

## Jammu and Kashmir Pollution Control Committee

719

Parivesh Bhavan, Forest Complex || Silk Factory Road  
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008  
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

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

No: JKPC/NGT/OA 599/ 3955-56

Date:- 02-11-2024

**Sub:- Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal Order dated 25.07.2024 passed in OA No. 599 of 2024 titled "Surinder Singh Manhas & Anr. vs UT of J&K and Ors"**


Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated **25.07.2024 passed in OA No. 599 of 2024 titled "Surinder Singh Manhas & Anr. vs UT of J&K and Ors"**, the Report of the J&K Pollution Control Committee is submitted herewith.

It is therefore, requested that the Report 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 2-11-24  
J&K PCC

Copy to the:-

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

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

Original Application No. 599 of 2024

IN THE MATTER OF

News item titled "Surinder Singh Manhas  
& Anr. vs UT of J&K and Ors

Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal Order dated 25.07.2024 passed in OA No. 599 of 2024 titled "Surinder Singh Manhas & Anr. vs UT of J&K and Ors"

**Background:**

That the Hon'ble National Green Tribunal vide Order dated 25-07-2024 in OA No. 599 of 2024 directed as follows:-

1. *"In this original application, Applicant has raised the grievance as against the alleged illegal sand mining in District Kathua at Jammu & Kashmir. The submission of learned Counsel for the Applicant is that the Environmental Clearance (EC) has been issued to the private respondent without there being any replenishment study. She has also submitted that the land on which the mining has been permitted is a Gair Mumkin Dariya which is a water source/body for which no mining permission could have been granted. Counsel for the Applicant has also submitted that when on 16.07.2021 the EC was granted to the Respondent – Bhanu Pratap at that time no DSR was existing.*
2. *The OA raises substantial issue relating to the compliance of environmental norms".*

**Status Report:**

In compliance to the directions of the Hon'ble National Green Tribunal, Principal Bench, New Delhi dated 25-07-2024 in OA No. 599 of 2024, the report of the J&K Pollution Control Committee is submitted as under:

The Director, Department of Geology & Mining, J&K, Regional Director J&K Pollution Control Committee, Jammu and Deputy Commissioner, Kathua was requested to share factual report, with respect to following issues:

- a) Status of illegal sand mining being carried out, if any, in District Kathua and
- b) Compliance of conditions laid Environmental Clearance issued in favour of M/s Bhanu Pratap, M/s Vasudev Constructions and M/s New Rajputana stone crusher.
- c) The Title and Use of leased Land measuring 9.98 Hect. granted in favour of Bhanu Pratap Singh at Taraf Tajwal, kathua.

The details of the references made to the concerned officers are given as under:

1)	Director, Department of Geology & Mining, J&K,	No. JKPCC/Sc/OA-599 / 2024 /1213 dated 10-10-2024	<b>Annexure-1</b>
2)	Regional Director J&K Pollution Control Committee, Jammu	No. JKPCC/Sc/OA-599 / 2024 /1214dated 10-10-2024	<b>Annexure-2</b>
3)	Deputy Commissioner, Kathua	i) No. JKPCC/Sc/OA-599 / 2024 /1263 dated 23-10-2024. ii) No. JKPCC/Sc/OA599/2024/ 3945 dated 31-10-2024.	<b>Annexure-3</b>

The Regional Director, J&K Pollution Control Committee, Jammu has submitted report vide No. PCC/RDJ/2024/805-06 dated 23-10-2024 (**Copy enclosed as Annexure -4**), which is summarized as under:-

- a) That the subject mining site was visited on 21-10-2024 and no mining activity was found during inspection.

- b) Consent to operate was granted to the mining block by J&KPCC vide consent order No. PCC/digital/23063881889 of 2023 dated 15-09-2023 having validity till 16-07-2024.
- c) Validity of Environmental Clearance granted to **M/s Bhanu Pratap Singh** at village Tara Tajwal Kathua was also valid upto 16-07-2024.
- d) Other two unit holders namely M/s Vasudev Stone crusher and M/s New Jai Rajputana are Stone crushers and requirement of EC does not apply to them.

The Director, Geology and Mining Department, J&K has also submitted a report vide No. 351/LCJ/NGTOA599-25(E-7560056) dated 29-10-2024 (**copy enclosed as Annexure-5**), which is summarized as under:-

- i) That the Geology and Mining Department has always taken prompt action against the violators as and when any violation is reported and has recovered highest ever penalty amount in the UT of J&K during the last financial year i.e 2023- 2024. The year wise details of penalty realized and vehicles / machines seized by the Department is tabulated as under:-

S. No.	Year	Penalty realized / recovered	Number of vehicles / machines seized.
1)	2019-2020	29,01,470	44
2)	2020-2021	1,98,96,544	126
3)	2021-2022	2,47,99,183	157
4)	2022-2023	2,75,50,812	344
5)	2023-2024	4,14,21,679	507

- ii) That a lease has been granted in Taraf Tajwal area of District Kathua after following the due procedure as laid down by the Government in this regard i.e approved mining plan, Environmental Clearance and consent to operate from JKPC and the stone crushers

functioning in that area are procuring raw material from the said Mining Lease. However, if any instance of illegal mining is reported, the same has been dealt strictly under the relevant provisions of law which includes seizure of vehicle/machinery found indulged in the illegal mining act and / or imposition of penalty.

- iii) That the Department of Mining is implementing the provisions of Minor Mineral(D&R) Act 1957 and MoEF Guidelines to prevent the illegal mining and transportation of minor minerals in District Kathua.
- iv) That M/s New jai Rajputana Stoner Crusher at village Taraf Tajwal, Kathua has obtained Consent to operate (CTO) from J&K PCC which is valid upto October 2025.
- v) That mining has been done from the mining leases / blocks. If in case anyone is found involved in extraction of minor minerals from outside the lease area, the same shall be dealt with stern action under Rules.
- vi) That many stone crushers have been heavily penalized by the Geology and Mining Department for their indulgence in illegal mining and substantial number of vehicles / machines have been seized / penalized so far in the efforts to curb illegal activities in District Kathua.
- vii) That Bhanu Pratap Singh Prop. M/s Om Sai Screener at Taraf Tajwal, Kathua has applied for renewal of CTO and has returned to the Pollution Control Committee regarding the expiry CTO of M/s Om Sai Screener. Further, a lease measuring 9.98 hect. has been granted in favour of Bhanu Pratap Singh at Taraf Tajwal, Kathua and Bhanu Pratap Singh has obtained all the NOCs from the stakeholders department, approved mining plan, environmental


clearance from the competent authority and CTO from the J&K PCC. the annual production / quantity of minor mineral which can be despatched is 1,22,928 MT per/year and examining the title of land does not pertain to the Mining Department.

- viii) The record of J&K PCC reveals that the Consent to Operate (Renewal) of M/s Om sai Stone Crusher of Sh. Bhanu Pratap Singh is valid upto January 2025 (Copy enclosed as **Annexure 6**).

The factual status from the Deputy Commissioner, Kathua is awaited and has been requested through the reminder to furnish the factual status to the J&K PCC especially with regard to the titled and use of leased land at Taraf Tajwal, Kathua.

**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) 2.11.24  
Member Secretary  
J&K PCC

**Jammu and Kashmir  
Pollution Control Committee**

chairman87jkspcb@gmail.com  
membersecretaryjkspcb@gmail.com

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Silk Factory Road  
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Director,  
Department of Geology & Mining,  
Jammu.

No: JKPC/Sc./OA-599/2024/ **1213**

Dated:- **10** -10-2024

**Sub:- O.A No. 599/2024 titled "Surinder Singh Manhas & Anr. V/s Union Territory of Jammu & Kashmir & Ors."**

**Ref:- Hon'ble NGT order dated 25-07-2024**

Sir,

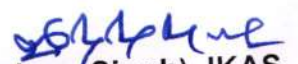
Please refer to Hon'ble NGT directions issued vide dated 25-07-2024 in O.A No. 599/2024 titled "Surinder Singh Manhas & Anr. V/s Union Territory of Jammu & Kashmir & Ors.", wherein Hon'ble NGT has pointed out observations as under :-

- 1. In this original application, Applicant has raised the grievance as against the alleged illegal sand mining in District Kathua at Jammu & Kashmir. The submission of learned Counsel for the Applicant is that the Environmental Clearance(EC) has been issued to the private respondent without there being any replenishment study. She has also submitted that the land on which the mining has been permitted is a Gair Mumkin Dariya which is a water source/body for which no mining permission could have been granted. Counsel for the Applicant has also submitted that when on 16.07.2021 the EC was granted to the Respondent-Bhanu Pratap at that time no DSR was existing.*
- 2. The OA raises substantial issue relating to the compliance of environmental norms.*

As such, you are requested to share factual status report with respect to  
1) Status of illegal sand mining being carried out, if any, in District Kathua and  
2) Compliance of conditions laid under Environmental Clearance issued in favour of M/s. Bhanu Pratap, M/s. Vasudev Constructions and M/s. New Rajputana Stone Crusher.

The report as above may be shared with this office by or before 20-10-2024 as the case is listed for hearing on 04-11-2024.

**Yours faithfully,**

  
(Ghansham Singh) JKAS  
Member Secretary

**10.10.24**



**726 Jammu and Kashmir  
Pollution Control Committee**

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membersecretaryjkspcb@gmail.com

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Regional Director,  
JK Pollution Control Committee,  
Jammu.

Dated:- 10 -10-2024

No: JKPCC/Sc./OA-599/2024/1214

**Sub:- O.A No. 599/2024 titled "Surinder Singh Manhas & Anr. V/s Union Territory of Jammu & Kashmir & Ors."**

**Ref:- Hon'ble NGT order dated 25-07-2024**

Madam,


Please refer to Hon'ble NGT directions issued vide dated 25-07-2024 in O.A No. 599/2024 titled "Surinder Singh Manhas & Anr. V/s Union Territory of Jammu & Kashmir & Ors.", wherein Hon'ble NGT has pointed out observations as under :-

1. *In this original application, Applicant has raised the grievance as against the alleged illegal sand mining in District Kathua at Jammu & Kashmir. The submission of learned Counsel for the Applicant is that the Environmental Clearance(EC) has been issued to the private respondent without there being any replenishment study. She has also submitted that the land on which the mining has been permitted is a Gair Mumkin Dariya which is a water source/body for which no mining permission could have been granted. Counsel for the Applicant has also submitted that when on 16.07.2021 the EC was granted to the Respondent-Bhanu Pratap at that time no DSR was existing.*
2. *The OA raises substantial issue relating to the compliance of environmental norms.*

As such, you are requested to seek and share factual status report with respect to  
1) Status of illegal sand mining being carried out, if any, in District Kathua and  
2) Compliance of conditions laid under Environmental Clearance issued in favour of M/s. Bhanu Pratap, M/s. Vasudev Constructions and M/s. New Rajputana Stone Crusher.

The report as above may be shared with this office by or before 20-10-2024 as the case is listed for hearing on 04-11-2024.

**Yours faithfully,**

  
(Ghansham Singh) JKAS  
Member Secretary

10.10.24



**Jammu and Kashmir  
Pollution Control Committee**

chairman87jkspcb@gmail.com  
membersecretaryjkspcb@gmail.com

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Parivesh Bhavan, Forest Complex  
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Annexure-3

727

Deputy Commissioner,  
Kathua.

No:- JKPC/Sc/OA-599/2024/1263

Dated 23-10-2024

**Sub:- OA NO. 599/2024 titled "Surinder Singh Manhas & Anr. V/s Union Territory of Jammu and Kashmir & Ors."**

**Ref:- Hon'ble NGT order dated 25-07-2024.**

Sir,

Please refer to Hon'ble NGT directions issued vide dated 25-07-2024 in O.A No. 599/2024 titled "Surinder Singh Manhas & Anr. V/s Union Territory of Jammu & Kashmir & Ors.", wherein Hon'ble NGT has pointed out observations as under :-

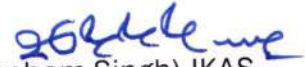
- 1) *In this original application, Applicant has raised the grievance as against the alleged illegal sand mining in District Kathua at Jammu & Kashmir. The submission of learned Counsel for the Applicant is that the Environmental Clearance (EC) has been issued to the private respondent without there being any replenishment study. She has also submitted that the land on which the mining has been permitted is a Gair Mumkin Dariya which is a water source/body for which no mining permission could have been granted. Counsel for the Applicant has also submitted that when on 16.07.2021 the EC was granted to the Respondent-Bhanu Pratap at that time no DSR was existing.*
- 2) *The OA raises substantial issue relating to the compliance of environmental norms.*

As such, you are requested to share factual status report with respect to

- 1) Status of illegal sand mining being carried out, if any, in District Kathua; and
- 2) Compliance of conditions laid under Environmental Clearance issued in favour of M/s. Bhanu Pratap, M/s. Vasudev Constructions and M/s. New Rajputana Stone Crusher.

The report as above may be shared with this office by or before 31-10-2024 as the case is listed for hearing on 04-11-2024.

Yours faithfully,

  
(Ghansham Singh) JKAS  
Member Secretary 23-10-24  
J&K PCC



The Deputy Commissioner,  
Kathua.

No: JKPCC/Sc./OA-599/2024/ 3946

Dated:- 31 -10-2024

**Sub:- O.A No. 599/2024 titled "Surinder Singh Manhas & Anr. V/s Union Territory of Jammu & Kashmir & Ors."**

**Ref:- Hon'ble NGT order dated 25-07-2024**

Sir,

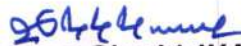
Please refer this office letter No. JKPCC/Sc/OA599/2024/1263 dated 23-10-2024 on the above captioned subject and factual status in the matter is awaited.

You are therefore requested to share a factual status report with respect to the following issues flagged in the aforesaid O.A before the Hon'ble National Green Tribunal.

- 1) Status of illegal sand mining being carried out, if any, in District Kathua and
- 2) Compliance of conditions laid under Environmental Clearance issued in favour of M/s. Bhanu Pratap, M/s. Vasudev Constructions and M/s. New Rajputana Stone Crusher.
3. The Title and Use of leased Land measuring 9.98 Hect. granted in favour of Bhanu Pratap Singh at Taraf Tajwal, kathua.

The status report may be submitted to the J&K PCC at the earliest as the case has been listed for hearing next on 04-11-2024.

**Yours faithfully,**

  
(Ghansham Singh) JKAS  
Member Secretary 31.10.24



PCC

**J&K POLLUTION CONTROL COMMITTEE**  
**OFFICE OF THE REGIONAL DIRECTOR - JAMMU**

Parivesh Bhawan, Forest Complex Gladni, Transport Nagar, Narwal, Jammu  
Email: regionaldirectorjkspcbimu@gmail.com, Tel/fax 0191-2476926

The Member Secretary,  
J&KPCC, Jammu.

No: PCC/RDJ/2024/ 1805-06

Dated: 23-10-2024

Subject: O.A. No.599/2024 titled Surinder Singh Manhas & Anr. V/s Union  
Territory of Jammu and Kashmir & Ors.

Ref: Your Office No.JKPCC/Sc.C/O.A. 599/2024/1214 Dated: 10.10.2024.

Sir,

With reference to the subject cited above, as desired vide above referred communication kindly find enclosed herewith the report submitted by the Divisional Officer PCC Kathua vide his letter No. PCC/Kth/2024/242 Dated: 22.10.2024, for further necessary action at your end please.

Encls.as above

Yours faithfully,

  
(Shaveta Janghial), IFS  
Regional Director

Copy to Divisional Officer, PCC Kathua for information.



**J&K Pollution Control Committee**  
**Divisional Office Kathua**  
 email id : [dospbkathua@gmail.com](mailto:dospbkathua@gmail.com)

The Regional Director,  
 J&K Pollution Control Committee,  
 Jammu

No. PCC/Kth/2024/242

Dated : 22-10-24

Subject : O.A. No. 599/2024 titled "Surinder Singh Manhas & Anr. V/s Union Territory of Jammu and Kashmir & Ors."

Reference: (i) Hon'ble NGT Order dated 25-07-2024  
 (ii) Your Office No. PCC/RDJ/NGT/24/1730 dated 16-10-2024

Madam,

With reference to the subject cited above, regarding complaint against illegal mining by Sh. Bhanu Partap Singh (Minor Mineral Block) at village Taraf Tajwal Kathua, it is submitted :-

- 1) That the above referred mining site was visited by this office on 21-10-2024 and no mining activity was found carrying during inspection.
- 2) That the consent to operate was granted to this block by J&K PCC vide Consent Order No. PCC/digital/23063881889 of 2023 dated 15-09-2023 having validity till 16-07-2024
- 3) That the validity of Environmental Clearance granted to M/s Sh. Bhanu Partap Singh (Minor Mineral Block) at village Taraf Tajwal Kathua was also valid upto 16-07-2024.
- 4) That the units namely M/s Vasudev Stone Crusher and M/s New Jai Rajputana Stone Crusher at Taraf Tajwal both are stone crushers, as such, EC is not applicable.

Further, the other information regarding illegal mining in district Kathua, replenishment study, DSR etc needs to be sought from the concerned competent authority (Geology and Mining department etc).

Submitted please.

J&K Pollution Control Committee  
 (Jammu)

Receipt No.: 2842  
 Date: 23-10-24  
 Encls: nil  
 Signature

Yours faithfully,

Divisional Officer  
 PCC Kathua

*[Handwritten Signature]*  
 22/10/24



Government of Jammu & Kashmir  
**DIRECTORATE OF GEOLOGY & MINING**

4<sup>th</sup> Floor J L Nehru Udyog Bhawan Rail Head Complex, J& K, Jammu - 180012  
Ph. +91-191-2477903 Fax: +91-191-2477903 Email- [dgmjak@gmail.com](mailto:dgmjak@gmail.com)

Member Secretary,  
J&K Pollution Control Committee,  
Jammu.

No: 351/LCJ/NGTOA599/2024-25(E-7560056)

Dated. 29-10-2024

**Subject: OA No.599/2024 titled "Surinder Singh Manhas & Anr. V/s  
Union Territory of Jammu and Kashmir & ors."**

Sir,

Kindly refer to your office letter No. JKPCC/Sc/OA-599/2024/1262 dated 22-10-2024 regarding the subject cited above. In this context, kindly find enclosed herewith the factual/action taken report submitted by District Mineral Officer, Kathua vide letter No. DMO/K/Court case/NGT/2024-25/1040 dated 29-10-2024 for information and further necessary action at your end.

Encl: A/A

Yours faithfully,

(Puneet Sharma) JKAS,  
Director Geology & Mining, J&K.

**Copy to the:-**

1. Commissioner/Secretary to the Government, Department of Mining, J&K Civil Secretariat.



Government of Jammu & Kashmir

**OFFICE OF THE DISTRICT MINERAL OFFICER, KATHUA**

Ph: 01922-233033

Email Id: dmokathua@gmail.com

**Senior Law Officer**

Geology & Mining Deptt.

Jammu

No: DMO/K/Court case/NGT/2024-25/1040

Dated: 29/10/2024

**Subject: OA No. 599/2024 titled Surinder Singh Manhas and Anr V/s  
Union Territory of Jammu Kashmir & Ors.**

Sir,

In reference to the subject cited above, please find enclosed herewith the detailed/factual report in the abovementioned court case for further necessary action in the matter please.

Yours faithfully,

**District Mineral Officer  
Kathua**

**Subject: OA No. 599/2024 titled Surinder Singh Manhas and Anr V/s  
Union Territory of Jammu Kashmir & Ors.**

**Most respectfully showeth:**

1. The present case has been registered as original application No. 599/2024 by the National green Tribunal. However, the content of para I & II needs no reply.
2. To reply the content of para III, it is submitted that the answering respondent has never condoned illegal mining in the district Kathua, J&K (UT) and has always taken prompt action against the violators as & when any violation is reported. It is on record that the answering respondent has recovered highest ever penalty amount in the entire J&K (UT) in the last financial year i.e., 2023-2024, the following table will explicitly shows the fact figures which clearly contradicts cum refutes the contentions made by the petitioner regarding the involvement of answering respondent with the stone crushers/illegal miners.

S. No.	Year	Penalty realized/recovered	No. of vehicles/ machineries seized
1	2019-2020	29,01,470	44
2	2020-2021	1,98,96,544	126
3	2021-2022	2,47,99,183	157
4	2022-2023	2,75,50,812	344
5	2023-2024	4,14,21,679	507

The above table clearly demonstrates the strict stance adopted by the answering respondent for effective enforcement of MM(D&R) Act, 1957 & rules made thereunder on ground. Pertinently, the answering respondent has taken all possible steps/measures to check the illegal mining & transportation of minor minerals in the district Kathua, J&K (UT) and shall continue the same efforts. The answering respondent has imposed staggering penalty on the following stone crushers which were found involved in illegally mining and dumped huge quantity of minor minerals like sand, stone (bajri) etc. within their premises illegally.

S. No.	Name of the Stone Crusher	Location of the Stone Crusher	Penalty imposed INR
1	M/s Sain & Sons S/c	at Jungi Chack, Tehsil Hiranagar, Kathua	1,18,79,649/-
2	M/s Narsingh S/c	at vill. Langrial (Tarnah	76,69,904/-

X

		River), Dayala chak, Kathua	
3	M/s Shiva Stone Crusher	at vill. Langrial (Tarnah River), Dayala chak, Kathua	66,17,372/-
4	M/s Jagdambay S/c	at vill. Langrial (Tarnah River), Dayala chak, Kathua	1,29,13,499/-
5	M/s Magnum S/c	at Pandori Tehsil Nagri, Kathua	80,50,091/-
6	M/s S.K. Stone Crusher	at Pandori Tehsil Nagri, Kathua	3,42,79,347/-
7	M/s Raavi Stone Crusher	at Ravi river, Gandyal, Tehsil & District Kathua	2,71,43,614/-
8	M/s C&C Const.	at Ravi river, Gandyal, Tehsil & District Kathua	2,07,85,490/-
9	M/s Puri Stone Crusher	at Ravi river, Gandyal, Tehsil & District Kathua	2,24,05,350/-
10	M/s Jai Rajputana S/c	At Ravi river, Taraf Tajwal, Kathua	2,59,21,188/-
11	M/s Shiv Baba S/c	at Maggar khad, Tehsil & District Kathua	72,24,013/-
12	M/s baba Peer Stone Cr	at Maggar khad, Tehsil & District Kathua	75,66,447/-
13	M/s V.G.S. S/c	at Marolli, Tehsil & District	27,76,675/-
14	M/s Varun Dev S/c	at Gurah kalyal, Billawar	21,66,120/-
15	M/s Mansa Ram & Sons S/c	at Tilla, Billawar	24,16,700/-
16	M/s Bharat Stone Crusher	at Tilla, Billawar	1,27,57,800/-
17	M/s Om Sai Screener	At Ravi river, Taraf Tajwal, Kathua	34,74,350/-
18	M/s New Jai Rajputana	At Ravi river, Taraf Tajwal, Kathua	5,59,456/-

Further, the penalty notices issued to above mentioned stone crusher units are enclosed herewith for your ready reference (Annexure A to R). Therefore, the averments made in this para are wrong, well-fabricated and completely fallacious and therefore, outrightly denied on the basis of facts produced as above.

3. To reply the content of para IV, it is submitted that a lease has been granted in Taraf Tajwal area of district Kathua after following the due procedure as laid down by the government in this regard i.e., approved mining Plan, Environmental Clearance and consent to Operate from JKPCC and the stone crushers functioning in that area are procuring rawmaterial from the said Mining Lease. However, if any

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instance of illegal mining is reported, the same has been dealt strictly under the relevant provisions of law which includes seizure of vehicle/machinery found indulged in the illegal mining act and/or imposition of penalty.

4. The content of para-V to XV needs no reply. However, the answering respondent (no. 07) has acted tirelessly to implement the provisions of MM(D&R) Act, 1957 and MOEF guidelines to prevent the illegal mining & transportation of minor minerals in the district Kathua, J&K (UT). The respondent no. 11 (***M/s New Jai Rajputana Stone crusher at village taraf tajwal, Kathua***) has secured/obtained Consent to Operate (CTO) from J&K State Pollution Control Board which is valid up to **October, 2025** (Annexure S). Therefore, the averments made by the petitioner are completely fabricated and false and are made only with the intentions to blemish the image of the administration.
5. To reply the content of para XVI, it is submitted that as already explained in the preceding paras, mining has been done from the mining leases/blocks. If, in case, any one found involved in extraction of minor minerals from outside the lease area, the same shall be dealt with stern action under rules. It is on record that many stone crushers have been heavily penalized by the answering respondent for their indulgence in illegal mining and substantial numbers of vehicles/machineries have been seized/penalized so far in the efforts to curb the illegal mining activities in the district Kathua, J&K (UT). Every official deployed in the field for monitoring the mining activities is discharging his duties round the clock. Day/night raids are being carried out by the answering respondent very oftenly despite very acute shortage of manpower at the disposal of the answering respondent. Therefore, the instant petition is wrong and invent on false grounds and therefore, it is not maintainable before the law and deserved to be outrightly dismissed. The petitioner has made averments without any material evidence/tangible proof.

#### **SUBSTANTIAL QUESTIONS OF LAW**

- a. The content of para (a) does not pertain to the answering respondent as the answering respondent is not the authority to choose/select the agency for preparation of District survey report (DSR).
- b. To reply the content of para (b), it is submitted that the answering respondent has always taken cognizance of inputs regarding illegal mining and have always acted strictly in accordance with the law governing the matter.
- c. To reply the content of para (c), it is submitted that the mining leases/blocks operating in district Kathua, J&K (UT) have secured approved mining plan, Environmental Clearance from the competent authority and CTO from Pollution Control Board. The petitioner, herein, again tried to mislead the Hon'ble court by misrepresenting/distorting the facts.
- d. To reply the content of para (d), it is submitted that any minor mineral block identified/carved-out on state land only is, generally, put for auction. Private

land/ownership land cannot be put for auction. Pertinently, on securing all NOCs from all the stake holder departments, followed by approval of mining plan, grant of EC and CTO by competent authorities, leases are made operational. Therefore, averments made in the instant para are also wrong and not maintainable in the eyes of law.

- e. To reply the content of para (e), it is submitted that stone crushers operating in taraf Tajwal Kathua have CTO from JKSPCB and some other crusher units have applied for the renewal of the same. However, this office has made even numbers of communications to Pollution control Board requesting therein to take appropriate action against the violator crusher units (Annexure T,U & V).
- f. To reply the content of para (f), it is submitted that strict action has been taken against every stone crusher unit who was found involved in illegal mining activities. A penalty of crores of rupees stands imposed on violators for violating the rules/provisions of MM(D&R) Act, 1957.

### **BRIEF FACTS**

- i. To reply the content of para (i), it is submitted that every possible measures/steps have been taken by the answering respondent to prevent the pilferage of minor minerals in the district Kathua. Day/night raids have been carried out, with the available manpower, in order to completely check the menace of illegal in the district kathua. However, petitioner has no scientific evidence backing the averment of disturbance of water-table, topographic disorders and severe ecological imbalances.
- ii. The content of para (ii) is already explained in the preceding paras.
- iii. To reply the content of para (iii) & (iv), it is submitted that all the mining leases/blocks operating in district kathua have secured approved mining Plan, Environmental clearance and CTO.
- iv. The content of para (v) does not pertain to the answering respondent. However, the answering respondent has taken every possible step to curb the illegal mining & transportation of minor minerals in the district kathua.
- v. The content of para (vi), (vi) & (viii) needs no reply.
- vi. To reply the content of para (ix), it is submitted that Multi Departmental district Level task Force Cell has been constituted by the government vide order no: 1569-GAD of 2018 dated: 22-10-2018 involving all the stake holders department to act against the illegal miners.
- vii. The content of para (x) & (xi) needs no reply.
- viii. The content of para (xii) & (xiii) does not pertain to the answering respondent and hence needs no reply.

- ix. To reply the content of para (xiv), it is submitted that answering respondent has never compromise on illegal mining. It is on record that crores of penalty have been imposed and recovered from the violators in district Kathua.
- x. To reply the content of para (xv), (xvi), (xvii), (xviii), (xix), (xx), (xxi) & (xxii), it is submitted that Bhanu Partap singh prop. M/s Om Sai Screener at Taraf tajwal Kathua has applied for the renewal of its CTO (Annexure W). Pertinently, this office has also written letter to Pollution Control Board regarding the expired CTO of M/s Om Sai Screener ( Annexure X). Further, a lease measuring 9.98 hectares has been granted in favour of Bhanu Partap Singh at Taraf Tajwal , kathua and pertinently, Bhanu Partap Singh has obtained all the NOCs from the stake holder departments, approved mining plan, environmental clearance from competent authority and CTO from JKSPCB. The annual production/quantity of minor mineral which can be dispatched is 1,22,928 MT per year. However, examining the title of the land does not pertain to the answering respondent.
- xi. The content of para (xxiii) does not pertain to the answering respondent.
- xii. The content of the para (xiv) does not pertain to the answering respondent. However, M/s New Jai Rajputana Stone Crusher at Taraf Tajwal Kathua have a valid CTO issued by JKSPCB having a validity of October, 2025 and has been dispatching furnished material on e-challans.
- xiii. To reply the content of para (xxv), it is submitted that the answering respondent have always taken befitted action in order to stop the illegal mining practices in the district Kathua and the same is ascertained from the penalty imposed & recovered by the answering respondent.
- xiv. The content of para (xxvi), (xxvii) & (xxviii) does not pertain to the answering respondent.

**GROUND:**

The content of all the grounds has already been replied in the preceding paras. However, it is once again submitted that the answering respondent always takes prompt against if any violation in respect of illegal mining/transportation is reported. The attitude of intolerance towards illegal mining is ascertained by the staggering amount of penalty imposed and recovered from the violators. Further in this context, the answering respondent is not the authority to engage/hire any firm for preparation of DSR.



**District Mineral Officer  
Kathua**

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.

M/s Sain &amp; Sons Stone Crusher

At Village Jungi Chak

Tehsil Hiranagar &amp; District Kathua.

No: DMO/K/Notice/2019-20/1106-1107

Dated: 10/08/2019

**Subject: Illegal storage & consumption of raw/furnished material & imposition of Penalty.**

Sir,

A team comprising of officials/officers of Revenue Deptt., Flood Control Sub Division Deptt. hiranagar, P.W.D. deptt., P.W.D. (R&B), Geology & Mining Deptt. & police officials lead by the Sub District Magistrate (SDM) on the directions of Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 01.08.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, **section 97 (1) & 97 (2) of SRO-105 dated 31<sup>st</sup> of March, 2016 & section 18 {(01) a} of SRO-302 dated 19.07.2017**. After, on-spot measurement of the dumped material, their quantity worked out as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	Stone (Boulder)	4924.74 m <sup>3</sup>	11, 868.623M.T.	2, 37, 372.46
2.	Stone Aggregate	9200.43 m <sup>3</sup>	20, 240.946 M.T.	8, 09, 637.84
3.	Sand	127.48m <sup>3</sup>	210.342 M.T.	6, 310.26
4.	RBM	646 m <sup>3</sup>	1065.9 M.T.	26, 647.5
<b>Total</b>				<b>10, 79, 968.06</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under **section 21 (5) of MM (RD) Act, 1957, SRO-105, 2016 & SRO-302, 2017**. The fine which is being imposed on you is amounting to **Rs. 1, 18, 79, 648.66**

(Rupees one crore eighteen Lac seventy nine thousand six hundred forty eight and sixty six paise only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

*Ms*  
*10/8/2019*  
District Mineral Officer  
Geology & Mining Deptt.  
Kathua.

Copy to the:-

1. Deputy Commissioner Kathua for information please.

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.

M/s Narsingh Stone Crusher

At Village Langerial

Tehsil Hiranagar &amp; District Kathua.

No: DMO/K/Notice/2019-20/1037-39

Dated: 02/08/2019

Subject: Illegal storage &amp; consumption of raw/furnished material.

Sir,

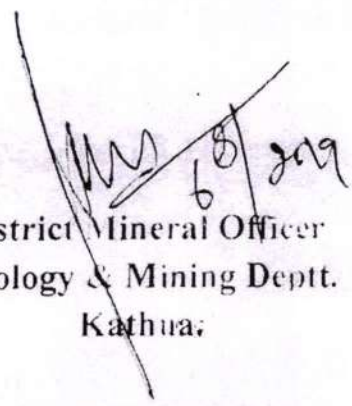
A team comprising of officials/officers of Irrigation deptt., Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Officials from Block Development office and Geology & Mining Deptt. lead by the Sub District Magistrate (SDM) on the directions of Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 01.08.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, **section 97 (1) & 97 (2) of SRO-105 dated 31<sup>st</sup> of March, 2016**. On spot verification, following material has been dumped in your premises, the details are furnished as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	dust	3200 m <sup>3</sup>	5280 M.T.	1, 58, 400.00
2.	Stone Aggregate	3921.37 m <sup>3</sup>	8627 M.T.	3, 45, 080.00
3.	Stone Pebbles	738.50 m <sup>3</sup>	1624.7 M.T.	64, 988.00
4.	Boulder	2380 m <sup>3</sup>	5735.8 M.T.	1, 14, 716.00
5.	Raw stone pebbles	160.00 m <sup>3</sup>	352.00 M.T.	14, 080.00
<b>Total</b>				<b>06, 97, 264.00</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under **section 21 (5) of MM (RD) Act, 1957**. The fine which is being

imposed on you is amounting to Rs. 76, 69, 904.00 (Rupees Seventy six Lac sixty nine thousand nine hundred four only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
District Mineral Officer  
Geology & Mining Deptt.  
Kathua:

Copy to the:-

1. Deputy Commissioner Kathua for information please.

Government of Jammu &amp; Kashmir

**Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.**

**M/s Shiva Stone Crusher**

At Village Langerial

Tehsil Hiranagar &amp; District Kathua.

No: DMO/K/Notice/2019-20/1094

Dated: 09/08/2019

**Subject: Illegal storage & consumption of raw/furnished material & imposition of Royalty.**

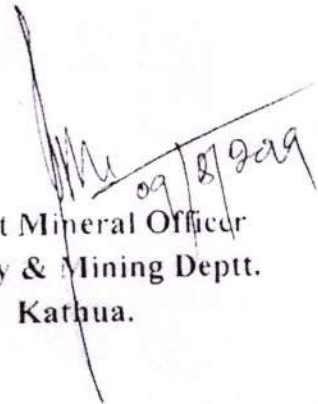
Sir,

A team comprising of officials/officers of Revenue Deptt., FCSD Deptt., P.W.D. deptt., P.W.D. (R&B), Flood Control Sub Division, Geology & Mining Deptt. & police officials lead by the Sub District Magistrate (SDM) on the directions of Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 07.08.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, **section 97 (1) & 97 (2) of SRO-105 dated 31<sup>st</sup> of March, 2016 & section 18 {(01) a} of SRO-302 dated 19.07.2017**. After, on-spot measurement of the dumped material, their quantity worked out as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	Stone (Boulder)	310.2 m <sup>3</sup>	747.582M.T.	14951.64
2.	Stone Aggregate	5909.66 m <sup>3</sup>	13001.252 M.T.	520050.08
3.	Sand	1345.00m <sup>3</sup>	2219.25 M.T.	66, 577.5
<b>Total</b>				<b>6, 01, 579.22</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under **section 21 (5) of MM (RD) Act, 1957, section 97 (1) & 97 (2) SRO-105, 2016 & section 18 {(1) a} SRO-302, 2017**. The fine which is being imposed on you is amounting to **Rs. 66, 17, 371.42** (Rupees Sixty six Lac seventeen thousand three hundred seventy one and forty two paise only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
District Mineral Officer  
Geology & Mining Deptt.  
Kathua.

Copy to the:-

1. Deputy Commissioner Kathua for information please.

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.

M/s Jagdambay Stone Crusher  
At Village Chadwal  
Tehsil Marheem & District Kathua.

M/s R. S. Screening  
At Village Chadwal  
Tehsil Marheem & District Kathua.

No. DMIO K, Notice, 2019-20/ 10475.

Dated: 2/08/2019

**Subject: Illegal storage & consumption of raw/furnished material & imposition of Penalty thereof.**

Sir,

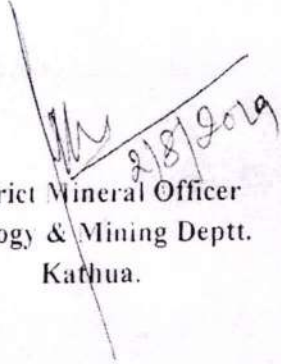
A team comprising of officials/officers of Irrigation deptt., Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Officials from Block Development office and Geology & Mining Deptt. lead by the Sub District Magistrate (SDM) on the directions of Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 01.08.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, section 97 (1) & 97 (2) of SRO-105 dated 31<sup>st</sup> of March, 2016. On spot verification, following material has been dumped in your premises, the details are furnished as under:-

S. No.	Name of the Minerals	Minor Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (IN ₹)
1	Stone dust/Sand	184.00 m <sup>3</sup>	303.6 M.T.	9108
2	Crushed Bazri	8001.14m <sup>3</sup>	17,602.5 M.T.	7,04,100.00
3	Round Bazri	48.23 m <sup>3</sup>	106.1 M.T.	4244.24
4	Boulder	9471.00 m <sup>3</sup>	22,825.11 M.T.	4,56,502.2
			<b>Total</b>	<b>11,73,954.44</b>

o/c

Accordingly, the fine (cost plus royalty i.e.,  $10 \times$  actual royalty + actual royalty amount) is being imposed on you under section 21 (5) of MM (RD) Act, 1957. The fine which is being imposed on you is amounting to Rs. 1, 29, 13, 498.84 (Rupees one crore twenty nine Lac thirteen thousand four hundred ninety eight and eighty four paise only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
District Mineral Officer  
Geology & Mining Deptt.  
Kathua.

Copy to the:

1. Deputy Commissioner Kathua for information please.
2. Joint Director, Geology & Mining Deptt. Jammu for information please.

Government of Jammu &amp; Kashmir

**Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.**

**M/s Magnum Stone Crusher**

At Village Pandori

Tehsil Nagri District Kathua.

No: DMO/K/Notice/2019-20/1259-60

Dated: 19 /08/2019

**Subject: Illegal storage & consumption of raw/furnished material.**

Sir,

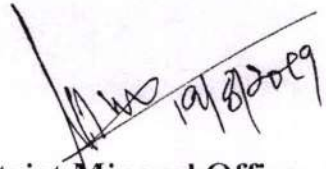
A team comprising of officials/officers of Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Block Development office, police deptt. and Geology & Mining Deptt. on the directions Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 18.08.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, section 97 (1) & 97 (2) of SRO-105 dated 31<sup>st</sup> of March, 2016 & section {18(1) a} of SRO-302 dated 07.09.2017. After, on-spot measurement of the dumped material, its quantity worked out as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	Bazri	675.35 m <sup>3</sup>	1485.77 M.T.	59,430.8
2.	Stone Aggregate	273.00 m <sup>3</sup>	600.6 M.T.	24,024.00
3.	Sand	6554.25 m <sup>3</sup>	10,814.5125 M.T.	3,24,435.375
4.	RBM	7853 m <sup>3</sup>	12,957.45M.T.	3,23,936.25
<b>Total</b>				<b>07,31,826.425</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under **section 21 (5) of MM (RD) Act, 1957**. The fine which is being

imposed on you is amounting to **Rs. 80, 50, 090.675** (Rupees Eighty Lac fifty thousand ninety and sixty seven paise only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
**District Mineral Officer  
Geology & Mining Deptt.  
Kathua.**

Copy to the:-

1. Deputy Commissioner Kathua for information please.

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.

(F)

M/s S. K. Stone Crusher  
At Village Pandori  
Tehsil Nagri District Kathua.

No: DMO/K/Notice/2019-20/35-S-1266

Dated: 19/08/2019

**Subject: Illegal storage & consumption of raw/furnished material.**

Sir,

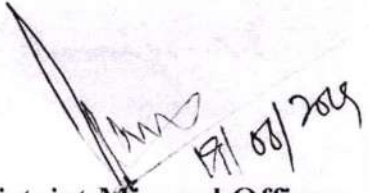
A team comprising of officials/officers of Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Block Development office, police deptt. and Geology & Mining Deptt. on the directions Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 18.08.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, section 97 (1) & 97 (2) of SRO-105 dated 31<sup>st</sup> of March, 2016 & section {18(1) a} of SRO-302 dated 07.09.2017. After, on-spot measurement of the dumped material, its quantity worked out as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	Bazri	1796.01 m <sup>3</sup>	3, 951.222 M.T.	1, 58, 048.88
2.	Stone Aggregate	733.04 m <sup>3</sup>	1612.688 M.T.	64, 507.52
3.	Boulder	78.32 m <sup>3</sup>	188.7512 M.T.	3, 775.024
4.	Sand	2994.33 m <sup>3</sup>	4, 940.6445 M.T.	1, 48, 219.335
5.	RBM	66, 466.75 m <sup>3</sup>	1,09,670.1375M.T.	27, 41, 753.4375
<b>Total</b>				<b>31,16, 304.1965</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under **section 21 (5) of MM (RD) Act, 1957**. The fine which is being

imposed on you is amounting to **Rs. 3, 42, 79, 346.1615** (Rupees three crore forty two Lac seventy nine thousand three hundred forty six and sixteen paise only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
**District Mineral Officer  
Geology & Mining Deptt.  
Kathua.**

Copy to the:-

1. Deputy Commissioner Kathua for information please.

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.

G

**M/s Raavi Stone Crusher**

At Village Keedian Gandyal  
Tehsil & District Kathua.

No: DMO/K/Notice/2019-20/1040-42

Dated: 2 /08/2019

**Subject: Illegal storage & consumption of raw/furnished material & imposition of Penalty thereof.**

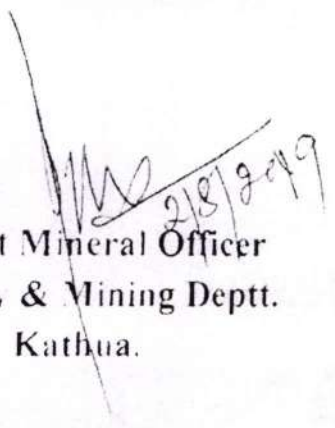
Sir,

A team comprising of officials/officers of Irrigation deptt., Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Officials from Block Development office and Geology & Mining Deptt. lead by the Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 01.08.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, section 97 (1) & 97 (2) of SRO-105 dated 31<sup>st</sup> of March, 2016. On spot verification, following material has been dumped in your premises, the details are furnished as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	Crushed Bazri	3568.39 m <sup>3</sup>	7850.45 M.T.	3, 14, 018.00
2.	Screened Sand	8224 m <sup>3</sup>	13, 569.6 M.T.	4,07,088.00
3.	RBM	42,339.28 m <sup>3</sup>	69,859.81 M.T.	17, 46, 495.25
<b>Total</b>				<b>24, 67, 601.25</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under section 21 (5) of MM (RD) Act, 1957. The fine which is being imposed on you is amounting to **Rs. 2, 71, 43, 613.75** (Rupees Two Crore seventy one Lac forty three thousand six hundred thirteen and seventy five paise only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
District Mineral Officer  
Geology & Mining Deptt.  
Kathua.

Copy to the:

1. Deputy Commissioner Kathua for information please.
2. Joint Director, Geology & Mining Deptt. Jammu for information please.

*Government of Jamm*  
**Office of the District Mineral Office**  
**Kathua.**

(H)

**M/s C & C Constructions**  
 At Village Keedian Gandyal  
 Tehsil & District Kathua.

No: DMO/K/Notice/2019-20/ 991-93

Dated: 30/07/2019

**Subject: Illegal storage & consumption of raw/furnished material & imposition of Penalty thereof.**


Sir,

A team comprising of officials/officers of Irrigation deptt., Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Motor-Vehicle deptt., Excise & Taxation Deptt. & Geology & Mining Deptt. lead by the Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 27.07.2019, it is found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit. After the measurement done by the officers/officials of concerned departments, the report is submitted to Deputy Commissioner Kathua which indicates the following details:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity(in Metric Ton)	Royalty (INR)
1.	Crushed Bazri	12, 160	26, 752	10, 70, 080.00
2.	Dust	14, 920	24, 618	7, 38, 540.00
3.	Screened Sand	1636	2, 699	80, 970.00
<b>Total</b>				<b>18, 89, 590.00</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under section 21 (5) of MM (RD) Act, 1957. The fine which is being imposed on you is amounting to Rs. **Rs. 2, 07, 85, 490.00** (Rupees Two Crore Seven Lac Eighty Five thousand Four hundred ninety only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit shall be sealed.

  
20/7/2019  
**District Mineral Officer**  
**Geology & Mining Deptt.**  
**Kathua.**

Copy to the:

1. Deputy Commissioner Kathua for information please.
2. Joint Director, Geology & Mining Deptt. Jammu for information please.

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.

①

**M/s Puri Stone Crusher**

At Village Keedian Gandyal

Tehsil &amp; District Kathua.

No: DMO/K/Notice/2019-20/994-96

Dated: 30/07/2019

**Subject: Illegal storage & consumption of raw/furnished material & imposition of Penalty thereof.**

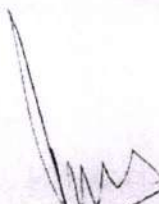
Sir,

A team comprising of officials/officers of Irrigation deptt., Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Motor-Vehicle deptt., Excise & Taxation Deptt. and Geology & Mining Deptt. lead by the Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 27.07.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit. After the measurement done by the officers/officials of concerned departments, the report is submitted to Deputy Commissioner Kathua which indicates the following details:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity(in Metric Ton)	Royalty (INR)
1.	Crushed Bazri	7650 m <sup>3</sup>	16, 830 M.T.	6, 73, 200.00
2.	Screened Sand	3049 m <sup>3</sup>	5, 030 M.T.	1, 50, 900.00
3.	RBM	29, 400 m <sup>3</sup>	48, 510 M.T.	12, 12, 750.00
			<b>Total</b>	<b>20, 36, 850.00</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under section 21 (5) of MM (RD)Act, 1957. The fine which is being imposed on you is amounting to **Rs. 2, 24, 05, 350.00** (Rupees Two Crore Twenty Four Lac Five thousand three hundred fifty only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit shall be sealed.

  
20/7/2019  
**District Mineral Officer**  
**Geology & Mining Deptt.**  
**Kathua.**

Copy to the:

1. Deputy Commissioner Kathua for information please.
2. Joint Director, Geology & Mining Deptt. Jammu for information please.

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua. (J)

M/s Jai Rajputana Screener

At Village Taraf Tajwal

Tehsil &amp; District Kathua.

No: DMO/K/Notice/2019-20/1362-64

Dated: 07/09/2019

**Subject: Illegal storage & consumption of raw/furnished material & imposition of Penalty.**

Sir,

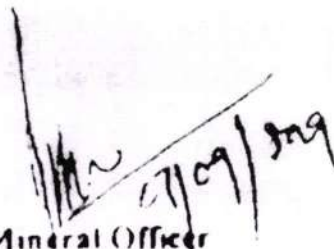
A team of Multi Departmental District Level Task Force comprising of officials/officers of Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Forest Deptt., Rural Development Deptt. & Geology & Mining Deptt. on the verbal directions of Worthy Deputy Commissioner Kathua (Chairman) raided the premises of your stone crusher on dated 05.09.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, **Rule 97 section (1) & (2) of SRO-105 dated 31<sup>st</sup> of March, 2016 & Rule 18 section {(01) a} of SRO-302 dated 19.07.2017.** After, on-spot measurement of the dumped material, their quantity worked out as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	RBM	27,664.29 m <sup>3</sup>	44,262.864 M.T.	11,06,571.6
2.	Graded Pebbles	31,248 m <sup>3</sup>	49,996 M.T.	12,49,900.00
<b>Total</b>				<b>23, 56,471.6</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under **Rule 21 section (5) of MM (RD) Act, 1957, SRO-105, 2016 & SRO-302, 2017.** The fine which is being imposed on you is amounting to **Rs. 2, 59, 21, 187.6**

● (Rupees two crore Fifty nine Lac twenty one thousand one hundred eighty seven and six paise only)

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
District Mineral Officer  
Geology & Mining Deptt.  
Kathua.

Copy to the -

1. Deputy Commissioner Kathua for information please
2. Joint Director, Geology & Mining Deptt Jammu for information please

## Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.

(K)

**M/s Shiv Baba Stone Crusher**

At Village Logate (Sahar Khad)

Tehsil &amp; District Kathua.

No: DMO/K/Notice/2019-20/1271-72

Dated: 19/08/2019

**Subject: Illegal storage & consumption of raw/furnished material.**

Sir,

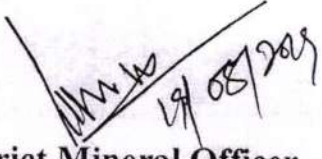
A team comprising of officials/officers of Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Block Development office, police deptt. and Geology & Mining Deptt. lead by the Worthy Deputy Commissioner Kathua raided the premises of your stone crusher on dated 18.08.2019 and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, section 97 (1) & 97 (2) of SRO-105 dated 31<sup>st</sup> of March, 2016. After, on-spot measurement of the dumped material, its quantity worked out as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	dust	1784.00 m <sup>3</sup>	2943.6 M.T.	88, 308.00
2.	Bazri	1700.00 m <sup>3</sup>	3740.00 M.T.	1, 49, 600.00
3.	RBM	6173.00 m <sup>3</sup>	10,185.45 M.T.	2, 54, 636.25
4.	Boulder	196 m <sup>3</sup>	472.36 M.T.	9447.2
5.	Sand	1430.00 m <sup>3</sup>	2359.5 M.T.	70, 785.00
6.	Blast	954.00 m <sup>3</sup>	2098.8 M.T.	83, 952.00
<b>Total</b>				<b>06,56,728.45</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under **section 21 (5) of MM (RD) Act, 1957**. The fine which is being

imposed on you is amounting to **Rs. 72, 24, 012.95** (Rupees Seventy two Lac twenty four thousand twelve and ninety five paise only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
**District Mineral Officer**  
**Geology & Mining Deptt.**  
**Kathua.**

Copy to the:-

1. Deputy Commissioner Kathua for information please.

**ORDER**

**Subject: De-sealing of M/s Baba Peer Stone Crusher at Maggar Khad Tehsil & district Kathua.**

**Reference: 1. Hon'ble High Court Order dated 07.04.2021 & 02.12.2020.**

**Whereas**, M/s Baba Peer Stone Crusher at Maggar Khad, Tehsil & district Kathua was operational on the above mentioned location and vide this office communication No: DMO/K/Compliant/19-20/1810-12 dated: 14.11.2019, outstanding of Rs. 75,66,447.00 (Rupees seventy five lac sixty six thousand four hundred forty seven only) was worked out to be pending against the unit holder and he was directed to deposit the same within the 10 days and;

**Whereas**, vide this office vide No: DMO/K/Stone Crusher/2019-20/2577 dated: 02.02.2020, your unit was sealed with the directions not to operate the unit till further orders and intimate this office about the legal source from where you were procuring the raw material and;

**Whereas**, the unit holder has submitted an agreement dated 26.04.2020 duly stamped and signed by the Lessee Dhyan Singh wherein the Lessee agreed that he will allow the unit holder to procure raw material from his leased out area at Mahi chak and;

**Whereas**, the Director, Geology & Mining Deptt. Jammu issued consideration order vide No: 993/MCC/DGM/Court/21/250-51 dated: 09.03.2021 which speaks about the consideration order issued by DMO Kathua vide No: DMO/K/Baba Peer/20-21/574-78 dated: 11.12.2020 and;

**Whereas**, the Hon'ble High Court of Jammu & Kashmir vide Order dated: 07.04.2021 quashed the order dated: 09.03.2021 passed by the Director, Geology & Mining and;

**Whereas**, the Hon'ble High Court of Jammu & Kashmir in another order dated 02.12.2020 which is reproduced as:

*"The Petitioner shall appear before the District Mineral officer, Kathua along with all the requisite record for reconciliation of royalty payment on 4<sup>th</sup> December 2020. The District Mineral Officer concerned, after affording adequate opportunity to the petitioner to put up his case shall pass appropriate orders as may be warranted. On reconciliation and after hearing the petitioner, if the District Mineral Officer finds some amount of royalty, payable by the petitioner, a specific demand in this regard, shall be raised within a period of one week. The District Mineral Officer concerned shall also consider the payment of royalty arrears, if any, determined by him in installments of the analogy of similar cases."*

(B)

**Whereas**, on reconciliation of the record and as per the communication No: O/K/Compliant/19-20/1810-12 dated: 14.11.2019 , an amount of Rs. 75,66,447.00 (Rupees seventy five lac sixty six thousand four hundred forty seven only) was found to be pending against the unit holder which is amounting to Rs. 96,47,224.00 (Rupees ninety six lac forty seven thousand two hundred twenty four only) after calculating 15% interest for 22 months and;

**Whereas**, the Govt. vide order IND/MNG/46/2020 dated 20.07.2020 subsequent by Director Geology & Mining Deptt. Order No: 1092/MCC/DGM/DMO/KAT/II/2988-93 dated 28.07.2020 to recover the outstanding amount in maximum 36 equal installments and;

**Whereas**, this office vide No: DMO/K/Notice/21-22/488 dated 23.08.2021 directed the unit holder to deposit installments of Rs. 2,73,331.00 (Rupees two lac seventy three thousand three hundred thirty one only) including 2% TCS and compounding fee of Rs. 20,400.00 in the shape of Demand Drafts and an undertaking sworn before the 1<sup>st</sup> class Magistrate that he shall be liable to pay all outstanding amount in 36 equal monthly installments and;

**Whereas**, the unit holder has deposited Rs. 2,73,331.00 (Rupees two lac seventy three thousand three hundred thirty one only) including 2% TCS and compounding fee of Rs. 20,400.00 in the shape of Demand Drafts bearing No:104751 dated 25.08.2021 & 104752 dated 25.08.2021 and an undertaking sworn before the 1<sup>st</sup> class Executive Magistrate Kathua dated 25.08.2021 and;

In light of the Hon'ble High Court of Jammu & Kashmir order dated 07.04.2021 and 02.12.2020, M/s Baba Peer Stone Crusher at Maggar Khad Tehsil & district Kathua is hereby de-sealed subject to the following conditions that;

01. The Unit holder shall pay the remaining outstanding in equal monthly installments of Rs. 2,73,331.00 by or before 10<sup>th</sup> of every month without any fail.
02. The Unit holder shall procure the raw material from the legal source with valid Form-A.
03. The Unit holder shall display rate list of minor minerals notified by the Deputy Commissioner, Kathua on the board of the size 04\*06 feet.
04. The Unit holder shall sale the finished material at rates notified by the Deputy Commissioner, Kathua.
05. The Unit holder shall maintain the daily record of sale & purchase of Minerals.
06. The Unit holder shall submit monthly return of sale & purchase of Minerals in District Mineral Office, Kathua by or before 10<sup>th</sup> of every month.

No: DMO/K/Order/21-22/459-491  
Dated: 25/08/2021

*B/mt*  
25/08/21  
**District Mineral Officer**  
**Geology & Mining Deptt.**  
**Kathua**

Government of Jammu &amp; Kashmir

**Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua**

M/s V.G.S. Stone Crusher  
At village Maroli  
Tehsil & District Kathua

No: DMO/K/Notice/20-21/ 849

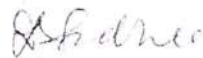
Dated: 16 /02/2021

Subject: Monthly return for the months of Oct, 2019, Nov 2019 and December, 2019.

Sir,

Refer to this office letter No: DMO/K/Notice/20-21/767 dated 27.01.2021 regarding the subject cited above whereby you were directed to intimate the source of 10097 m.t. of Nallah Muck with in 03 days but you are failed to submitted the desired information in this office till date.

As such, you are directed to deposit the penalty under section 21(5) of MM(R&D) Act, 1957 on account of illegal extraction of 10097 m.t. of Nallah Muck to the tune Rs. 27,76,675.00( Rupees Twenty Seven Lac Seventy six thousand six hundred seventy five only) with in weeks' time failing which your unit may be sealed.



**District Mineral Officer  
Geology & Mining Department  
Kathua**

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua

N

M/s Varun Dev S/c

At village Gurah Kalyal, Billawar

No. DMG/K/Notice/21/22

Dated: 27/04/2021

Subject: illegal extraction &amp; storage of minor minerals.

Sir,

Whereas this office vide No: DMO/K/Notice/20-21/1022 dated 19.03.2021 & DMO/K/Notice/21/105 dated 03.04.2021, directed you to submit the source of minor minerals processed, stored and quantified in surprise checking of your unit on dated 19.03.2021 within the week's time in this office;

Whereas, as per available office record and perusal of your monthly return submitted upto the month of January, 2021, you have closing balance of processed Bazri is 1527 m.t. but during the surprise checking, the quantity of minor minerals measured and quantified in the presence of your staff as 6450 m.t. on 19.03.2021 and after reconciliation of both the quantities, a difference of 4923 m.t. has been calculated;

Whereas, you have been directed, vide aforementioned letters, to submit the legal source of the 4923 m.t. of excess minor minerals found in the premises of your crusher unit;

Whereas, you have failed to submit the legal source of 4923 m.t. of crushed bazri stored in the premises of your unit within stipulated time period despite the opportunity provided;

S. No.	Name of the Minor Minerals	Quantity (in Metric Ton)	Royalty (INR)
1	Crushed Bazri	4923 M.T.	1,96,920.00
<b>Total</b>			<b>1,96,920.00</b>

In view of above, a penalty (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under Rule 21 section (5) of MM (RD) Act, 1957 amounting to Rs. 21,66,120.00 (Rupees: twenty one lac sixty six thousand one hundred twenty only) for 4923 m.t. of crushed bazri for illegal extraction & storage of minor minerals in the premises of your unit and you are directed to deposit the said penalty amount in this office within 07

764

You are further directed to not operate your unit till further orders and failing which your unit may be sealed.

*[Handwritten Signature]*

**District Mineral Officer  
Geology & Mining Department  
Kathua**

Government of Jammu & Kashmir  
Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua

M/s Mansa Ram & Sons S/c  
At village Tilla, Billawar

No: DMO/K/Notice/21-22/135

Dated: 06/04/2021

**Subject: illegal extraction & storage of minor minerals.**

Sir,

Whereas, this office vide No: DMO/K/Notice/20-21/1021 dated 19.03.2021 & DMO/K/Notice/20-21/07 dated 03.04.2021, directed you to submit the source of minor minerals processed, stored and quantified in surprise checking of your unit on dated 19.03.2021 within the week's time in this office;

Whereas, as per available office record and perusal of your monthly return submitted upto the month of February, 2021, you have closing balance of processed crushed stone is 787.5 m.t. but during the surprise checking, the quantity of minor minerals measured and quantified in the presence of your staff as 6280 m.t. on 19.03.2021 and after reconciliation of both the quantities, a difference of 5492.5 m.t. has been calculated;

Whereas, you have been directed, vide aforementioned letters, to submit the legal source of the 5492.5 m.t. of excess minor minerals found in the premises of your crusher unit;

Whereas, you have failed to submit the legal source of 5492.5 m.t. of crushed bazri stored in the premises of your unit within stipulated time period despite the opportunity provided;

S. No.	Name of the Minor Minerals	Quantity (in Metric Ton)	Royalty (INR)
1.	Crushed Bazri	5492.5 M.T.	2, 19, 700.00
<b>Total</b>			<b>2,19,700.00</b>

In view of above, a penalty (cost plus royalty i.e.,  $10 \times$  actual royalty + actual royalty amount) is being imposed on you under Rule 21 section (5) of MM (RD) Act, 1957 amounting to Rs. 24,16,700.00 (Rupees twenty four lac sixteen thousand seven hundred only) for 5492.5 m.t. of crushed bazri for illegal extraction & storage of minor minerals in the premises of your

and you are directed to deposit the said penalty amount in this office within 07 days. You are further directed to not operate your unit till further orders and failing which your unit may be sealed.

*gshdne*

**District Mineral Officer  
Geology & Mining Department  
Kathua**



Government of Jammu & Kashmir  
**OFFICE OF THE DISTRICT MINERAL OFFICER, KATHUA**  
Ph: 01922-233033  
Email Id: dmokathua@gmail.com

**M/s Bharat Stone Crusher**  
at village Tilla, Tehsil Billawar,  
District Kathua

No: DMO/K/Order/2023-24/139-142

Dated: 26/05/2023

**Subject:- Application by M/s Bharat Stone Crusher located at village Tilla, Billawar sealed under DMO letter No. DMO/K/MDDLTF/21-22/617-22 dated 28.09.2021 for re-measurement of penalty imposed on processed material by DMO, Kathua.**

Reference: DGM order dated: 18.05.2023.

In compliance to the directions issued by Director, Geology & Mining Deptt. J&K vide above referred order no. (copy enclosed) whereby a penalty of Rs. 1,27,57,800/- has been imposed on you besides you are directed to deposit the penalty amount in 36 equal installments.

You are hereby instructed to deposit **Rs. 3,61,472/- per month** (Rs. 3,54,384/- royalty & Rs. 7088/- 2% TCS) in this office by or before 10<sup>th</sup> of every month failing which, strict action under rules shall be taken against you.

Yours faithfully

Encl. 05 leafs

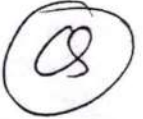
  
District Mineral Officer  
Kathua

Copy to the:

1. Deputy Commissioner, Kathua for favour of information please.
2. Director, Geology & Mining Deptt. J&K for favour of information please.
3. Joint Director, Geology & Mining Deptt. Jammu for information please.

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.



M/s Om Sai Screener  
At Village Taraf Tajwal  
Tehsil & District Kathua.

No: DMO/K/Notice/2019-20/1381 - 83

Dated: 11 /09/2019

**Subject: Illegal storage & consumption of raw/furnished material & imposition of Penalty.**

Sir,

A team of Multi Departmental District Level Task Force comprising of officials/officers of Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Forest Deptt., Rural Development Deptt. & Geology & Mining Deptt. on the verbal directions of Worthy Deputy Commissioner Kathua (Chairman) carried out the raid on the stone crushers operating at village Taraf Tajwal, Tehsil & District Kathua on dated 05.09.2019 & again , on dated 08.09.2019, the same team lead by the Worthy Deputy Commissioner Kathua raided the premises of your stone crusher and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, **Rule 97 section (1) & (2) of SRO-105 dated 31<sup>st</sup> of March, 2016 & Rule 18 section {(01) a} of SRO-302 dated 19.07.2017.** After, on-spot measurement of the dumped material, their quantity worked out as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	RBM	7657 m <sup>3</sup>	12,634 M.T.	3, 15, 850.00
			<b>Total</b>	<b>3, 15, 850.00</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under **Rule 21 section (5) of MM (RD) Act, 1957, SRO-105, 2016 & SRO-302, 2017.** The fine which is being imposed on you is amounting to **Rs. 34, 74, 350.00**

**(Rupees Thirty four Lac seventy four thousand three hundred fifty only).**

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
**District Mineral Officer  
Geology & Mining Deptt.  
Kathua.**

Copy to the:-

1. Deputy Commissioner Kathua for information please.
2. Joint Director, Geology & Mining Deptt. Jammu for information please.

Government of Jammu &amp; Kashmir

Office of the District Mineral Officer, Geology and Mining Deptt.  
Kathua.

(R)

M/s New Jai Rajputana Stone Crusher

At Village Taraf Tajwal

Tehsil &amp; District Kathua.

No: DMO/K/Notice/2019-20/1390-92

Dated: 11 /09/2019

**Subject: Illegal storage & consumption of raw/furnished material & imposition of Penalty.**

Sir,

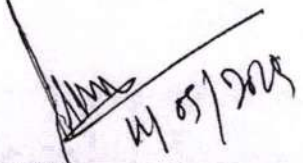
A team of Multi Departmental District Level Task Force comprising of officials/officers of Flood Control Deptt., P.W.D. deptt., Revenue Deptt., Forest Deptt., Rural Development Deptt. & Geology & Mining Deptt. on the verbal directions of Worthy Deputy Commissioner Kathua (Chairman) raided the premises of your stone crusher on dated 05.09.2019, again reassessed by the same team lead by the Worthy Deputy Commissioner Kathua on dated 08.09.2019, and found that you have illegally stored/dumped huge quantity of Minor Minerals in the premises of your Unit which is a sheer violation of The Jammu & Kashmir Minor Mineral Concession Storage, Transportation of Minerals and Prevention of illegal Mining Rules, **Rule 97 section (1) & (2) of SRO-105 dated 31<sup>st</sup> of March, 2016 & Rule 18 section {(01) a} of SRO-302 dated 19.07.2017.** After, on-spot measurement of the dumped material, their quantity worked out as under:-

S. No.	Name of the Minor Minerals	Quantity (in cubic meter)	Quantity (in Metric Ton)	Royalty (INR)
1.	Bazri (Stone Agg.)	577.95 m <sup>3</sup>	1271.49 M.T.	50, 859.6
<b>Total</b>				<b>50, 859.6</b>

Accordingly, the fine (cost plus royalty i.e., 10 × actual royalty + actual royalty amount) is being imposed on you under **Rule 21 section (5) of MM (RD) Act, 1957, SRO-105, 2016 & SRO-302, 2017.** The fine which is being imposed on you is amounting to **Rs. 5, 59, 455.6**

(Rupees Five Lac fifty nine thousand four hundred fifty five and six paise only).

As such, you are directed to pay/deposit the penalty amount in the District Mineral Office Kathua within 07 days. Failing which strict action under rules shall be initiated against you. Your Unit may be sealed.

  
**District Mineral Officer  
Geology & Mining Deptt.  
Kathua.**

Copy to the:-

1. Deputy Commissioner Kathua for information please.
2. Joint Director, Geology & Mining Deptt. Jammu for information please.



**J&K POLLUTION CONTROL COMMITTEE**  
Jammu/Kashmir

Annex-5

**Consent Order**

**Consent No.:- PCC/digital/24064447907 of 2024**

**Date:- 09/08/2024**

Consent To Operate (Renewal) under Section 25/26 of the Water(Prevention & Control Pollution)Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981, as amended is granted in favour of Sh. Raguvir Singh

**M/s New Jai Rajputana Stone Crusher**

**Village Taraf Tajwal Kathua**

**( Reg. No. nil dt: nil )**

for a period upto **October 2025** for ORANGE category of unit as per revised classification of industrial sector subject to the compliance of following terms and conditions in a time bound manner:-

- The consent granted by the Committee is restricted to Prevention and Control of Pollution only and shall not be treated as substitute of permission required under other laws of the land.
- The consent is granted valid for operate of stone crusher having consented quantity as under with capital investment (as per Schedule II) Rs. 73 lakhs. Further any change / enhancement in production capacity. process raw materials shall have to be intimated to the Board and unit holder has to apply fresh for the same.

S No.	Products/BY-ProductsName	Maximum Quantity	Unit
1	Crushing of Stones (Stones , Chips, Kankra , Bajri & Sand )	2800000	Cubic feet/ Year

- The unit holder shall comply with the National Ambient Air Quality Standards CPCP Notification No. B-29016/20/90/PCI-1 dated 18-11-2009 to be followed.
- The Noise Pollution (Regulation and Control) Rules 2000 as notified by MoEFCC S.O 123(E) dated 4-2-2000 to be followed. The unit holder shall take adequate measures for control of noise from its own sources with in the premises so as to maintain ambient air quality standards in respect of noise to less than 75 db (A) during day time.
- A permanent water storage tank of a minimum 2000 Ltrs. capacity must be installed.
- The unit holder shall take adequate safe guards for the treatment of sewerage water by way of providing septic / soakage pit and its discharge shall conform to the following standards:

Parameters	Conc. in mg/l except for pH
pH	6-9
Total Suspended Solids	100
BOD(3 days at 27 degree Celsius)	30



7. The Stone Crusher shall take the following Pollution Control Measures under Environment (Protection) Act 1986 :

A.	Implementation of following Pollution Control Measures :
a.	All the dust emitting points like jaw roller crusher, screens/classifier must be properly enclosed / covered with CGI sheets enclosure or other solid material but not by tarpaulin.
b.	Conveyor belts should be of proper quality material instead of used tyres covered.
c.	Regular cleaning of approach roads should be carried out and all the approach roads and ramps should be metalled. The process waste should not be dumped along the roads side and should be used for filling up of low lying areas.
d.	Regular cleaning and wetting of the ground within the premises.
e.	Growing of a green belt (Broad leave trees in three rows) along the periphery.
B.	Quantitative Standards for SPM:
	The suspended Particulate Matter contribution value at a distance of 3 to 10 meters from a controlled, isolated as well as from a unit located in a cluster should be less than 600 ug/Nm <sup>3</sup> .
C.	Additional Parameters
a.	A ten to twelve feet brick or CGI sheets wall as boundary / wind breaking wall facing the road as well as towards residential area with a well defined single entry from the road to be provided in the unit.
b.	Conveyor belts shall be interlocked with the crushing operation.
c.	The water spray system shall be interlocked with the crushing operation.
d.	Annual health survey of the workers should be conducted.
e.	Regular water spray should be carried out at all dust emitting and transfer points. Water spray should also be done on the boundary as per requirement. The unit should provide water sprinklers on the conveyor carrying raw material from bunker / bin to the crusher. The water should be sprayed in the form of mist with the help of a motor.

8. All the dust emitting points like Jaw Roller crusher, screens classifiers must be properly enclosed covered with CGI sheet enclosure or of other solid material but not by tarpaulin.
9. The conveyer belts provided to carry different grades of materials must be fully covered with a thick sheet of suitable material with adequate water sprinkling provided at different points on conveyer belts.
10. Regular water spray should be carried out at all dust emitting points and transfer points. Water spray should also be done on the boundary as per requirement. The unit should provide water sprinklers on the conveyors carrying raw material from bunker/bin to the crusher. The water should be sprayed in the form of mist with the help of a motor.
11. The process waste i.e. fine material should not be dumped along the road side and should be used for filling up of low-lying areas.
12. Dumps of raw and finished products should not be more than 3m height and should have enclosure on three sides of 4m height. Regular wetting of these dumps should be done so that no dust is emitted during blowing of wind.
13. A ten to twelve feet brick or CGI sheets wall as boundary/ wind breaking wall facing the road as well as towards residential area with a well-defined single entry from the road to be provided in the unit.
14. The unit holder shall abide by the directions of the Committee which will be issued from time to time. Any infringement violation or transgression of the statutory enactments of pollution control acts by the unit shall be sufficient cause to prosecute the violator in conformity with relevant section of Air, Water Acts and Environment Protection Act in force.
15. All stone crushers must have a legal source of raw material.
16. The consent granted shall be under surveillance monitoring of J & K Pollution Control Committee.
17. **Specific Conditions:-**
- a) A green belt consisting of three rows of broad-leaved trees (out of which one row of tall trees and two rows of medium sized trees) planted in staggered manner must be provided along the periphery.

- b) The unit holder shall have an authorized source of water and shall ensure that untreated waste water is not discharged in to any water Body. The unit holder shall ensure to comply the directions of Hon'ble NGT directions in OA No. 438 2018 with regard to permission from Central Ground Authority /Jal Shakti Department for extraction of water.
- c) The unit holder has to install permanent and mechanical water sprinkling system interlocked with the crushing point and other allied machinery of the stone crushers and in no case the stone crusher operate without functioning of water sprinkling system.
- d) The unit shall be allowed to operate only during day time i.e. from 8am to 6 pm and ensure that emissions below prescribed limits under all circumstances and unit holder shall submit self monitoring report of emission on six months basis.
- e) This consent is issued subject to condition of installing / providing of covers to conveyer belts along with telescopic chutes at the end of conveyer belts to mitigate dust emissions and in case of any receipt of public complaint the stone crusher shall be closed.
18. The unit holder shall follow the revised guidelines issued for stone crusher vide No. 37 -JKPCC of 2023 dated 27-02-2023.
19. In case of violation of above mentioned conditions or any public complaint the consent shall be withdrawn and unit holder shall shift the unit to another suitable site at his own risk and responsibility.
- \* This consent is issued purely from environmental angle and the Committee shall not be responsible for any claim, counter claim, ownership, partnership etc of the unit.

Angraze Singh  
Asstt Env. Engineer  
9/8/2024

"By order"

(Ghansham Singh)  
Member Secretary  
9.8.24

Copy to the :

1. Regional Director PCC Jammu for information.
2. Director Geology Mining Jammu for information & ensure compliance under EIA Notification & EP Act.
3. General Manager DIC Kathua for information.
4. D.O PCC Kathua for information & ensure compliance of the conditions of the consent.
5. P.A to Chairman J&K PCC for the information of Chairman.
6. M/s New Jai Rajputana Stone Crusher Village Taraf Tajwal Kathua for information .
7. Office file

The unit holder shall comply to environment standards as notified under the environment protection Act 1986, read with the Water (Prevention & Control of Pollution) Act 1974 & Air (Prevention & Control of Pollution) Act, 1981 which can also be downloaded from the website [www.jkpcb.org](http://www.jkpcb.org) or at [www.cpcb.nic.in](http://www.cpcb.nic.in)

"This is computer generated document from OCMMS by JKPCB"



Government of Jammu &amp; Kashmir

**OFFICE OF THE DISTRICT MINERAL OFFICER, KATHUA**

Ph: 01922-233033

Email Id: [dmokathua@gmail.com](mailto:dmokathua@gmail.com)**Divisional Officer**J&K Pollution Control Board  
Kathua

No: DMO/K/CTO/2022-23/464-467

Dated: 29/08/2022

**Subject: Expiry of period of Consent to Operate; regarding.**

Sir,

Kindly refer to the subject cited above. In this connection, it is intimated that during the perusal of record submitted by various lessees and stone crusher owners operating in district Kathua, it has been observed that Consent To Operate of most of the Lessees/Crusher Units, issued by your department, is either expired or about to expire shortly and functioning/operating without a valid Consent to Operate is illegal.

Being the sole authority to issue Consent to establish/Consent to Operate, it is, as such, requested to your goodself that appropriate action under rules pertaining to the matter shall be taken against the lessees and stone Crusher units whose CTO has been expired with an intimation to this office.

An early action in this regard is highly solicited.

Yours faithfully,

Encl. 02 leafs



**Rajinder Singh JKAS**  
**District Mineral Officer**  
**Kathua**

Copy to the:

1. Deputy Commissioner, kathua for favour of information please.
2. Director, Geology & Mining Deptt. J&K, Jammu for favour of information please.
3. Joint Director, Geology & Mining Deptt. Jammu for information please.

(Union Territory of Jammu & Kashmir)  
Department of Geology and Mining  
OFFICE OF THE DISTRICT MINERAL OFFICER KATHUA

Divisional Officer,  
Pollution Control Committee,  
District Kathua

No: - DMO/K/2023-24/ 200-03

Dated: 27/07/2023

Sub: - Illegal operation of stone crushers during night hours-regarding.


R/Sir,

Kindly refer to the subject cited above, in this connection it is submitted that during surprise checks by undersigned, some stone crushers are found operating during night hours which is against the rule-6.4(iv) of order No: - 40-JKPCC of 2023, Dt: - 27-02-2023 issued by J&K Pollution Control Committee Jammu. Moreover, some stone crushers lacking valid documents are operating day and night hours especially in Keerian Gandial and Taraf Tajwal areas of district. Undersigned has already imposed penalty on the excavators and vehicles for illegal mining as per MM(DR) Act of 1957 and SRO-105 of 2016 but there are no such provisions in our department to stop the operation of such stone crushers functioning without valid consent to operate (CTO).

Therefore, your good self may kindly be requested for taking-action against such stone crushers to the extent of their closure as per the norms and guidelines of your department.

Submitted for favour of your information and further necessary action.

Yours faith fully,

  
(Rajinder Singh) JKAS  
District Mineral Officer  
Kathua

Copy to the: -

1. Deputy Commissioner Kathua for kind information.
2. Director Geology and Mining, J&K for information.
3. Senior Superintendent of Police for kind information.

Annexure 777



Government of Jammu & Kashmir

**OFFICE OF THE DISTRICT MINERAL OFFICER, KATHUA**

Ph: 01922-233033

Email Id: dmokathua@gmail.com

Divisional Officer (DO),  
J&KPCC  
District Kathua

No: DMO/K/Stone Crusher/24-25/112-115

Dated: 16/04/2024

Subject: Operation of Stone Crusher after expiry of CTO- clarification thereof.

Sir,

Kindly refer to the above-mentioned subject. In this regard, it is submitted that this office has received multiple complaints regarding the operation of stone crushers with expired consent to operate (CTO). Although, some crusher units have also applied for the renewal of the same, but the J&K Pollution Control Committee is processing their applications at various stages and thus, lying pending for final approval.

The undersigned (District Mineral Officer) is only authorized by law to monitor and control the transportation, storage and mining of minerals by stone crushers, in accordance with SO-60 of 2021 and other regulations and thus, no rule permits the undersigned to lawfully cease/stop the operation the stone crushers whose CTOs stand expired and are pending for final approved.

Further, regarding the expiry of CTOs, undersigned has already communicated you to keep check on the CTOs and initiate action against crusher units which are not applying for renewal of CTOs and operating without such document.

**It is, therefore, requested to your good-self to kindly clarify whether or not the stone crusher with an expired CTO is permitted to operate on the departmental portal till final order.**

An early action in the matter is highly solicited.

Yours faithfully,

(Rajinder Singh, JKAS)  
District Mineral Officer  
Kathua

Copy to the:

1. Deputy Commissioner, Kathua for favour of information please.
2. Director, Geology & Mining Deptt. J&K Jammu for favour of information please.
3. Regional Director, J&K PCC, Jammu for kind information.

(Consent to Establish/Fresh)  
(System generated as per application form)

Common Application for Consent under  
Water(Prevention and Control of pollution)Act,1974,  
Air (Prevention and Control of pollution)Act,1981.

Application No. 3881889  
Application For ORANGE Category  
Line of Activity Applied for :Renewal

Explanatory note for filling in the e-application form for  
Consent/Authorization

1. Any applicant knowingly giving incorrect information or suppressing any information pertaining to any of the items of the application shall be liable for punishment as per provisions under the relevant Act.
2. The application form shall be submitted at the district offices of the Board at the address given on the first page of the application form under whose jurisdiction the applicant's activity falls.
3. **The application shall be filled online through Single Window portal <https://singlewindow.jk.gov.in/> which will be further directed to [jkocmms.nic.in](https://jkocmms.nic.in) for scrutiny and processing. The fee shall be paid once the e-application with all the requisite documents as per check list are uploaded and verified by JK PCC scrutiny section and the date of processing of application shall be considered after submission of form. The application shall be filled online through Single Window portal <https://singlewindow.jk.gov.in/> which will be further directed to [jkocmms.nic.in](https://jkocmms.nic.in) for scrutiny and processing. The fee shall be paid once the e-application with all the requisite documents as per check list are uploaded and verified by JK PCC scrutiny section and the date of processing of application shall be considered after submission of form.**
4. **The consent fee shall be deposited only through online mode after checking / scrutiny of documents.**
5. **If any of the items is not relevant to the activity of the applicant please state Not Applicable (NA).**
6. The application form shall be accompanied by relevant documents and in case of submission of online application without requisite documents, the application form shall be returned to applicant for rectification and resubmission.
7. **The applicant shall choose the Line of Activity (LOA) as per UCM strictly in accordance with the manufacturing products. In case, it is found that LOA is not matching with the Products to be manufactured, the application shall be rejected.**
8. 80 Consent fee is to be paid based on gross fixed capital investment of the unit without depreciation till the date of application. The gross capital investment shall include cost of land, building, plant and machinery without depreciation.

**DISCLAIMER : The mere submission of application form does not confer any right of the unit holder for processing his case till the complete case with requisite documents as per the defined check list of Board / JK PCC shall be uploaded. Only after the scrutiny of complete form, duly verified by the JK PCC and thereafter submission of fees, the application form shall be processed as per the Environmental laws.**

**Industry Name:** Sh. Bhanu Partap Singh M/S Minor Mineral (River Bed Material),

**Address:** Village Taraf Tajwal, Kathua,

**Plot:** District: Kathua,

2254/1938,

**Mobile:** 00-00

**Email:**

To

Member Secretary,

J&K Pollution Control Committee,

Jammu/Kashmir

Sir,

I/We hereby, apply for obtaining,

I. Consent to establish/operate/Renewal of consent under section 25 and 26 of the water (Prevention and Control of pollution) Act, 1974, as amended.

II. Consent to establish/operate/Renewal of consent under section 21 of the Air (Prevention and Control of pollution) Act, 1981, as amended.

III. Authorization/renewal of authorization under rule 5 of the Hazardous Wastes (management and Handling) Rules, 1989, as amended in connection with my/our existing/proposed/alterd/additional manufacturing/processing activity from the premises as per the details given below.

#### **PART-A: GENERAL:**

I. (a) Name and location of the industrial unit : Sh. Bhanu Partap Singh M/S Minor Mineral (River Bed Material),  
Address: Village Taraf Tajwal, Kathua,  
Plot: 2254/1938,  
City: Taraf Tajwal,  
Block: Kathua,  
District Kathua,  
Telephone: 00-00

(b) Name of Directors/Partners with contact details : Bhanu Partap Singh

(c) Name & Address of the Occupier/Applicant. : Bhanu Partap Singh,  
Designation: Proprietor,  
Address: Tarrah Tehsil and District, Kathua,  
City: Tarrah,  
Block: Kathua,  
District: Kathua,  
Telephone: -

2. Details of the planning permission/Licensed :  
issuing authority obtained from the local body/Town  
Planning Department, Srinagar/Jammu,  
Development Authority, Srinagar/Jammu,  
Municipality/Town Area Committee/Notified Area  
Committee/Block/Revenue Authority, Valid license  
from Concerned Tehsildar etc.
3. (a) Are you registered as a Small/Medium/Large : Small  
Scale industrial unit.
- (b) If yes, give the number and date of registration. : , 24/08/2022
4. Gross capital investment of the unit without : Cost of Project = 80Lakhs)  
Depreciation till the date of application(Cost of  
building, land, plant and machinery).
- (To be supported by Affidavit, Project/Annual :  
Report or certificate from a Chartered Accountant. For  
proposed unit(s), give estimated figure):
5. If the site is located near river bank/other water :No  
bodies: indicate the distance and the name of the  
water body, if any. Meters
6. Does the location satisfy the requirements under :  
relevant Central/State Govt. notifications such as  
Notification on Ecologically Fragile/Sensitive Areas  
(Reserved Areas), Industrial location policy, etc. if  
so, give details.
7. If the unit is situated in notified industrial estate, :  
(a) Whether effluent collection, treatment and :No  
disposal system has been provided by the authority.  
(b) Will the applicant utilize the system, if :Yes  
provided:  
(c) If not provided, details of proposed :  
arrangement:
8. Total plot area, building area and area available : Total Plot Area= 9.98 hectare square meter, Build-  
for the use of treated sewage/trade effluent. up Area= 0 square meter & Area used for Treated  
Sewage/Trade Effluent= square meter
9. Month and year of proposed commissioning the : August/2021  
unit:
10. Number of workers and office staff: : Number of workers= 10 & Number of Office  
Staff= 02
11. (a) Do you have a residential colony within the : Yes  
permises in respect of which the present application  
is made:  
(b) if yes, please state population staying :  
(c) Indicate its location and distance with reference :  
to plant site.
12. List of raw material and process chemicals with : RBM  
annual consumption corresponding to above stated  
production figures, in tones/month or Kl/month or  
numbers/month.
13. List of products and by-products manufactured :  
with installed production capacity & unit).

Product Name	Capacity	Unit	By Products & Quantity
River Bed Material	122928	Metric Tonnes/Year	NA

14. Description of process of manufacture for each of the products showing input, output, quality and quantity of solid, liquid and gaseous wastes, if any from each unit process. (To be supported by flow sheet and/or material balance and water balance sheet) : (See enclosures)

### PART-B: Waste Water Aspects:

15. Water Consumption for different uses( $m^3/day$ ) :

Source Type	Uses	Quantity (KLD)
Ground Water	Process (Easily Biodegradable)	1.5

Total : 1 KLD

16. Sources of water supply, Name of authority granting permission if applicable and quantity permitted :

Source Type	Source Name	Quantity (KLD)
Ground Water	Own bore	1.5

17. Quantity of waste (effluent) generated( $m^3/day$ ) :

Type of Effluent	Maximum Generation Quantity of Effluent(KLD)

18. Water budgets calculations accounting for difference between water Consumption and effluent : 1 KLD

19. Present treatment of sewage/canteen effluent(Give sizes/capacities of treatment units) :

Type of Effluent	Treatment Type	Name of Treatment Units	Capacity (KL)	Investment in Treatment Unit (in Rs.)
-----NIL-----				

20. Present treatment of trade effluent (Give sizes/capacities of treatment units). (A schematic diagram of the treatment scheme with inlet/outlet characteristics of each unit operation/process is to be provided. Include details of residue management system(ETP sludges).

Type of Effluent	Treatment Type	Name of Treatment Units	Capacity (KL)	Investment in Treatment Unit (in Rs.)
-----NIL-----				

21. (a) Are sewages and trade effluents mixed together? :

(b) If yes, state at which stage whether before, intermittenly or after treatment :

22. Capacity of treated effluent sump, Gaurd Pond if any :

**782** PART-C: Air Emission Aspects:

25. Fuel Consumption :

Fuel Name	Fuel Consumption	Unit	Calorific Value	Ash Content %	Sulphur Content %	Other
-----NIL-----						

26. (A) Details of stacks(process & fuel stacks) :

- a) Stack numbers: 0
- b) Attached to:
- c) Capacity:
- d) Fuel type:
- e) Fuel quantity (TP/KLD) :
- f) Material of construction :
- g) Shape (round/rectangular) :
- h) Height (In Meters):
  - i) Above Ground Level(In Meters) :
  - ii) Above Factory Room(In Meters) :
- i) Diameter/Size, (In Meters) :
- j) Gas quantity, Nm<sup>3</sup>/hr :
- k) Gas temperature, \*C :
- l) Exit gas velocity, m/sec :
- (m) Control equipment preceding the stack :

Plant Name	Control Equipment
------------	-------------------

(Attach specifications including residue management : (See Enclosures) systems of each of the control equipment indicating inlet/outlet concentrations of relevent pollutants).

(B) Whether any release of odoriferous compounds such as Mercaptans, Phorate etc. are coming out.

27. Do you have adeqate facility for collection of samples of emissions in the form of port holes, platform, ladder etc. as per Central Board Publication Emission Regulations part-III(December 1985)

(b) Any other additional information that the applicant desires to give.

: NA

I/We further declare that the information furnished above is correct to the best of my/our knowledge.

II. I/We hereby submit that in case of any change from is stated in this application in respect of raw materials products, process of manufacture and treatment and/or disposal of effluent, emissions, hazardous wastes etc. in quality and quantity; a fresh application for consent Authorization no change shall be made.

III. I/We understand to furnish any other Information within given time of its being called by the Board/Committee.

IV. I/We agree to the Board an application for renewal of consent/authorization in two months (60 days) in advance before the date of expiry of the consent/authorization validity period.

V. I/We enclose herewith a Demand Draft for Rs...20000.0 drawn in favour of Member Secretary Jammu & Kashmir Pollution Control Committee as the fee for consent to establish/operate (fresh/renew/modernization/expansion)/DG Set/Hotel/Stone Crusher/Hot mix plants/Brick Kiln for a period upto....

Transaction Id	Payment Date	Transaction Status	Ammount
238170205	17/06/2023	Successful	20000.0

Place :Tarrah

Dated :17/06/2023

Enclosures :

Yours faithfully,

Signature :

Name :Bhanu Partap Singh

Designation :Properitor

1. Six Month compliance report (As Attached)
2. SMR (As Attached)
3. Old consent (As Attached)

001/2023 16/06/2023

16 E  
Pollution Control Committee

# Online Consent Management & Monitoring System

Ministry of Environment, Forest and Climate Change  
Government of India



## On-line Payment Receipt

**Receipt No.**  
**Depositor Name**  
**Bank Id**  
**Bank Name**  
**Application No.**  
**Name and Address of Industry**  
**Name of Regional Office**  
**Applied For**  
**Payment Date**

ZIRI 2023S  
 Bhonu Parkap Singh  
 RA  
 JHB1009  
 Sh. Bhanu Partap Singh M/S Minor Mineral (River Bed Material), Village Tyan-19Jwal,  
 Kathua, Kathua, Kathua  
 DO Kathua

**Total Amount Paid (Rs.)**  
**Transaction Status**

CTO - both - reNew  
 Sat Jun 17 12:51:32 IST 2023

### Payment Details

00020000.00  
 Successfully Completed

(Union Territory of Jammu & Kashmir)  
 Department of Geology and Mining  
**OFFICE OF THE DISTRICT MINERAL OFFICER KATHUA**

Divisional Officer,  
 J&K Pollution Control Committee,  
 District Kathua

No: - DMO/K/2023-24/ 719-22

Dated: 27/02/24

Sub: - Expiring of Consent to Operate (CTO)-regarding.

Sir,

Kindly refer to the subject cited above, in this connection it is submitted that the consent to operate (CTO) of M/S Sai Screenar Taraf Tajwal Kathua at Taraf Tajwal issued from your department has been expired in the month/year Jan-2024 and needs renewal as per the rules.

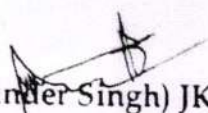
Therefore, your good-self may kindly be requested for taking necessary action in the matter and process the case for renewal of CTO and provide copy of the same to this office after approval from competent authority. You are also requested to inform this office immediately if the case is rejected at any stage.

As you know, there is no such procedure in the Jammu and Kashmir Stone Crushers/Hot and Wet Mixing Plants Regulation Rules, 2021 notified vide SO-60 of 2021, 23<sup>rd</sup> Feb, 2021 to officially close the stone crushes. Therefore, you are further requested to initiate closure proceedings against the said stone crusher in case of rejection as per-

- (i) Section-33(A) of Water (prevention and Control of Pollution) Act, 1974.
- (ii) Section-5 of Environment (Protection) Act, 1986.

6/C

Yours faith fully,

  
 (Rajinder Singh) JKAS  
 District Mineral Officer  
 Kathua

Copy to the: -

1. Deputy Commissioner Kathua for kind information.
2. Director Geology and Mining, J&K for information.
3. Office File
4. M/S Sai Screenar Taraf Tajwal Kathua

786

**Jammu and Kashmir  
Pollution Control Committee**

chairman87jkspcb@gmail.com  
membersecretaryjkspcb@gmail.com

0191 - 2472881, 2476925



Parivesh Bhavan, Fores  
Complex  
Transport Nagar, Jammu, 18C  
006

Silk Factory Road  
Rajbagh, Srinagar, 190 008

Director,  
Department of Geology & Mining,  
Jammu.

No: JKPCC/Sc./OA-599/2024/1262

Dated:- 22 -10-2024

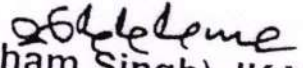
Sub:- O.A No. 599/2024 titled "Surinder Singh Manhas & Anr. V/s Union  
Territory of Jammu & Kashmir & Ors."

Ref:- No. JKPCC/Sc./OA-599/2024/1214 dated 10-10-2024

Madam,

With reference to this office No. JKPCC/Sc./OA-599/2024/1214 dated 10-10-2024, wherein information w.r.t. illegal sand mining in District Kathua and compliance of Condition, laid under Environmental Clearance issued in favour of M/s. Bhanu Pratap, M/s. Vasudev Constructions and M/s. New Rajputana Stone Crusher is awaited, which may kindly be expedited and shared with this office by or before 24-10-2024 as the case is listed for hearing on 04-11-2024.

Yours faithfully,

  
(Ghansham Singh) JKAS  
Member Secretary 22-10-24



**J&K POLLUTION CONTROL COMMITTEE**  
Jammu/Kashmir

**Consent Order**

Consent No.:- PCC/digital/24064267093 of 2024

Date:- 05/08/2024

Consent To Operate (Renewal) under Section 25/26 of the Water(Prevention & Control Pollution)Act, 1974 and under section 21 of the Air (Prevention & Control of Pollution) Act, 1981, as amended is granted in favour of Sh. Bhanu Partap Singh

**M/s Om Sai Stone Crusher**  
**Village Taraf Tajwal Kathua**  
**( Reg. No. 070051100774 dt: 01/9/2015 )**

for a period upto **January 2025** for ORANGE category of unit as per revised classification of industrial sector subject to the compliance of following terms and conditions in a time bound manner:-

1. The consent granted by the Committee is restricted to Prevention and Control of Pollution only and shall not be treated as substitute of permission required under other laws of the land.
2. The consent is granted valid for operate of stone crusher having consented quantity as under with capital investment (as per Schedule II) Rs. 210.29 lakhs. Further any change / enhancement in production capacity, process ,raw materials shall have to be intimated to the Board and unit holder has to apply fresh for the same.

S No.	Products/BY-ProductsName	Maximum Quantity	Unit
1	<b>Crushed Stones (Bajri , Sand )</b>	<b>3200000</b>	<b>Cubic feet/ Year</b>

3. The unit holder shall comply with the National Ambient Air Quality Standards CPCP Notification No. B-29016/20/90/PCI-1 dated 18-11-2009 to be followed.
4. The Noise Pollution (Regulation and Control) Rules 2000 as notified by MoEFCC S.O 123(E) dated 4-2-2000 to be followed. The unit holder shall take adequate measures for control of noise from its own sources with in the premises so as to maintain ambient air quality standards in respect of noise to less than 75 db (A) during day time.
5. A permanent water storage tank of a minimum 2000 Ltrs. capacity must be installed.
6. The unit holder shall take adequate safe guards for the treatment of sewerage water by way of providing septic / soakage pit and its discharge shall conform to the following standards:

Parameters	Conc. in mg/l except for pH
pH	6-9
Total Suspended Solids	100
BOD(3 days at 27 degree Celsius)	30



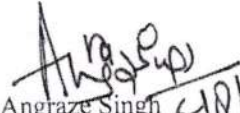
7. The Stone Crusher shall take the following Pollution Control Measures under Environment (Protection) Act 1986 :


<b>A.</b>	<b>Implementation of following Pollution Control Measures :</b>
a.	All the dust emitting points like jaw / roller crusher , screens/classifier must be properly enclosed / covered with CGI sheets enclosure or other solid material but not by tarpaulin.
b.	Conveyor belts should be of proper quality material instead of used tyres covered.
c.	Regular cleaning of approach roads should be carried out and all the approach roads and ramps should be metalled. The process waste should not be dumped along the roads side and should be used for filing up of low lying areas.
d.	Regular cleaning and wetting of the ground within the premises.
e.	Growing of a green belt (Broad leave trees in three rows) along the periphery.
<b>B.</b>	<b>Quantitative Standards for SPM:</b>
	The suspended Particulate Matter contribution value at a distance of 3 to 10 meters from a controlled , isolated as well as from a unit located in a cluster should be less than $600 \mu\text{g}/\text{Nm}^3$ .
<b>C.</b>	<b>Additional Parameters</b>
a.	A ten to twelve feet brick or CGI sheets wall as boundary / wind breaking wall facing the road as well as towards residential area with a well defined single entry from the road to be provided in the unit.
b.	Conveyor belts shall be interlocked with the crushing operation.
c.	The water spray system shall be interlocked with the crushing operation.
d.	Annual health survey of the workers should be conducted.
e.	Regular water spray should be carried out at all dust emitting and transfer points. Water spray should also be done on the boundary as per requirement , the unit should be provide water sprinklers on the conveyor carrying raw material from bunker / bin to the crusher . The water should be sprayed in the form of mist with the help of a motor.

8. All the dust emitting points like Jaw/Roller crusher, screens/classifiers must be properly enclosed/covered with CGI sheet enclosure or of other solid material but not by tarpaulin.
9. The conveyer belts provided to carry different grades of materials must be fully covered with a thick sheet of suitable material with adequate water sprinkling provided at different points on conveyer belts.
10. Regular water spray should be carried out at all dust emitting points and transfer points. Water spray should also be done on the boundary as per requirement. The unit should provide water sprinklers on the conveyors carrying raw material from bunker/bin to the crusher. The water should be sprayed in the form of mist with the help of a motor.
11. The process waste i.e. fine material should not be dumped along the road side and should be used for filing up of low-lying areas.
12. Dumps of raw and finished products should not be more than 3m height and should have enclosure on three sides of 4m height. Regular wetting of these dumps should be done so that no dust is emitted during blowing of wind.
13. A ten to twelve feet brick or CGI sheets wall as boundary/ wind breaking wall facing the road as well as towards residential area with a well-defined single entry from the road to be provided in the unit.
14. The unit holder shall abide by the directions of the Committee which will be issued from time to time. Any infringement/violation or transgression of the statutory enactments of pollution control acts by the unit shall be sufficient cause to prosecute the violator in conformity with relevant section of Air, Water Acts and Environment Protection Act in force.
15. All stone crushers must have a legal source of raw material.
16. The consent granted shall be under surveillance monitoring of J & K Pollution Control Committee.
17. **Specific Conditions:-**
- a) A green belt consisting of three rows of broad -leaved trees (out of which one row of tall trees and two rows of medium sized trees) planted in staggered manner must be provided along the periphery.

- b) The unit holder shall have an authorized source of water and shall ensure that untreated waste water is not discharged in to any water Body. The unit holder shall ensure to comply the directions of Hon'ble NGT directions in OA No. 438/2018 with regard to permission from Central Ground Authority /Jal Shakti Department for extraction of water.
- c) The unit holder has to install permanent and mechanical water sprinkling system interlocked with the crushing point and other allied machinery of the stone crushers and in no case the stone crusher operate without functioning of water sprinkling system.
- d) The unit shall be allowed to operate only during day time i.e. from 8am to 6 pm and ensure that emissions below prescribed limits under all circumstances and unit holder shall submit self monitoring report of emission on six months basis.
- e) This consent is issued subject to condition of installing / providing of covers to conveyer belts along with telescopic chutes at the end of conveyer belts to mitigate dust emissions and in case of any receipt of public complaint the stone crusher shall be closed.
18. The unit holder shall follow the revised guidelines issued for stone crusher vide No. 37 –JKPCC of 2023 dated 27-02-2023.
19. In case of violation of above mentioned conditions or any public complaint the consent shall be withdrawn and unit holder shall shift the unit to another suitable site at his own risk and responsibility.
- \* This consent is issued purely from environmental angle and the Committee shall not be responsible for any claim, counter claim, ownership, partnership etc of the unit.

"By order"

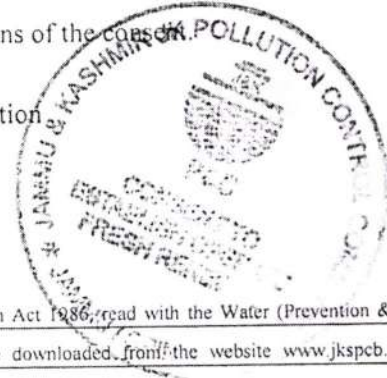
  
Angraze Singh  
Asstt Env. Engineer  
6/10/2024

  
(Ghansham Singh)  
Member Secretary

7-8-24

Copy to the :

1. Regional Director PCC Jammu for information.
2. Director Geology Mining Jammu for information & ensure compliance under EIA Notification & EP Act.
3. General Manager DIC Kathua for information.
4. D.O PCC Kathua for information & ensure compliance of the conditions of the consent.
5. P.A to Chairman J&K PCC for the information of Chairman.
6. M/s Om Sai Stone Crusher Village Taraf Tajwal Kathua for information
7. Office file



The unit holder shall comply to environment standards as notified under the environment protection Act 1986, read with the Water (Prevention & Control of Pollution) Act 1974 & Air (Prevention & Control of Pollution) Act, 1981 which can also be downloaded from the website [www.jkspcb.nic.in](http://www.jkspcb.nic.in) or at [www.cpcb.nic.in](http://www.cpcb.nic.in)

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