

**Before the National Green Tribunal Principal Bench, New Delhi****O.A No. 653/2024****In the case of:**

Yassar Farooq Khan

(Applicant)

V/s

Union Territory of J&amp;K and others

(Respondents)

**In the matter of:-****I N D E X**

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**FILED BY**Place: Jammu  
Dated: 21/08/2025Answering Respondents  
Rahul Deval  
District Mineral Officer, Poonch  
(9697479849)District Mineral Officer  
Geology and Mining Deptt  
Poonch

**Before the National Green Tribunal Principal Bench, New Delhi****O.A No. 653/2024****In the case of:**

Yassar Farooq Khan

(Applicant)

V/s

Union Territory of J&amp;K and others

(Respondents)

**In the matter of:**

Reply/response on behalf of respondent No.1 (Chief Secretary, U.T of J&K) & respondent No.4 (Director Geology & Mining Department) in terms of order dated 24.04.2025.

**May it please your Lordships;**

The answering respondents No. 1 & 4 most respectfully submits as under:-

**Factual Matrix:**

1. That the applicant has filed the instant Original Application before this Hon'ble Tribunal seeking inter-alia following prayers:-

- a. The Hon'ble Tribunal may be pleased to declare the Stone Crusher & Hot Mix Plant of non-applicants No. 06 to 18, as illegal and unauthorized;
- b. The Hon'ble Tribunal may be pleased to direct the Respondent No. 06 & 18 to stop its mining Activity/operation until till the Hon'ble Tribunal comes to a final decision regarding safeguarding the interest of the environment;

  
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- c. The Hon'ble Tribunal may be please to displace the Stone Crusher & Hot Mix Plant from Residential area.
- d. The Hon'ble Tribunal may be pleased to direct the Non-Applicant No. 2, 3, and 4 to carry out a field inspection of the area in question and assess the damage and to be directed to submit the final Damage Caused Report.
- e. The Hon'ble Tribunal may be pleased to direct non-applicants No 01 & 05 to compensate by assessing the damage according to the polluter pays principle.
1. That the conspectus of the O.A is that the establishment and operation of Stone Crushers and Hot Mix Plants, (Non-Applicant No. 6 to 18), in District Poonch, is without complying with the critical criteria prescribed by the non-applicant authorities, and is in blatant violation of essential environmental norms, and rules governing the field. The Stone Crushers and Hot Mix Plant established and operated by non-applicant No. 06 to 18 are near residential area, educational institutions, which has resulted in significant damage to the public health and property.
2. That in compliance to the directions of Hon'ble National Green Tribunal Principal Bench, New Delhi dated 24.04.2025 passed in the instant O.A, it is submitted that as per the available record, the detail of the Stone Crushers/Hot Mix Plants reflected in the application along with the legal sources of raw materials (Minor minerals Blocks) as under:-

S. No.	Name of the Crusher Unit Holders	Materials purchased from legal sources (Minor Mineral Block Nos.)	Material purchased 01.01.2024 to 31.03.2025
01	M/s Himalyan Stone Crusher	31, 10, 8, 28, 24, 18, 19	51150 MT
02	M/s Masood Ahmed Stone Crusher.	24	3019 MT
03	M/s Masood Ahmed Hot Mix Plant	Used crushed material of M/s Masood Ahmed Stone Crusher.	
04	M/s Mohd Rafiq Chesti Stone Crusher	22, 08	9906 MT

  
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05	M/s Mohd Rafiq Chesti Hot Mix Plant	Used crushed material of M/s Mohd Rafiq Chesti Stone Crusher	
06	M/s Mohd Yousif Stone Crusher	08, 10, 18	1160 MT
07	M/s Patel Engineering Stone Crusher	31 & Disposal Permit	25400MT
08	M/s Mehnaz Stone Crusher	24	498.5 MT
09	M/s Ghulam Nabi Stone Crusher.	4, 10, 8	22045 MT
10	M/s Ghulam Nabi Hot Mix Plant	Used crushed material of M /s Ghulam Nabi Stone Crusher.	
11	M/s Ghai Stone Crusher	18, 19	40320 MT
12	M/s Ghai Stone Hot Mix Plant	Used crushed material of M/S Ghai Stone Crusher	
13	M/s Bharat Stone Crusher	15, 4	58889.5 MT
14	M/s 79 RCC GREFF stone crusher	Excavated minor mineral from Row.	54122.40MT

3. That it is submitted that the District Mineral Officer, Poonch, along with the staff, inspected the Stone Crusher units for verification. During the inspection, it was found that the documents required under S.O. 60, i.e., Consent to Operate (CTO), No Objection Certificate (NOC) from the office of the Deputy Commissioner, Poonch, and dispatched registers, were maintained. However, the stocks of raw material as well as finished goods were measured in the presence of the staff of the crusher unit holders. Where the available legal quantity on the department's portal was found to be mismatched with the physical quantity, notices were served to the following Stone Crusher Units: –

- (i) M/s G N Mir Stone Crusher online available quantity was 16944.576 MTS of material however at site there was a difference of approximately extra 950 MTS of material in the forms of dumps and penalty imposed of an amount of ₹2,61,250/- and 2% tax, four dumpers and one excavator was seized and a penalty of ₹1,18,830/- was imposed in the year 2024 for extraction and transportation of raw material illegally without valid e-challan. However penalty amount was recovered on Dated 04/08/2025 vide GR. No.7451204 ( Copy Enclosed).

  
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- (ii) M/s Bharat Stone Crusher online available quantity was 8398 MTS of material however at site there was a difference of approximately extra 1250 MTS material in the forms of dumps and penalty imposed of an amount of ₹3,43,750/- and 2% tax. However penalty amount was recovered on Dated 22/07/2025 and 20/08/2025 vide GR No.7451201 and 7451221 (Copy Enclosed).
- (iii) M/s Chesti Stone Crusher online available quantity was 5300 MTS of material however at site there was a difference of approximately extra 900 MTS of material in the forms of dumps and penalty imposed of an amount of ₹2,47,500/- and 2% tax.
- (iv) M/s Masood Stone Crusher online available quantity was 7600 MTS of material however at site there was a difference of approximately extra 500 MTS of material in the forms of dumps and penalty imposed of an amount of ₹1,37,500/- and Plus 2% tax. However penalty amount was recovered on Dated 06/08/2025 vide GR No.7451205 ( Copy Enclosed).
- (v) M/s Ghai Stone Crusher online available quantity was 456 MTS material however at site there was a difference of approximately extra 8500 MTS material in the forms of dumps and penalty imposed of an amount of ₹23,37,500/- and 2% tax. One excavator was seized and a penalty of ₹20,000 was imposed in the year 2024.
- (vi) M/s Mohd Yousif Stone Crusher online available quantity was 93.97 MTS of material however at site there was a difference of approximately extra 150 MTS in the form of dumps and penalty imposed of an amount of ₹41,250/- and 2% tax. One excavator, one dumper and one tipper was seized and a penalty of an amount ₹53,625/- was imposed for extraction and transportation of raw material without valid e- challan in the year 2024. However penalty amount was recovered on Dated 29/01/2025 vide GR. No.7447088 ( Copy Enclosed).
- (vii) 79 RCC GREFF Stone Crusher operations are defined for construction of exigent border roads using raw material from cutting roadside material and royalty paid amounting Rs.464273- as per applicable rates issued by the Government.  
The copies of the notices served to the units and General Receipts (GR) of penalty recovered are collectively annexed herewith as **Annexure-I**.
4. That as per S.O. 60 installation of Stone Crushers is in the domain of Pollution Control Committee, Deputy Commissioner concerned and District Industries Center. The Stone Crushers operating in the District have to fulfill all the requisite formalities as per S.O 60 of 2021.

  
District Mineral Officer  
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A copy of the said S.O 60 of 2021 is enclosed herewith as **Annexure-II.**

5. That the Multi-Departmental District Level Task Force Cell has been constituted vide G.O. No. 1569-GAD of 2018, dated 22.10.2018 involving all the Stake Holder Departments to act against the illegal miners and to counter all reported illegal extractions, concerned SSP being one of its members while Deputy Commissioner of the District it's Chairman. The said Committee carries unflinching reinforcement to counter any reported illegal Mining.

A copy of the said Government Order dated 22.10.2018 is enclosed herewith as **Annexure-III.**

6. That in terms of Rule 4 of S.O. 60 of 2021, every Stone Crusher/Hot and Wet Mixing Plant established or operating under these rules shall procure minor minerals for storage and processing in the Unit/Plant/Crusher, for conversion to finished goods and sale, only from a valid mining concessionaire under the relevant provisions of the Jammu and Kashmir Minor Mineral Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016. The raw material, viz. Nallah Muck, RBM, etc., required by the Stone Crushers is purchased by them from Minor Mineral Blocks/Mines through the e-challan portal of the Department. It is pertinent to mention here that both the Mining Lessees and Stone Crushers/HMPs are registered on the Department's e-challan portal, and the sale and purchase of minor minerals are duly monitored by the concerned District Mineral Officer and higher authorities.
7. That it is respectfully submitted that if any complaint regarding non-adherence to the prescribed criteria by any Unit Holder is received from any of the stakeholder departments facilitating the installation/operation of the unit, the answering respondent No. 4 immediately responds to the complaint, takes strict action, deactivates the e-portal for the purchase and sale of raw material as well as crushed material, and disallows the operation of the unit forthwith.

  
District Mineral Officer  
Geology and Mining Deptt.  
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**Para-wise Reply:**

1. That contents of Para 1 & 2 needs no reply being matter of record.
2. That contents of Para 3.1 to 3.4 are matter of record hence need no reply.
3. That in reply to the contents of Para 3.5, it is respectfully submitted that the Government of U.T is taking the following steps to curb the menace of illegal extraction and transportation of minerals in the UT of J&K: -
  - i. A "Multi Departmental District Level Task Force Cell" has been constituted vide G.O No. 1569-GAD of 2018 dated 22-10-2018 under Chairmanship of Deputy Commissioner concerned.
  - ii. The Vigilance cum Monitoring Flying Squad/Enforcement team for Jammu/ Kashmir Divisions has been constituted vide Order No. 107-JK(DGM) of 2024, dated 30.08.2024 to strengthen the surveillance on illegal extraction and transportation of Minor Minerals in the UT of J&K.
  - iii. The Department has constructed 22 Mineral Check Posts at different entry & exit mineral check points in UT of J&K for monitoring the illegal extraction and transportation of Minerals.
  - iv. The Department has also launched Online Web-portal (e-Challan/e-Market Place) on 24.08.2022 for sale and purchase of minerals online at notified rates for convenience of general public.
  - v. The Department through BISAG is developing Mine Surveillance System for Minor Minerals, being automatic software leveraging image processing technology which detects suspicious activities (Illegal Mining) within a range of 500m outside the mining lease boundary. This technology generates automatic triggers of unauthorized activities or any discrepancy, if found, is flagged-off as a trigger.
  - vi. Constitution of District level Environmental Committees for implementation of Environmental Plans and enforcement of Environmental norms on ground level vide Govt. Order No.81-JK(GAD) of 2019 dated 25.11.2019.

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch

- vii. The Department is in process of initiating a proposal regarding on-spot imposition/ realization of penalties on violators involved in illegal mining through Point of Sale (POS) machines on the analogy of Traffic Department.
- viii. The District Mineral office Poonch has taken stringent action by way of imposing penalties under Section 21(4) & (5) of Mines & Minerals (Development & Regulation) Act, 1957 and rules made thereunder including J&K Mining Rules, SRO-105 of 2016 dated 31.03.2016 against the violators. The list of actions taken are as under:-

<b>Action Taken under Section 21 (4) &amp; (5) of MMR&amp;D Act, 1957</b>		
<b>Year</b>	<b>Vehicles/Machineries /seized/Stone crusher</b>	<b>Amount Realized (in lacs)</b>
2021-2022	590	27.14
2022-2023	262	27.16
2023-2024	214	23.20
2024-2025	212	37.58

4. That in reply to the contents of Para No. 4 and grounds (1) to (15) thereof, it is respectfully submitted that the same are wrong, baseless, concocted, and misleading, and are therefore vehemently denied. However, it is submitted that the averments made in Para No. 4 and grounds (1) to (15) are a repetition of the preceding paragraphs. Accordingly, the reply already furnished to the preceding paragraphs may be read and treated as part of the reply to these paragraphs as well. Further, it is submitted that as per rule 3 (iii) of SO-60 the stone crusher/hot & wet mixing plant shall establish/operate only on securing CTO/CTE from J&K Pollution Control Committee Earlier (JKPCB), NOC from Deputy Commissioner regarding title verification and its usage & Registration with DIC if the unit holder intends to avail any available in this industrial policy. Moreover every stone crusher/hot and wet mixing plant shall procure Minor Mineral for storage and processing the unit from a valid mining concessionaire only.
5. That the contents of Para No. 5 being legal need no reply from the answering respondents.

  
 District Mineral Officer  
 Geology and Mining Deptt  
 Poonch

6. That the averments of the Original Application which have not been specifically replied are denied and other legal grounds will be argued at the time of hearing of the matter and the Hon'ble Court may kindly reserve the right of the respondents to provide further clarification, if required.
7. An affidavit in support of the reply/response duly sworn is annexed herewith.

**In the premises of:-**

It is, therefore, most respectfully prayed that keeping in view the submissions made herein in above and those to be urged at the time of hearing, the Hon'ble Tribunal may very kindly be pleased to accept the reply and dismiss the instant original application.

Place: Jammu  
Dated: 21/08/2025

Answering Respondents  
Rahul Deval  
District Mineral Officer, Poonch  
(9697479849)

  
District Mineral Officer  
Geology and Mining Dept  
Poonch



Union Territory of Jammu & Kashmir

Office Of the District Mineral Officer Poonch

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Annexure (I)



10

Department of Geology & Mining, Government of J&K.

Near TCP Surankote, Poonch Pin Code: 185121 email: poonchdmo@gmail.com

No: DMO/P/Notice/2024-25/716-717

Dated: 22.01.2025

M/S GN Mir Stone Crusher

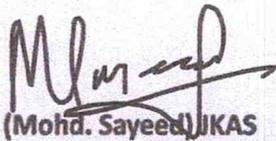
Located in Mangnar area of Poonch

Subject: - Physical verification of stock, observation of violations and Penalty Notice thereof.

Whereas, a team from Geology and Mining Department visited your unit on 21<sup>st</sup> of January 2025 and physically examined the stock available. The stocks of raw material as well as the finished goods was measured using measuring tape in presence of the staff of your unit. Documents of your units as per SO 60 like CTO, NOC from DC office and dispatch registers maintained there in were also scrutinised. The available legal quantity on departmental portal was matched with the physical available quantity.

Whereas, after going through the record available online and physical stock at your unit. Online available quantity was 16944.576 MTs of all material however at site there was a difference of approximately extra 950 MTs of various material like aggregate, RBM in the form of dumps. Hence to this quantity penalty for royalty evasion can be calculated the tune of 2,61,250 rupees plus 2% tax. Moreover, traces of extraction found near your unit which attracts sec 62 of The Mineral Conservation and Development Rules, 2021 and fine up to 5 lakhs.

Hence means of this notice you are hereby given an opportunity of being heard why legal action as per the provisions of The Mineral Conservation and Development Rules, 2021, The MMDR Act, 1957 and The Jammu & Kashmir Minor Mineral Concession, Storage, Transportation of Minor Minerals and Prevention of illegal Mining Rules, 2016 Notified vide SRO 105 Dated 31<sup>st</sup> March, 2016 may not be initiated against you, documentary evidence supporting your claims if any if not received, you shall be liable to pay penalty after two days of the receipt of this notice. Interest rate as applicable will be charged for late payments and departmental portal will also be suspended.

  
(Mohd. Sayeed) JKAS

District Mineral Officer Poonch  
(Member Secretary MDDLTF)

Copy to: -

1. Deputy Commissioner Poonch (Chairman MDDLTF) for kind information please.
2. Director, Geology & Mining Department JKUT for kind information please.



District Mineral Officer  
Geology and Mining Deptt  
Poonch



Union Territory of Jammu & Kashmir

Office Of the District Mineral Officer Poonch

Department of Geology & Mining, Government of J&K.  
Near TCP Surankote, Poonch Pln Code: 185121email: poonchdmo@gmail.com



No: DMO/P/Notice/2024-25/717-718

Dated: 22.01.2025

**M/S Bharat Stone Crusher**

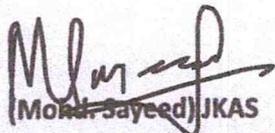
Located in Dara Dullian area of Poonch

Subject: - Physical verification of stock, observation of violations and Penalty Notice thereof.

Whereas, a team from Geology and Mining Department visited your unit on 21<sup>st</sup> of January 2025 and physically examined the stock available. The stocks of raw material as well as the finished goods was measured using measuring tape in presence of the staff of your unit. Documents of your units as per SO 60 like CTO, NOC from DC office and dispatch registers maintained there in were also scrutinised. The available legal quantity on departmental portal was matched with the physical available quantity.

Whereas, after going through the record available online and physical stock at your unit. Online available quantity was 8398 MTs of all material however at site there was a difference of approximately 1250MTs extra quantity of various material like aggregate, RBM in the form of dumps. Hence to this quantity penalty forroyalty evasion can be calculated to the tune of 3,43,750 rupees plus 2% tax. Moreover, traces of extraction found near your unit which attracts sec 62 of The Mineral Conservation and Development Rules, 2021and fine up to 5 lakhs.

Hence means of this notice you are hereby given an opportunity of being heard why legal action as per the provisions of The Mineral Conservation and Development Rules, 2021, The MMDR Act, 1957 and The Jammu & Kashmir Minor Mineral Concession, Storage, Transportation of Minor Minerals and Prevention of illegal Mining Rules, 2016 Notified vide SRO 105 Dated 31<sup>st</sup> March, 2016 may not be initiated against you, documentary evidence supporting your claims if any if not received, you shall be liable to pay penalty after two days of the receipt of this notice. Interest rate as applicable will be charged for late payments and departmental portal will also be suspended.

  
(Mohd. Sayeed) JKAS  
District Mineral Officer Poonch  
(Member Secretary MDDLTFC)

Copy to: -

1. Deputy Commissioner Poonch (Chairman MDDLTFC) for kind information please.
2. Director, Geology & Mining Department JKUT for kind information please.

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch



## Office Of the District Mineral Officer Poonch

Department of Geology & Mining, Government of J&K.  
Near TCP Surankote, Poonch Pin Code: 185121 email: poonchdmo@gmail.com



12

No: DMO/P/Notice/2024-25/707-708

Dated: 22.01.2025

**M/S Chesti Enterprises**

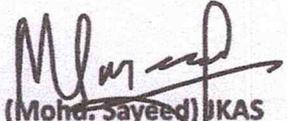
Stone Crusher unit located in Dranguli Nallah Poonch

Subject: - Physical verification of stock, observation of violations and Penalty Notice thereof.

Whereas, a team from Geology and Mining Department visited your unit on 21<sup>st</sup> of January 2025 and physically examined the stock available. The stocks of raw material as well as the finished goods was measured using measuring tape in presence of the staff of your unit. Documents of your units as per SO 60 like CTO, NOC from DC office and dispatch registers maintained there in were also scrutinised. The available legal quantity on departmental portal was matched with the physical available quantity.

Whereas, after going through the record available online and physical stock at your unit. Online available quantity was 5300 MTs of all material however at site there was a difference of approximately 900 MTs less quantity of various material like aggregate, RBM in the form of dumps. Hence to this quantity penalty for dispatch of mineral without valid e-challan can be calculated to the tune of 2,47,500 rupees plus 2% tax. Moreover, traces of extraction found near your unit which attracts sec 62 of The Mineral Conservation and Development Rules, 2021 and fine up to 5 lakhs.

Hence means of this notice you are hereby given an opportunity of being heard why legal action as per the provisions of The Mineral Conservation and Development Rules, 2021, The MMDR Act, 1957 and The Jammu & Kashmir Minor Mineral Concession, Storage, Transportation of Minor Minerals and Prevention of illegal Mining Rules, 2016 Notified vide SRO 105 Dated 31<sup>st</sup> March, 2016 may not be initiated against you, documentary evidence supporting your claims if any if not received, you shall be liable to pay penalty after two days of the receipt of this notice. Interest rate as applicable will be charged for late payments and departmental portal will also be suspended.

  
(Mohd. Sayeed) JKAS  
District Mineral Officer Poonch  
(Member Secretary MDDLTFC)

Copy to: -

1. Deputy Commissioner Poonch (Chairman MDDLTFC) for kind information please.
2. Director, Geology & Mining Department JKUT for kind information please.

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch



13

No: DMO/P/Notice/2024-25/715-715

Dated: 22.01.2025

M/S Masood Stone Crusher

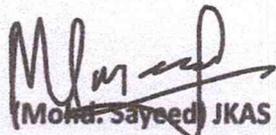
Located in Kalai area of Poonch

Subject: - Physical verification of stock, observation of violations and Penalty Notice thereof.

Whereas, a team from Geology and Mining Department visited your unit on 21<sup>st</sup> of January 2025 and physically examined the stock available. The stocks of raw material as well as the finished goods was measured using measuring tape in presence of the staff of your unit. Documents of your units as per SO 60 like CTO, NOC from DC office and dispatch registers maintained there in were also scrutinised. The available legal quantity on departmental portal was matched with the physical available quantity.

Whereas after going through the record available online and physical stock at your unit. Online available quantity was 7600 MTs of all material however at site there was a difference of approximately extra 500 MTs of various material like aggregate, RBM in the form of dumps. Hence to this quantity penalty for royalty evasion can be calculated the tune of 1,37,500 rupees plus 2% tax. Moreover, traces of extraction found near your unit which attracts sec 62 of The Mineral Conservation and Development Rules, 2021 and fine up to 5 lakhs.

Hence means of this notice you are hereby given an opportunity of being heard why legal action as per the provisions of The Mineral Conservation and Development Rules, 2021, The MMDR Act, 1957 and The Jammu & Kashmir Minor Mineral Concession, Storage, Transportation of Minor Minerals and Prevention of illegal Mining Rules, 2016 Notified vide SRO 105 Dated 31<sup>st</sup> March, 2016 may not be initiated against you, documentary evidence supporting your claims if any if not received, you shall be liable to pay penalty after two days of the receipt of this notice. Interest rate as applicable will be charged for late payments and departmental portal will also be suspended.

  
(Mohd. Sayeed) JKAS

District Mineral Officer Poonch  
(Member Secretary MDDLTFC)

Copy to: -

1. Deputy Commissioner Poonch (Chairman MDDLTFC) for kind information please.
2. Director, Geology & Mining Department JKUT for kind information please.

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch



Union Territory of Jammu & Kashmir

587  
**Office Of the District Mineral Officer Poonch**

**Department of Geology & Mining, Government of J&K.**  
**Near TCP Surankote, Poonch Pin Code: 185121email: poonchdmo@gmail.com**



14

No: DMO/P/Notice/2024-25/709-710

Dated: 22.01.2025

**M/S Ghai Stone Crusher**

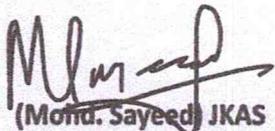
Located in Dranguli Nallah Poonch

Subject: - Physical verification of stock, observation of violations and Penalty Notice thereof.

Whereas, a team from Geology and Mining Department visited your unit on 21<sup>st</sup> of January 2024 and physically examined the stock available. The stocks of raw material as well as the finished goods was measured using measuring tape in presence of the staff of your unit. Documents of your units as per SO 60 like CTO, NOC from DC office and dispatch registers maintained there in were also scrutinised. The available legal quantity on departmental portal was matched with the physical available quantity.

Whereas after going through the record available online and physical stock at your unit. Online available quantity was 456 MTs of all material however at site there was a difference of extra 8500MTs of various material like aggregate, RBM in the form of dumps. Hence to this quantity penalty for royalty evasion can be calculated the tune of 23,37,500 rupees.

Hence means of this notice you are hereby given an opportunity of being heard why legal action as per the provisions of **The Mineral Conservation and Development Rules, 2021, The MMDR Act, 1957 and The Jammu & Kashmir Minor Mineral Concession, Storage, Transportation of Minor Minerals and Prevention of illegal Mining Rules, 2016 Notified vide SRO 105 Dated 31<sup>st</sup> March, 2016** may not be initiated against you, documentary evidence supporting your claims if any if not received, you shall be liable to pay penalty after two days of the receipt of this notice. Interest rate as applicable will be charged for late payments and departmental portal will also be suspended.

  
(Mond. Sayeed) JKAS  
District Mineral Officer Poonch  
(Member Secretary MDDLTFC)

Copy to: -

1. Deputy Commissioner Poonch (Chairman MDDLTFC) for kind information please.
2. Director, Geology & Mining Department JKUT for kind information please.

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch



No: DMO/P/Notice/2024-25/713-714

Dated: 22.01.2025

M/S MY Stone Crusher

Located in Dranguli Nallah Poonch

Subject: - Physical verification of stock, observation of violations and Penalty Notice thereof.

Whereas, a team from Geology and Mining Department visited your unit on 21<sup>st</sup> of January 2025 and physically examined the stock available. The stocks of raw material as well as the finished goods was measured using measuring tape in presence of the staff of your unit. Documents of your units as per SO 60 like CTO, NOC from DC office and dispatch registers maintained there in were also scrutinised. The available legal quantity on departmental portal was matched with the physical available quantity.

Whereas after going through the record available online and physical stock at your unit. Online available quantity was 93.97 MTs of all material however at site there was a difference of extra 150 MTs of various material like aggregate, RBM in the form of dumps. Hence to this quantity penalty for royalty evasion can be calculated the tune of 41,250 rupees plus 2% tax. Moreover, traces of extraction found near your unit which attracts sec 62 of The Mineral Conservation and Development Rules, 2021 and fine up to 5 lakhs.

Hence means of this notice you are hereby given an opportunity of being heard why legal action as per the provisions of The Mineral Conservation and Development Rules, 2021, The MMDR Act, 1957 and The Jammu & Kashmir Minor Mineral Concession, Storage, Transportation of Minor Minerals and Prevention of illegal Mining Rules, 2016 Notified vide SRO 105 Dated 31<sup>st</sup> March, 2016 may not be initiated against you, documentary evidence supporting your claims if any if not received, you shall be liable to pay penalty after two days of the receipt of this notice. Interest rate as applicable will be charged for late payments and departmental portal will also be suspended.

  
(Mohd. Sayeed) JKAS  
District Mineral Officer Poonch  
(Member Secretary MDDLTFC)

Copy to: -

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2. Director, Geology & Mining Department JKUT for kind information please.

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch



JAMMU & KASHMIR GOVT.  
**RECEIPT FORM**

**FORM F. C. 1**  
(See rule 2.4)

RECEIPT FOR THE PAYMENT TO GOVERNMENT

Place Susankote

Receipt No. A-7451204

Date 04 08 2025

Office/Division DMO Poonch

Received from M/s Ghulam Nabi Mir Stone

with letter No. Crusher (Mangar)

Rs. 261250/- (Rupees Two Lacs Sixty One Thousand Two Hundred & Fifty)

in cash/by cheque on account of Costs Royalty of

950 MT RBM dumped material

G. Total 261250/- 2% Tax

Accountant B 266475/- Signature \_\_\_\_\_ Designation \_\_\_\_\_

Note 1. This receipt is non-transferable.  
Note 2. No application for refund will be entertained without the production of the receipt and its delivery on return of the money as executed with a satisfactory bond of indemnity.

**District Mineral Officer**  
**Geology and Mining Deptt.**  
**Poonch**

**District Mineral Officer**  
**Geology and Mining Deptt.**  
**Poonch**

RCPI-347/22 10,000 bks. of 100 lvs.



JAMMU & KASHMIR GOVT.  
**RECEIPT FORM**

**FORM F. C. 1**  
(See rule 2.4)

RECEIPT FOR THE PAYMENT TO GOVERNMENT

Place Surankote

Receipt No. A-7451201

Date 22 07 2025

Office/Division DMO Poonch

Received from M/S Bharat Stone Crusher.

with letter No. \_\_\_\_\_ Dated 22/07/2025

Rs. 171875/- Rupees One lac Seventy One thousand Eight hundred Seventy five  
in cash/by cheque on account of Cost + Royalty of 62500

RBM (Dumped).

CGPJ-347/22 10,000 bks. of 100 INR.

Amount :- 171075/- Tax

Signature \_\_\_\_\_

3438

Accountant

[Signature]  
Designation District Mineral Officer  
Geology and Mining Deptt.  
Poonch

Note 1.-This receipt is not transferable.  
Note 2.-No application for refund will be entertained without the production of this receipt and its delivery on return of the money as executed of satisfactory bond of indemnity.

li. Total 171075/-

[Signature]  
District Mineral Officer  
Geology and Mining Deptt  
Poonch



JAMMU & KASHMIR GOVT.  
**RECEIPT FORM**

**FORM F. C. 1**  
(See rule 2.4)

RECEIPT FOR THE PAYMENT TO GOVERNMENT

Place Swarankote

Receipt No. A-7451221

Date 20 08 2025

Office/Division DMO Poonch.

Received from M/S Bharal Stone Crusher.

with letter No. \_\_\_\_\_ Dated \_\_\_\_\_

Rs. 171875/- Rupees one Lac seventy one thousand  
Eight hundred seventy five only.  
in cash/by cheque on account of Cost + Royalty of  
625MT RBM Dumped.

FGPJ-347/22 10,000 bks. of 100 lvs.

Rs = 171875 Cashier  
+ 3438 Tax @ 2%  
175313 = 00 Accountant

Signature [Signature]  
Designation District Mineral Officer  
Geology and Mining Deptt.  
Poonch

Note 1.-This receipt is not transferable.  
Note 2.-No application for refund will be entertained without the production of the receipt and its delivery on return of the money as executed of satisfactory bond of indemnity.

[Signature]  
District Mineral Officer  
Geology and Mining Deptt.  
Poonch



JAMMU & KASHMIR GOVT.  
**RECEIPT FORM**

**FORM F. C. 1**  
(See rule 2.4)

RECEIPT FOR THE PAYMENT TO GOVERNMENT

Place Surankote

Receipt No. A-7451205

Date 06 08 2025

Office/Division DMO Poonch

Received from M/S Masood Stone Crusher.

with letter No. \_\_\_\_\_ Dated 06/08/25

Rs. 137500/- Rupees One Lac Thirty Seven thousand five hundred only.

in cash/by cheque on account of C+R of 500MT of Dumped RBM.

RGPJ-347/22 10000 lks. of 100 lvs.

Amount: 137500 + 2% = 2750.00

Signature \_\_\_\_\_

Accountant

Designation \_\_\_\_\_

Note 1. - This receipt is not transferable.

Note 2. - No application for refund will be entertained without the production of the receipt and its delivery on return of the money as evidence of satisfactory bond of indemnity.

Geology and Mining Deptt  
Poonch

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch

	JAMMU & KASHMIR GOVT.	<b>FORM F. C. 1</b>
	<b>RECEIPT FORM</b>	(See rule 2.4)
RECEIPT FOR THE PAYMENT TO GOVERNMENT		
		Place <u>Suraunkote.</u>
Receipt No. <b>A-</b> <u>7447088</u>	Date	<u>29</u> / <u>01</u> / <u>2025</u>
Office/Division	<u>D M O Poonch.</u>	
Received from	<u>M/S MY Stone crusher</u>	
with letter No.	Dated <u>29-01-2025</u>	
Rs. <u>41250/-</u> (Rupees <u>Forty one thousand two hundred</u> <u>fifty only.</u> )		
in cash/by cheque on account of <u>Cost + Royalty of</u> <u>150MT RBM Dumped.</u>		
Cashier	Signature	<u>[Signature]</u>
Accountant	Designation	<u>District Mineral Officer</u> <u>Geology and Mining Dept.</u> <u>Poonch</u>
<p>Note 1.—This receipt is not transferable.</p> <p>Note 2.—No application for refund will be entertained without the production of the receipt and its delivery on return of the money as executed of satisfactory bond of indemnity.</p>		

RGPJ-347/22 10,000 bks. of 100 Ivs.

Amount:- 41250  
 @ 2% tax:- 825  
 Total:- 42075

[Signature]  
 District Mineral Officer  
 Geology and Mining Deptt.  
 Poonch

EXTRAORDINARY

REGD. NO. JK-33



**THE  
JAMMU AND KASHMIR OFFICIAL GAZETTE**

Vol. 133] Jammu, Tue., the 23rd Feb., 2021/4th Phal., 1942. [No. 47-f

Separate paging is given to this part in order that it may be filed as a  
separate compilation

**PART III**

**Laws, Regulations and Rules passed thereunder.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF MINING

Notification

Jammu, the 23rd of February, 2021.

SO-60.—In exercise of the powers conferred by section 15 and section 23C of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act No. 67 of 1957), the Government of Jammu and Kashmir hereby makes the following rules, namely :—

1. **Short title, extent and commencement.**—(1) These rules may be called the Jammu and Kashmir Stone Crushers/Hot and Wet Mixing Plants Regulation Rules, 2021.

  
District Mineral Officer  
Geology and Mining Deptt.  
Poonch

2 The J&K Official Gazette, 23rd Feb., 2021/4th Phal., 1942. [No. 47-f

(2) They shall extend to whole of the Union Territory of Jammu and Kashmir.

(3) They shall come into force from the date of publication in the Official Gazette.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

- (i) “**Act**” means the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957) ;
- (ii) “**Government**” means the Government of Union Territory of Jammu and Kashmir ;
- (iii) “**Minor Mineral**” means the minerals as defined in the section 3(e) of the Act ;
- (iv) “**Mineral Concessions**” means a mining lease, mining license, quarry license, short term permit and disposable permit in respect of minor mineral permitting the mining of minor mineral in accordance with the Jammu and Kashmir Minor Mineral (Concession, Storage, Transportation of Minerals and Prevention of Illegal Minings) Rules, 2016 ;
- (v) “**Stone Crusher Unit/Hot and Wet Mixing plant**” means the industrial units/plants/crushers installed or established for the processing of the Minor Minerals into value added/ finished products ;
- (vi) “**Processing**” means all physical processes such as grading, washing, crushing, pulverization, calcinations, powdering, cutting and polishing of Minor Minerals ; and
- (vii) “**Processor**” means a unit/plant/crusher holder involved in processing, value addition and sale of Minor Minerals under these rules.

Words and expression used but not defined in these rules shall have the meaning respectively assigned to them under the Mines and Minerals (Development and Regulation) Act, 1957 and the Jammu and Kashmir Minor Mineral (Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining) Rules, 2016.

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch

No. 47-f] The J&K Official Gazette, 23rd Feb., 2021/4th Phal., 1942. 3

**3. General Requirements.**—(1) A Stone Crusher/Hot and Wet Mixing Plant is not a mining unit but a processor of minerals obtained from a source with a valid mineral concession. Such units shall be regulated by laws, rules and other provisions applicable to industrial units.

(2) No permission/license would be needed by a Stone Crusher/Hot and Wet Mixing Plant from the Mining Department except where it also engages in mining, which activity shall be regulated by laws/rules applicable to mining.

(3) Stone Crusher/Hot and Wet Mixing Plant shall establish/operate only on securing,—

- (i) Consent to establish/operate from the Jammu and Kashmir Pollution Control Board issued as per the procedure/guidelines and siting criteria prescribed by the Jammu and Kashmir Pollution Control Board ;
- (ii) No Objection Certificate from Deputy Commissioner concerned regarding title verification of land and its usage ; and
- (iii) Registration with the District Industries Centre (DIC) if the unit holder intends to avail any incentives available in the Industrial Policy.

**4. Raw/Processed Minor Minerals.**—Every Stone Crusher/Hot and Wet Mixing Plant established/operating under these rules shall procure minor minerals, for storage and processing in the Unit/Plant/Crusher for conversion to finished goods and sale, from a valid mining concessionaire only under the relevant provisions of Jammu and Kashmir Minor Mineral Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016.

**5. Power of Inspection/Penalties.**—The provisions of the Jammu and Kashmir Minor Mineral Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 shall apply to seizure of Minor Minerals and tools and associated penalties for their illegal procurement, transportation and storage in any Stone Crusher/Hot and Wet Mixing Plant.

**6. Protection of Environment.**—Every Stone Crusher/Hot and Wet Mixing Plant established under these rules shall strictly comply with the provisions of the Environment (Protection) Act, 1986, the Water

  
District Mineral Officer  
Geology and Mining Deptt  
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4 The J&K Official Gazette, 23rd Feb., 2021/4th Phal., 1942. [No. 47-f

(Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, guidelines of the Pollution Control Board and the Ministry of Environment, Forest and Climate Change issued from time to time and other relevant laws/rules.

**7. Fixation of Price and Sale.**— (1) The Deputy Commissioner of the district may from time to time, by notification in the Official Gazette, fix the maximum price of finished product per cubic meter for whole of the district or different areas and different prices may be fixed for different kinds having regard to specific gravity, size, compressive strength colour and end use. While fixing such price per cubic meter for a minor mineral all relevant cost factors would be taken into account.

(2) No processor shall sell or offer/cause to sell or otherwise dispose of, to any person finished goods for a price or at a rate exceeding the maximum selling fixed under rule 7(1).

(3) Every consignment of finished goods shall invariably be accompanied by a valid sale bill indicating the quality, price and tax charges.

(4) No processor shall refuse to sell the goods to any person if he is holding the stock for such sale. Such refusal by the above unit holder or dealers shall constitute an offence under relevant provisions of law in force.

(5) Each processor shall maintain all records/accounts of the minor minerals procured, processed and supplied to further destinations and submit monthly returns.

(6) Any processor who contravenes the provisions of these rules shall be liable to pay penalty as per the provisions of the Act.

**8. Delegation of powers.**— The Government may, by notification in the Official Gazette, direct that any or all the powers exercisable by it under these rules may in relation to such matter and subject to such conditions, if any, as may be specified in such notification, be exercisable also by such officers or authority subordinate to the Government :

Provided that powers already delegated under Rule 84 of the Jammu and Kashmir Minor Mineral Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 shall also be exercised by such officers under these rules.

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch

**9. Conformity to other statutory provisions and court directions.**— Notwithstanding anything contained in these rules, the processor shall abide by the applicable Acts and rules or any modification/amendments made under such Acts and rules from time to time, any guidelines of Jammu and Kashmir Pollution Control Board and the Central Pollution Control Board.

**10. Units existing prior to the commencement of the Jammu and Kashmir Minor Mineral Exploitation and Processing Rules, 2017.**—Notwithstanding anything contained in these rules, an unlicensed Crusher Unit/Hot and Wet Mixing Plant existing before the commencement of the Jammu and Kashmir Minor Mineral Exploitation and Processing Rules, 2017 having valid consent to operate from the Jammu and Kashmir Pollution Control Board shall be allowed to operate. However, after expiry of consent to operate, it shall have to obtain fresh permission as per Rule 3(3)(ii) as one time requirement.

**11. Repeal and savings.**—(1) The Jammu and Kashmir Minor Mineral Exploitation and Processing Rules, 2017 issued vide Notification SRO-302 of 2017 dated 19-07-2017 shall stand repealed.

(2) Notwithstanding such repeal, nothing in these rules shall affect validity, effect of consequence of anything done or suffer to be done under the said law, rule or order before the date on which these rules come into force.

By order of the Lieutenant Governor.

(Sd.) MANOJ K. DWIVEDI, IAS,  
Commissioner/Secretary to the Government.

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch



GOVERNMENT OF JAMMU AND KASHMIR,  
GENERAL ADMINISTRATION DEPARTMENT,  
Civil Secretariat, Srinagar.

Subject:- Constitution of "Multi Departmental District Level Task Force Cell" in Geology & Mining Department.

Reference: UO No.IND/MNG/70/09 dated 28.09.2018 from Industries & Commerce Department.

**Government Order No. 1569-GAD of 2018**  
**Dated: 22.10.2018**

Sanction is hereby accorded to the constitution of "Multi Departmental District Level Task Force Cell" in Geology & Mining Department, comprising the following:-

1	Deputy Commissioner (concerned).	Chairman
2	Superintendent of Police (concerned).	Member
3	Assistant Commissioner, Revenue (concerned).	Member
4	Executive Engineer, I&FC Department (concerned).	Member
5	Divisional Forest Officer (concerned).	Member
6	Mineral Officer, Geology & Mining Department (concerned).	Member
7	District Mineral Officer (concerned).	Member Secretary

The mandate and term of reference of the Cell shall be to:-

- i. identify sites located beyond the boundaries of leaseholds and agencies involved in illegal mining activities;
- ii. quantify material extracted on account of illegal mining and imposition of penalties including cost material, royalty and its recovery thereof;
- iii. refer such illegal mining activities to the Director, Geology & Mining Department empowered for such purpose in accordance with rules compounding of offence;
- iv. case the offender does not attend to the Directorate of Geology & Mining for compounding of offence, such matters shall be referred to judicial authorities in consultation with the Cell;
- v. inspect mining belts with respect to title of land, status of mining pits/benches with regard to existence of flora and fauna including forestation etc. and examining the issues

*[Handwritten initials]*

*[Handwritten signature]*  
District Mineral Officer  
Geology and Mining Deptt.  
Poonch

- related to safety besides, safeguarding Ecology and Geo-environment and highlighting the area of immediate concern and remedial measures thereof;
- vi. identify sites where e-auction of material in nallah beds, quarry belts is to be undertaken;
  - vii. evaluate price/sale of mineral at Pit head, cost of transportation to its destination;
  - viii. check whether extraction of major mineral is permitted under the garb of minor mineral;
  - ix. check whether the labour working in the mines is exploited by owners in respect of wages, facilities. In such a case, the labour laws and mines regulation shall be a guiding factor;
  - x. prevent illegal miners /forest contractors from violating rules of Geology & Mining Department;
  - xi. submit the annual progress reports of study and analysis together with its recommendations to the Industries & Commerce Department;
  - xii. enforce provisions of SRO-105 dated 31.03.2016 and SRO-302 dated 19.07.2017; and
  - xiii. chairman of this committee may constitute sub-committee in the matter, if it is found necessary to enforce the TOR in more effective manner.

By order of the Government of Jammu and Kashmir.

**Sd/-**

(Hilal Ahmad) IAS,

Commissioner/Secretary to the Government.

Dated: 22.10.2018.

No. GAD(Adm)148/2012-IV

Copy to the:

1. **Principal Secretary to the Government, Industries & Commerce Department. His UO file is also returned herewith.**
2. Principal Chief Conservator of Forest, J&K.
3. Director, Geology & Mining Department, J&K.
4. Chief Engineer, I&FC Department, Jammu/Kashmir.
5. All Deputy Commissioners.
6. Director, Archives, Archaeology and Museums, J&K.
7. OSD/Spl. Assistant to Advisor (V), (K) and (G) to the Hon'ble Governor.
8. All Assistant Commissioners (Revenue).
9. Private Secretary to the Chief Secretary.
10. Private Secretary to the Commissioner/Secretary to the Government, GAD.
11. Government Order file/Stock file GAD website.

  
(Chander Parkash),

Deputy Secretary to the Government.

22/10

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch

**Before the National Green Tribunal Principal Bench, New Delhi****O.A No. 653/2024****In the case of:**

Yassar Farooq Khan

(Applicant)

V/s

Union Territory of J&amp;K and others

(Respondents)

**In the matter of:-**

Affidavit in support of Reply/Response.

I, Rahul Deval, Age 32 years presently posted as I/c District Mineral Officer, Poonch do hereby solemnly declare and affirm on oath that I have read the contents of factual matrix and para-wise reply from Para 01 to 07 which are true and correct to the best of my knowledge and belief and also are true and correct on the basis of information available on the records.

**Verification:**

Verified on this 18th day of August, 2025, that the averments made hereinabove are true and correct to the best of my knowledge and nothing has been concealed therein.

Deponent

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch

Deponent

  
District Mineral Officer  
Geology and Mining Deptt  
Poonch