwama has also furnished his report vide letter No. DCP/Legal-24/542-43; dated 24.03.2025 (**copy enclosed as Annexure-10**), which is briefly summarised as under:-

- a) That Mining Department is taking stringent action like lodging of FIRs, Heavy pecuniary penalties and punishment for the offence as provided under Section 21, Section 23-A and Section 23-B of the Act for illegal mining under MMDR Act 1957, Rapid Action Team to control illegal mining, Seizures and late night patrolling, dismantling of the ramps/approaching roads, blacklisting of the vehicles and announcements in local mosques are made to curb the illegal mining activities.
- b) Area In-charges have been strictly directed to curb the illegal mining activities and ensure that no transportation of any mineral by any means from the place of raising to another is made without being in possession of a valid "mineral transport e-challan" in form -"A".
- c) Furthermore, regular inspections are being conducted in the area wherefrom complaints of illegal mining and transportation of minor mineral are received.
- d) The Mineral Check posts have also been established at strategic locations and multi-level check mechanism has been devised also.

- e) No mining, whether manual or mechanical is being allowed by the said department in and around the leased out mining block and the leased out block stands completely closed as the lease holder has left the block in view of the strict adherence to the terms and conditions of the Environmental Clearance and Consent to operate.
- f) Regarding the question of the trenches/pits observed at some places, it has been submitted that the same may possibly have occurred by some water currents or by the man-made diversions created by the locals for irrigating their agricultural/horticultural land.
- g) The demarcation poles/pillars had also been installed in leased out block by the said lease holder, however, the same have been stolen during the wee/night hours by some miscreants.
4. The Director, Geology and Mining, J&K has submitted his report vide his letter No. 317-D/DGM/LCJ/NGT/OA1331/2024-25/1178-88 dated 24-03-2025 (**copy enclosed as Annexure 11**).
5. As per the report of Director, Geology and Mining Department, J&K, there is no type of mining activity being allowed around the leased out mining block. Even the leased-out block is completely closed as the lease holder has left the block in view of the strict directions to adhere to the terms and conditions of the Environmental Clearance and Consent to Operate. In case of any illegal mining carried, appropriate actions in the shape of the seizure of the vehicles are being carried out. The details of the seizures in and around the Nallah Sasara during the past years are as under:-

57

S. No.	Year	No. of seizures	Compounding in Lacs
02	2022-23	01	0.22 lacs
03	2023-24	07	1.90 lacs
04	2024-25	07	1.20 lacs
	Total	15	3.32 lacs

Prayer:

In the premises, it is therefore respectfully prayed that the report may kindly be taken on record before the Hon'ble National Green Tribunal for consideration.

Ghansham Singh
(Ghansham Singh)
Member Secretary
J&K PCC
27.3.25

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkpcb@gmail.com
membersecretaryjkpcb@gmail.com
0191 - 2472881, 2476925



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Silk Factory Road
Rajbagh, Srinagar, 190 008

Deputy Commissioner,
Pulwama.

No: JKPC/Sc./OA-1331/2024/2917

Dated:- 11 -03-2025

Sub:- OA No. 1331/2024 titled "Raja Muzaffar Bhat Vs Union Territory of Jammu & Kashmir & Ors.

Ref: Hon'ble NGT directions dated 05-12-2024.

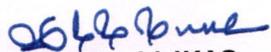
Sir,

Please refer to the subject and reference captioned above. In this connection, I am to convey that a comprehensive report has been received from Regional Director, JKPC Kashmir in the matter of OA No. 1331/2024 titled "Raja Muzaffar Bhat Vs Union Territory of Jammu & Kashmir & Ors. (Copy enclosed) which indicates that

1. Mining Activity is being carried out outside lease area.
2. Foot prints of JCB were observed in the mining area in question which indicates illegal extraction.
3. Pits/trenches were observed in the Nallah at some locations.
4. Adequate demarcation board has not been installed.

As such, you are requested to take appropriate and immediate necessary action in this regard to curb illegal mining in the said area and share a brief Action Taken Report by or before 15-03-2025. The case is listed for hearing on 28-03-2025.

Yours faithfully,


(Ghansham Singh) JKAS

Member Secretary 11.3.25

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**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

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Complex
Transport Nagar, Jammu, 180
006
Silk Factory Road
Rajbagh, Srinagar, 190 008

**Deputy Commissioner,
Pulwama.**

No.: JKPC/Sc./OA 1331-2024/2295

Date: 22 - 03-2025

Sub: O.A No. 1331/2024 titled "Raja Muzaffar Bhat V/s Union Territory of Jammu & Kashmir".

Ref: JKPC/Sc./OA-1331/2024/2217; dated 11.03.2025.

Sir,

With reference to this office No. JKPC/Sc./OA-1331/2024/2217; dated 11.03.2025, I am to convey that you were requested to share Action Taken Report with J&KPC with respect to curbing illegal mining in the said area, which may kindly be expedited & shared with this office by or before **24.03.2025**.

Yours faithfully,


(GhanSham Singh) JKAS
Member Secretary



22/3/25

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Pollution Control Committee**

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membersecretaryjkpcb@gmail.com

0191 - 2472881, 2476925



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Transport Nagar, Jammu, 180 006

Silk Factory Road
Rajbagh, Srinagar, 190 008

Director,
Geology and Mining Department,
Jammu & Kashmir.

No: JKPC/Sc./OA-1331/2024/1600

Dated:- 18 -12-2024

Sub:- OA No. 1331/2024 titled "Raja Muzaffar Bhat Vs Union Territory of Jammu & Kashmir & Ors.

Ref: Hon'ble NGT Order dated 05-12-2024.

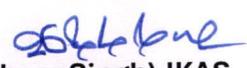
Sir,

Please refer to the subject and reference captioned above. In this connection, I am to convey that Hon'ble NGT vide its order dated 05-12-2024 has made observations as under:-

"The applicant has submitted that Environmental Clearance (EC) dated 05-04-2022 was granted in favour of Respondent No.6 Mr. Ranbir Singh for mining Minor Mineral (River Bed Material) at Block 12 (D-Bundzoo Bridge Downstream Nallah Sasar), District Pulwama, Jammu & Kashmir in an area of 3.72 Ha. The EC contains Specific Condition Number 53 which mandates that "mining shall be done manually minimally supported by semi-mechanized methods. Heavy machinery like JCBs Excavators, L&T hydraulic excavators etc. should not be allowed".

As such, you are requested to share factual status report w.r.t. violation of Specific Condition Number 53 of Environmental Clearance and usage of heavy machinery by or before 31-12-2024 for needful action.

Yours faithfully,


(Ghansham Singh) JKAS

Member Secretary 18.12.24

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Transport Nagar, Jammu, 180 006

Silk Factory Road
Rajbagh, Srinagar, 190 008

Director,
Geology and Mining Department,
Jammu & Kashmir.

No: JKPCC/Sc./OA-1331/2024/2173

Dated:- 01-03-2025

Sub:- OA No. 1331/2024 titled "Raja Muzaffar Bhat Vs Union Territory of Jammu & Kashmir & Ors.

Ref: JKPCC/Sc/OA-1331/2024/1600 dated 18-12-2024.

Sir,

Please refer to the subject and reference captioned above. In this connection, I am to convey that a comprehensive report has been received from Regional Director (Kashmir) in the matter of OA No. 1331/2024 titled "Raja Muzaffar Bhat Vs Union Territory of Jammu & Kashmir & Ors. (Copy enclosed) which indicates that:

1. Mining Activity is being carried out outside lease area.
2. Foot prints of JCB were observed in the mining area in question which indicates illegal extraction.
3. Pits/trenches were observed in the Nallah at some locations.
4. Adequate demarcation board has not been installed.

In the light of above observations, you are again requested to share with J&K PCC Action Taken to prevent illegal mining in the said area by or before 10-03-2025.

Yours faithfully,


(Ghansham Singh) JKAS
Member Secretary 1-3-25

marked
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Pollution Control Committee**

chairman87jkpcb@gmail.com
membersecretaryjkpcb@gmail.com

0191 - 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006

Silk Factory Road
Rajbagh, Srinagar, 190 008

Director,
Geology and Mining Department,
Jammu & Kashmir.

URGENT

No: JKPC/Sc./OA-1331/2024/2289

Dated:-22-03-2025

Sub:- OA No. 1331/2024 titled "Raja Muzaffar Bhat Vs Union Territory of Jammu & Kashmir & Ors.

Ref: JKPC/Sc/OA-1331/2024/2217 dated 11-03-2025.

Sir,

Please refer to this office No. JKPC/Sc/OA-1331/2024/2217 dated 11-03-2025 and No. JKPC/Sc/OA-1331/2024/2173 dated 01-03-2025 on the subject captioned above. In this connection, you are again requested to share with J&K PCC, Action Taken to prevent illegal mining in Sasara Nallah by or before **25-03-2025**. The case is listed for hearing on 28-03-2025.

Yours faithfully,


(Ghansham Singh) JKAS

Member Secretary

22/3/25

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chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com
0191 - 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006

Silk Factory Road
Rajbagh, Srinagar, 190 008

Regional Director,
JK Pollution Control Committee,
Kashmir.

No: JKPC/Sc./OA-1331/2024/1601

Dated:- 18-12-2024

Sub:- OA No. 1331/2024 titled "Raja Muzaffar Bhat Vs Union Territory of Jammu & Kashmir & Ors.

Ref: Hon'ble NGT Order dated 05-12-2024.

Sir,

Please refer to the subject and reference captioned above. In this connection, I am to convey that Hon'ble NGT vide its order dated 05-12-2024 has made observations as under:-

"The applicant has submitted that Environmental Clearance (EC) dated 05-04-2022 was granted in favour of Respondent No.6 Mr. Ranbir Singh for mining Minor Mineral (River Bed Material) at Block 12 (D-Bundzoo Bridge Downstream Nallah Sasar), District Pulwama, Jammu & Kashmir in an area of 3.72 Ha. The EC contains Specific Condition Number 53 which mandates that "mining shall be done manually minimally supported by semi-mechanized methods. Heavy machinery like JCBs Excavators, L&T hydraulic excavators etc. should not be allowed".

As such, you are requested to share factual status report sought from concerned Divisional officer w.r.t. violation of Specific Condition Number 53 of Environmental Clearance and usage of heavy machinery by or before 31-12-2024 for needful action.

Yours faithfully,

(Ghansham Singh) JKAS
Member Secretary
18-12-24

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Complex
Transport Nagar, Jammu, 180
006
Silk Factory Road
Rajbagh, Srinagar, 190 008

**Regional Director,
J&K Pollution Control Committee,
Kashmir.**

No.: JKPCC/Sc./OA 1331-2024/ 1669

Date: 10-01-2025

**Sub: O.A No. 1331/2024 titled "Raja Muzaffar Bhat V/s Union Territory
of Jammu & Kashmir".**

Sir,

With reference to this office No. JKPCC/Sc./OA-1331/2024/1601; dated 18.12.2024, you are again requested to expedite & share the factual status report w.r.t violation of Specific Condition No. 53 of Environmental Clearance and usage of heavy machinery by or before **18.01.2025**.

Yours faithfully,


**(GhanSham Singh) JKAS
Member Secretary**

10.1.25

marked
gr

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**Regional Director,
J&K Pollution Control Committee,
Kashmir.**

No.: JKPCC/Sc./OA 1331-2024/2000

Date: 23-01-2025

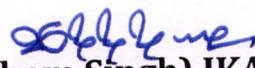
**Sub: O.A No. 1331/2024 titled "Raja Muzaffar Bhat V/s Union Territory
of Jammu & Kashmir".**

**Ref: i) JKPCC/Sc./OA-1331/2024/1601; dated 18.12.2024.
ii) JKPCC/Sc./OA-1331/2024/1669; dated 10.01.2024.**

Sir,

With reference to this office No. JKPCC/Sc./OA-1331/2024/1601; dated 18.12.2024 & JKPCC/Sc./OA-1331/2024/1669; dated 10.01.2024, you are again requested to expedite & share the factual status report w.r.t violation of Specific Condition No. 53 of Environmental Clearance and usage of heavy machinery by or before **25.01.2025**.

Yours faithfully,


(GhanSham Singh) JKAS
Member Secretary



23.1.25



Government of Jammu & Kashmir
J&K POLLUTION CONTROL COMMITTEE
OFFICE OF THE REGIONAL DIRECTOR - KASHMIR

Health of Alam Campus, Rajbagh, Near Government Silk Factory, Srinagar-190004
 www.jkpcb.in Email: regionaldirector@jkpcb.com Tel/fax 0194 2111842

The Member Secretary,
 JK Pollution Control Committee,
 Jammu.

No. PCC/ROK/LS (NGT)/2025/ 58-59

Date: 24/01/2025

Subject: - O.A No. 1331/2024 titled "Raja Muzaffar Bhat V/s Union Territory of Jammu & Kashmir."

Reference: - Your letter No. JKPC/Sc./OA-1331-2024/2000 dated 23-01-2025

Sir,

Apropos to the subject and reference cited above, a comprehensive report dated 20-01-2025 with respect to the mining unit of the Respondent No. 6 (Mr. Ranbir Singh) arrayed in the afore-titled OA as submitted by the Divisional Officer, PCC, Pulwama is enclosed hereto for kind perusal and further course of action as required in the matter please.

Encs:- (04)

 Regional Director,
 Kashmir.

Copy to:-

1. Divisional Officer, PCC, Pulwama for information. This takes reference to the report submitted vide No. JKPC/DO/2407/2025 dated 20-01-2025.

Regional Director
JKPCC Srinagar,

No-JKPCC/Do/2607/2025

Dated:- 20-01-2025

Subject:-OA No 1331/2024 titled Raja Muzaffar v/s UT of J&K and others
Ref:-Hon'ble NGT order dated 05-12-2024
Ref:-PCC/ROK/LS/NGT/2024/280-81

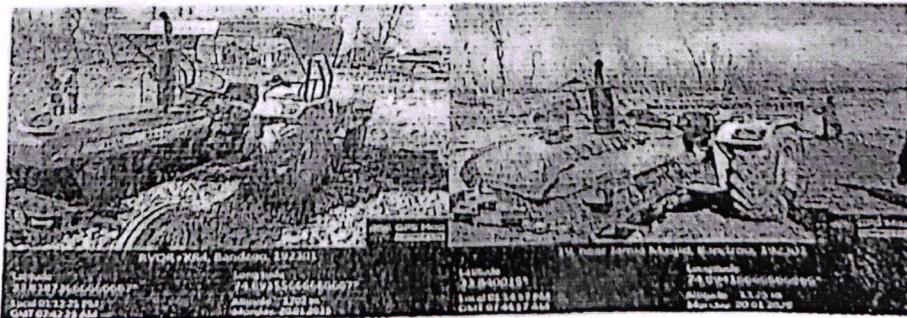
Sir,

Please refer to the cited subject and reference regarding NGT directions passed on 15-12-2024 in this context a fresh inspection was conducted. And following observations were made on spot.

Sasar Nallah Bandzoo Block No-12

Grant of mining lease of Mineral Block No 12 with description Nallah Sasar Bandzoo down stream was accorded to Shri Rambir Singh after obtaining EC by JK Environment Impact Assessment Authority vide No.JKEIAA/2020/322/6850-63 Dated.31-03-2022 and permission granted by Directorate of Geology and Mining vide Order No: 209 DGM of 2022 dated 30-06-2022 having consent upto july 2024 which stands expired. The said site was closed after expiry of Consent by Geology and Mining Department. During fresh inspection following observations were made.

- At the time of inspection mining operation was not being carried within the lease area, however mining activity outside lease area was in progress 2 to 3 tractors were found extracting boulders from Sasar Nallah Bandzoo. Photo graphs attached.



- No person or machinery was found engaged for extraction of boulders from the mine in question at the time of inspection, however some foot prints of JCB were observed which indicates that extraction process has been carried out without disclosure, but it was not possible to find out whether the mining was carried by locals or contractor.
- Although the Mining site i.e. Bundazoo Sasar down stream block No. 12-D was closed by Department of G&M, who are monitoring the site but preventive measures have to be taken by G&M Deptt. to stop illegal extraction of boulders, Bajri and sand.
- During inspecting some pits/ trenches were observed in the Nallah at some locations.
- Adequate demarcation pillars/boards have not been installed for clear demarcation of Mining lease by Department of Geology & Mining.

Recommendations:

- Geology and Mining Deptt. Should ensure that mining activity must be carried out as per mining plan and as per conditions stipulated in EC regular surprise inspections and vigilance is required by the Distt Administration and Mining Department to check illegal mining in the area.
- Warning boards intimating the penalty for illegal mining and transportation of mining material should be placed by the mining department.
- All precautions must be taken to ensure that water stream flows unhindered and process of natural river meandering does not get effected.
- Detailed information about mining which include lease area Geo coordinates of lease area and mineral area should be displayed on the board near mining area.
- Department of Geology & Mining has to identify illegal miners and necessary action need to be taken against them as per law,.
- Illegal mining within the mining area and beyond the permissible capacity and mining excavation beyond allotted lease area requires strict vigilance by Geology & Mining.

replenishment study be 69 ducted in there mine area to ensure that sufficient replenishment of minor minerals has taken place during the moon soon.

Conclusion:

The inspection was concluded with the remarks that the illegal operation of the mining could not be ascertained however there is every apprehension that extraction is possible .In order to prevent illegal mining from the area it is suggested that Geology & Mining Department should gear up and take all the necessary measures i.e. filing of FIR's against violators so that EC is accordingly levied.

Submitted please.

Yours faithfully,


Divisional Officer
JKPCC Pulwama

Copy to the.

1. PA to Member Secretary JKPCC for information of Member secretary.
2. Office copy



Government of Jammu and Kashmir

OFFICE OF THE DEPUTY COMMISSIONER PULWAMA

Ground Floor Mini Secretariat DC Office Complex Washbugh Pulwama 192301

Website: Pulwama.gov.in

Email: depul-jk@nic.in

Contact No. 01933-241243

Fax: 01933-241306

**The Member Secretary
J & K Pollution Control Committee**

No: DCP/Legal-24/542-43

Dated: 24/03/2025

Subject:- OA No. 1331/2024 titled "Raja Muzaffar Bhat V/s Union Territory of Jammu & Kashmir".

Sir,

Kindly refer your office letter No. JKPC/Sc/OA-1331-2024/2217

Dated: 11.03.2025 with respect to the subject cited above.

In this regard, detailed reports have been sought from the concerned line departments vide this office communication bearing No.DCP/Estt/SM/1852-54 Dated:12.03.2025. As per the report submitted by the District Mineral Officer Pulwama vide no DMO/Pul/DGM/B-8550 Dated 13-03-2025(**Copy enclosed**), the said department is working in the best interest of the administration and for effective implementation of the MMDR-Act 1957 and the Rules made there under, "J&K Minor Mineral Concession Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016" notified vide SRO-105 Dated: 31.03.2016". The department is taking stringent actions like lodging of FIRs, Heavy pecuniary penalties and punishment for the offence as provided under Section 21, Section 23-A and Section 23-B of the Act for illegal mining under MMDR Act 1957, Rapid Action Team to control illegal mining, Seizures and late night patrolling, dismantling of the ramps/approaching roads, blacklisting of the vehicles and announcements in local mosques are made to curb the illegal mining activities. Area In-charges have been strictly directed to curb the illegal mining activities and ensure that no transportation of any mineral by

any means from the place of raising to another is made without being in possession of a valid "mineral transport e-challan" in form -"A".
Furthermore, regular inspections are being conducted in the area wherefrom complaints of illegal mining and transportation of minor mineral are received. The Mineral Check posts have also been established at strategic locations and multi-level check mechanism has been devised also.

As far as the question of the mining activities being carried out outside the leased area in the Nallah Sasara is concerned, it has been submitted that no mining whether manual or mechanical is being allowed by the said department in and around the leased out mining block and the leased out block stands completely closed as the lease holder has left the block in view of the strict adherence to the terms and conditions of the Environmental Clearance and Consent to operate. Moreover, in case of any illegal mining is reported, appropriate actions in the shape of seizure of vehicles are being carried out and the details of the seizures in and around the Nallah Sasara during the past years have also been detailed out in the said report. Regarding the question of the trenches / pits observed at some places, has been submitted that the same may possibly have occurred by some water currents or by the man-made diversions created by the locals for irrigating their agricultural/horticultural land. Furthermore, as per the said report, the demarcation poles/pillars had also been installed in leased out block by the said lease holder, however, the same have been stolen during the wee/night hours by some miscreants.

Furthermore, the reports submitted by the Irrigation and Flood control, Division Kakapora and the Tehsildar Pulwama (**Copies enclosed**) reveal that the said offices are maintaining a strict vigil with

respect to the issue of illegal extraction and immediate necessary action against the offenders, if any is being carried out by the said offices on priority.

As such, I am directed to forward herewith the report in light of the communication mentioned supra for favour of further necessary action as desired.

Yours faithfully,

**Adil Deputy Commissioner
Pulwama**

Copy to the:

1. Deputy Commissioner Pulwama for favour of information.



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

The Worthy
Deputy Commissioner
Pulwama

Dated: 13/03/2025

No: DMO/Pul/DGM/B-12/ 8550

Sub: OA No. 1331/2024 titled, "Raja Muzaffar Bhat Vs Union Territory of Jammu and Kashmir & ors.

Ref: Your office letter No. DCP/Estt/SM/1852-5 4 dated 12/03/2025
Sir,

Kindly refer to the above captioned subject and reference. In this regard, it is submitted that in spite of the limited manpower is working in the best interest of the administration and for effective implementation MMDR-Act 1957 and rules made there under, "J&K Minor Mineral Concession Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016" notified vide SRO-105 Dated: 31.03.2016".

More stringent actions like lodging of the FIRs, Heavy pecuniary penalties and punishment for the offence as provided under section 21, Section 23 A and section 23 B of the Act for illegal mining under MMDR Act 1957, Rapid Action Team to control illegal mining, Seizures and late night patrolling, dismantling of the ramps/approaching roads, blacklisting of the vehicles and announcements in local mosques are made to curb the illegal mining activities.

Further strict directions have been passed on Area Incharges to curb the illegal mining activities and ensure that no transportation of any mineral by any means from the place of raising to another is made without being in possession of a valid "mineral transport e-challan" in form -"A".

It is not out of place to mention here that these actions against the illegal mining have been intensified and cracking the whips on illegal miners, regular seizures are made and these illegal miners have been warned to desist from illegal extraction of minerals. Regular inspections are conducted in the area from where complaints of illegal mining and transportation of minor mineral are received. The Mineral Check posts have been established at strategic locations and multi-level check mechanism has been devised also.

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97

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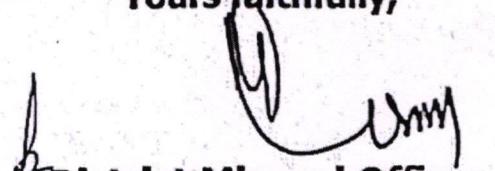
S.no	Year	No. of Seizures	Compounding in lacs
02	2022-23	01	0.22 lacs
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04	2024-2025	07	1.20 lacs
	Total	15	3.32 lacs

As on date, no sort of mining whether manual or mechanical is being carried out in Nallah Sasara in and around block No. 12. Regarding the question of the trenches / pits observed at some places, it is put here that the same may possibly have occurred by some water currents or by the man-made diversions created by the locals for irrigating their agricultural/horticultural land. As far as, the installation of the demarcation board is concerned, it is submitted that demarcation poles/ pillars were erected by the leased holder, however, as per his reports, these poles/pillars in leased out block have been stolen during the wee/night hours by some miscreants.

Further, it is reiterated that this drive against the illegal mineral minor transporters/extractors will be launched more vigorously in the coming days.

The same is submitted for favour of information and further course of action please.

Yours faithfully,


District Mineral Officer
Pulwama

75
GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE EXECUTIVE ENGINEER
FLOOD CONTROL DIVISION KAKAPORA
Email ID:- fcd/kakapora@gmail.com
Phone No:- 01933265052

The Assistant Commissioner Revenue,
Pulwama

No. FC DK/Camp/ /133-27
Dated:- /5-03-25

Subject:- OA No. 1331/2024 titled " Raja Muzaffar Bhat Vs Union Territory of
Jammu & Kashmir & ors."

Reference:- Your office letter No. DCP/Estt/SM/1852-54 dated 12-03-2025.

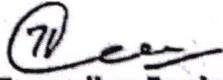
Sir

Regarding the afore cited subject and reference, it is to submit that this office is continuously taking stringent action against the offenders involved in the illegal extraction of bed material of Nallah, whenever and wherever any related offence comes into notice of this Division. Regarding the illegal extraction in Sasara Nallah, as reported by the Assistant Executive Engineer FC Sub Division Pulwama 11 No. of Challans have been filed in the court of Chief Judicial Magistrate Pulwama against the offenders found involved in illegal extraction on Sasara Nallah.

As a matter of fact and in terms of SRO.105 of 2016, it is the prime responsibility of the Geology & Mining Department (Custodian of Minor Minerals) to see/monitor the extraction process being carried out in the leased mining blocks including **Bandzoo Block No. 12** and to ensure the mining in the leased blocks of Sasara Nallah is done as per the conditions of NOC as well as approved mining plan. Furthermore the menace of illegal extraction is also tackled up with close coordination with the Revenue, Police and Geology & Mining Department by launching continuous joint drives against the offenders and the relevant provisions under Jammu & Kashmir Water Resource Regulation and Management Act -2010 are being enforced in letter & spirit in order to curb the menace of illegal extraction.

Hence report is submitted.

Yours faithfully


Executive Engineer
Flood Control Division
Kakapora

Copy to the:-

1. District Development Commissioner Pulwama for favour of information.
2. Chief Engineer Kmr, I & F C Department Srinagar for favour of information.
3. Superintending Engineer Hydraulic Circle Pulwama H.Q. Shopian for favour of information.
4. Assistant Executive Engineer Flood control Sub-Division Pulwama for information. This is with reference to his letter No FCSDP/660 dated 15-03-2025.

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Union Territory of Jammu & Kashmir
OFFICE OF THE TEHSILDAR / EXECUTIVE MAGISTRATE 1ST CLASS
PULWAMA

The Assistant Commissioner,
Pulwama

Ref: DCP/Estt/SM/1852-54 Dated: 12/03/2025

Subject:- OA No 1331/2024 titled "Raja Muzaffar Bhat Vs Union Territory of Jammu and Kashmir and Ors.

Sir,

Regarding the subject captioned above, it is to submit that this office has zero tolerance towards the illegal mining. There were few cases of illegal mining in this jurisdiction in which appropriate action has been taken on timely basis. I am enclosing the various communications regarding these actions. Hence submitted for favour of information.

Yours faithfully

No. TP-OQ/1513

Dated : 14-03-2025

TEHSILDAR PULWAMA
Tehsildar Pulwama



OFFICE OF THE TEHSILDAR PULWAMA

ASSISTANT COLLECTOR 1ST CLASS PULWAMA
(tehsildarpulwama@gmail.com)

The Worthy Deputy Commissioner,

No. TP-X/350

Pulwama.

Dated 22.08.2024

Sub:- Illegal excavation of soil within the jurisdiction of tehsil Pulwama, the action thereof.

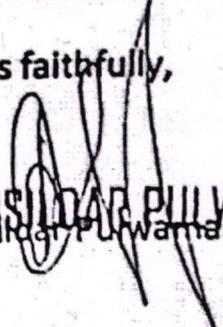
Sir,

Apropos the subject cited above, it is to submit that this office has issued directions upon subordinate revenue agency to tight up the vigil in their respective Niabats/ Circles/Halqas and to thwart any such attempt of illegal excavation with further report about the incident of illegal excavation of minor mineral/soil to be submitted to this office on time. The Communication vide No. 835-39/JC/Pul dated 15.11.2023 is herein put on record. Furthermore, this office has lodged FIRs against the offenders who were found involved in illegal excavation of soil. To quote an example here is FIR No. 198/2023 lodged by the undersigned against Muhamamd Sadam Ganie & Ors residents of Nowhar Malpora for illegal excavation of soil in Survey No. 257 titled Shamilat Sec 4 in estate Nowhar Malpora. The copy of the letter vide No. 560-61/JC/Pul is put on record. Another FIR No was lodged by undersigned against Sajad Ahmad Bhat resident of Malangpora, tehsil Awantipora for illegal excavation of soil in Survey No. 840 titled State land. The copy of FIR is put on record.

Further, communications have been made by this office regarding any illegal excavation in proprietary land within the jurisdiction of this office. In one of such instances, permission was granted by the Competent Authority in favour of M/S Mirz Infrastructure Builders, Nowgam Bypass Srinagar for excavation of soil from his proprietary land under Survey No. 194. The report in this regard submitted by filed agency revealed that the said company was excavating soil from different

Survey No.s 196 and 198 in estate Jagir Parigam. The prompt action was initiated by this office and the communication in this regard was made by the undersigned to the Office of District Mineral Officer Pulwama vide No. 892-93/JC/Pul dated 25.11.2023 and the permission already granted was cancelled by the DMO's office. The copy is placed on record. In yet another incident, the communication was made by Naib Tehsildar Newa to SHO P/S Pulwama vide No. NTN/2024/48-53 dated 06.07.2024 for lodging FIR against the offenders who have excavated soil from Survey No. 531 titled Shanilat Sec4 in estate TumchiNopora. Further as reported by Naib Tehsildar Newa, vide his office No. NTN/2024/259 dated 22.08.2024, excavation of soil has taken place in some areas of Niabat newa under proper permission. However, report with respect to any violation regarding the lifting of quantum of soil/ordinary earth for which the permission is granted by the Competent Authority can be submitted by the Dept. of Geology and Mining. . It is pertinent to mention here that the illegal excavation of soil has taken place in the Survey No.s 637 and 638 titled State land & 670 titled Shamilat Sec 4 located in estate Karewa Ranbirpora, the site adjacent to subject Survey No.s for which permission was granted. The communication in this regard has been made by Naib Tehsildar Newa to SHO P/S Pulwama vide No. NTN/2024/17-22 dated 08.05.2024 for lodging an FIR against the offenders. The copy of Permission and the communication of Naib Tehsildar Newa is herewith placed on record. Hence submitted along with the report of Naib Tehsildar and other allied documents.

Yours faithfully,


TEHSILDAR PULWAMA
Tehsildar Pulwama.



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OFFICE OF THE NAIB TEHSILDAR NEWA*Assistant Collector 2nd Class/Executive Magistrate 1st Class*

Tehsildar,
Pulwama.

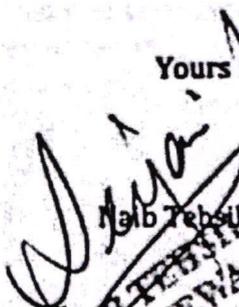
Sub.: Soil Excavation Report at Zadoora Hastikhud bearing survey Nos 44,45,47 and 49.

Sir

Apropos above captioned subject, report was sought from the concerned patwari which reveals that the soil lifting has taken place from the captioned survey Nos. with land measuring 27 Kanal 15 Marlas and the land is recorded as proprietary land. The soil lifting from the said survey Nos. has been lifted as per the proper permission from DMO office Pulwama from time to time (permission copies attached). The undersigned himself visited the site and found that the soil has been excavated from the captioned survey Nos after proper permission by the competent authority. However couple of months ago the illegal soil lifting has taken place on adjacent survey nos(637 and 638 "both State Land" and 670 "Kahcharie land") that fall in the Revenue Village boundary of Qariwa Ranbirpora. Subsequently this office has already lodged an FIR in the instant matter via letter No. NTN/2024/17-22 Dated 08-05-2024 (copy Enclosed). Hence report submitted for necessary action at your end.

No:- NTN/2024/259 .
Dated:-22-08-2024

Yours Faithfully


Naib Tehsildar Nawa
22/08/2024

OFFICE OF THE NAIB TEHSILDAR NEWA

Assistant Collector 2nd Class/Executive Magistrate 1st Class

DO Police Post
Newa

Sub.: Lodging of FIR against the accused persons involved in illegal soil lifting in the jurisdiction of Nayabat Newa under relevant sections of law.

Whereas today information was received through reliable sources that since last two days/nights illegal soil lifting has been carried out by some unknown persons using heavy machines like L&Ts, JCBs, Dumper and Tipper.

Whereas same was verified by field agencies and written reports were sought from them (reports enclosed).

Whereas the reports as received and submitted by the field agencies reveals that during night hours and off time heavy soil lifting has been carried out in state land/Kahcharale in Patwar Halqas of TN Pora (Survey No 532 min), Parigam (Survey No 204 min) and Newa (Survey Nos 670, 637 and 638) by:

1. Mohd Sultan S/o Asadullah Bhat R/o Jagir Parigam
2. Bilal Ahmad Lone S/O Ali Mohd R/o Nehama Teh Kakapora
3. Shabir Ahmad Dar S/o Ab Gani R/o TN Pora
4. Mohd Yaseen Ganje S/o Gh Ahmad R/o Suthsu Kalan Tehsil BK Pora Budgam.
5. Bilal Ahmad Dar S/o Fayaz Ahmad Dar R/o TN Pora
6. Ashiq Hussain Dar S/o Mohd Shafi R/o TN Pora
7. Shabir Ahmad Mir S/o Mohd Akhar R/o Nowpora Nagam

Therefore in view of the circumstances made here with to avoid any law and order situation and violation of relevant sections of Land Revenue Act it is recommended to lodge an FIR in the instant matter against all the suspected persons mentioned above on account of theft of Public property viz soil, sand and other Govt. property.

No.: NTN/2024/17-22 .

Dated:-08-05-2024

Executive Magistrate 1st Class Newa



- 1 Copy To Deputy Commissioner Pulwama For kind Information.
- 2 Copy To Senior Superintendent Of Police Pulwama For kind Information.
- 3 Copy To DMO Pulwama for Information.
- 4 Copy To Tehsildar Pulwama for Information.
5. SHO P/S Pulwama for information and n/a.

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Government of Jammu & Kashmir
DIRECTORATE OF GEOLOGY & MINING

4th Floor, J. L. Nehru Udyog Bhawan, Rail Head Complex, J&K, Jammu - 180012
4th Floor, Sanat Ghar, Bemina, Srinagar-190018
Ph. +91-191-2477903 (Jammu); +91-0194-2493588 (Srinagar); Email- dgmjak@gmail.com

The Member Secretary,
J&K Pollution Control Committee.
Parivesh Bhavan, Forest Complex,
Transport Nagar, Jammu-180006.

No: 317-D/DGM/LCJ/NGT/OA1331/2024-25/1178-88

Dated: 24-03-2025

Subject: OA No. 1331/2024 titled Raja Muzaffar Bhat V/s Union Territory of
Jammu & Kashmir & Ors.

Reference: GM-LEG/8/2025-04, dated 03-01-2025.

Sir,

I am directed to refer your Office letter No. JKPC/Sc/OA-1331/2024/2217, dated 11-03-2025 followed by letter No. JKPC/Sc/OA-1331/2024/2289, dated 22-03-2025 regarding the subject cited above, kindly find enclosed herewith the report submitted by District Mineral Officer, Pulwama duly forwarded by the Joint Director, Kashmir vide letter No. LC/DGM/SGR/F-777/5599, dated 17-03-2025 for information and further necessary action at your end please.

Yours faithfully,

Encl: A/A

(Lutfan Rehman),
Assistant Legal Remembancer,
Directorate of Geology & Mining, J&K.

24/03/25

Copy to the Senior Law Officer, Mining Department, J&K Civil Secretariat.

Government of Jammu & Kashmir
DEPARTMENT OF GEOLOGY AND MINING

SANAT GHAR BEMINA SRINGAR
EMAIL ID: dgmjak@gmail.com



The Director

Geology & Mining Department
J&K, Jammu

No: LC/DGM/SGR/F-777/5599

Dated: 17.03.2025

**Subject: OA No.1331/2024 titled Raja Muzaffar Bhat V/s Union
Territory of Jammu and Kashmir & Ors.**

**Ref: 1.LC/DGM/SGR/F-777/2489-91 dated:10.03.2025
2.JKPCC/Sc/OA-1331/2024/1600 dated:18.12.2024**

Sir,

Kindly refer to the subject and reference captioned above. In this context, it is to submit that a comprehensive report has been received from the District Mineral Officer, Pulwama in the matter of OA No.1331/2024 titled Raja Muzaffar Bhat V/s Union Territory of Jammu and Kashmir & Ors vide letter No:DMO/Pul/DGM/NGT/8551 dated:13.03.2025 which is enclosed herewith for favour of information and further necessary action please.

Yours faithfully,

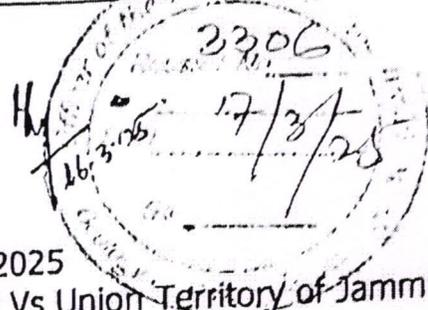
Nisar Ahmad 17/3/25
Joint Director Kashmir
Geology & Mining Department
Srinagar

Encls: A/A



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

The Joint Director
 Geology and Mining Department



No: DMO/Pul/DGM/NGT/ 8561

Dated: 13/03/2025

Sub: OA No. 1331/2024 titled, "Raja Muzaffar Bhat Vs Union Territory of Jammu and Kashmir & ors.

Ref: Your office letter No. LC/DGM/Sgr/F-777/2489-91 dated 10.03.2025
 Sir,

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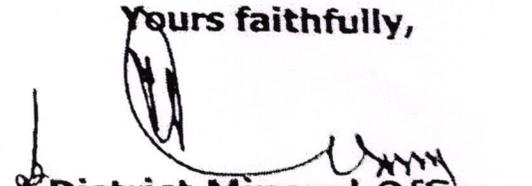
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Pulwama