

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

224

Original Application No.826/2024

**In the case of:**

News Item titled "*Pillars of Ravi-Tawi Canal Bridge and Railway Bridge exposed after mining in Basantar river in Samba*" appearing in Daily Excelsior dated 02.06.2024

**In the matter of:** Response on behalf of Respondent No. 06.

**May it please be your Honor,**

The Reply/response is mostly respectfully submitted as under;

1. The answering Respondent has the highest respect for this Hon'ble Tribunal and is committed to protection of the environment and strict enforcement of all statutory provisions governing minor mineral extraction.
2. That the Hon'ble Tribunal passed an order dated 16.07.2024 wherein answering respondent was impleaded as party respondent in the instant matter. The newspaper report, on the basis of which the present suo-motu proceedings have been initiated, primarily relates to the districts of Kathua and Samba. However, since District Ganderbal has been impleaded as Respondent No. 6, the answering Respondent has taken immediate steps to ascertain the factual position, so as to place the correct and complete facts before this Hon'ble Tribunal.
3. That upon receipt of the aforesaid order, the answering Respondent took up the matter with the concerned Department i.e Geology & Mining, District Ganderbal and sought a detailed report on the status of minor mineral extraction, any instances of illegal mining, and compliance with the Sustainable Sand Mining Guidelines, 2016, as well as the Environment (Protection) Act, 1986. The Department has furnished a comprehensive report based on available records and field inspections.
4. That as per the report submitted by the Department of Geology & Mining, it is acknowledged that while sporadic instances of illegal mining may occur due to factors such as difficult terrain, night-time operations by violators, manpower constraints and high demand for minor minerals, the District Administration and the

  
DEPUTY COMMISSIONER  
Ganderbal

concerned departments are making continuous and concerted efforts to curb such activities in letter and spirit.

5. That District Ganderbal presently has only two e-auctioned minor mineral leases, and all lawful mining operations are strictly confined within sanctioned blocks. No mining activity is permitted outside leased areas or in prohibited zones.
6. That to ensure strict compliance to illegal mining regular day and night patrolling, surprise inspections, seizure of vehicles involved in illegal mining or transportation, dismantling of illegal ramps and approach roads, and issuance of strict instructions to field staff are carried out with the active assistance of the Police Department and other allied departments. Vehicles involved in illegal mining and transportation are routinely seized and released only after due compounding of offences and recovery of penalties under the Jammu and Kashmir Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016, with FIRs lodged wherever warranted.
7. That the enforcement data (mentioned below) furnished by the Department demonstrates sustained action over the years, including seizures, imposition of penalties, and registration of FIRs, reflecting the continued commitment of the District Administration towards checking illegal mining and safeguarding riverine ecosystems.

Financial Year	No. of seizure	Penalty Imposed (₹)	No. of FIRs Registered
2022-23	329	51,64,255.00	20
2023-24	348	55,96,809.00	28
2024-25	305	53,20,167.00	72
2025-26 Upto December, 2025	209	34,80,594.00	26

8. That mining within prescribed buffer zones of bridges and other engineering structures is strictly prohibited throughout the district and rigorously enforced in coordination with the Irrigation and Flood Control Department. As on date, no bridge in Block No. 04 and Block No. 08 has suffered visible damage. While certain bridges near Arch Village (Block No. 04) and

2/11

DEPUTY COMMISSIONER  
Ganderbal

Wussan Village (Block No. 08) are considered vulnerable, extraction permissions are issued only beyond the prescribed minimum distance of 500 metres from bridges, in accordance with the Sand Mining Guidelines.

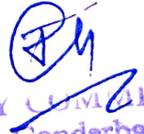
9. That no soil from Kachharai (grazing) land is permitted to be extracted or sold illegally. All disposal permissions are granted only after fulfillment of statutory requirements, including mandatory No Objection Certificates, and in accordance with applicable mining and environmental regulations.
10. That material permitted for disposal is primarily utilized for approved public infrastructure and developmental projects of vital importance, and environmental safeguards are fully observed to ensure that ecologically sensitive areas, including grazing lands, are not adversely affected.
11. That to protect riverine ecology, plantation and greenery development in buffer zones of rivers and nallahs is being carried out as per Environmental Clearance conditions, supported by geo-tagged photographic evidence.
12. That surprise inspections are regularly conducted at vital locations to check overloading and other violations. Disposal permits require adherence to authorized carrying capacity and proper covering of material with tarpaulin.
13. That the Department has shifted from volumetric to weight-based measurement (metric tonnes), significantly strengthening monitoring, improving accuracy, and enhancing control over overloading and unauthorized transportation of mineral material.
14. That strict adherence to the Sustainable Sand Mining Guidelines, 2016 and the provisions of the Environment (Protection) Act, 1986 is being ensured, and any reported discrepancies are promptly examined through field verification and addressed through appropriate corrective and regulatory measures. At certain locations, variations in riverbed depth and bank configuration may appear due to natural factors such as flash floods and redistribution of riverbed material, and are not attributable to intentional or systematic deviation from approved mining parameters.
15. It is submitted that in order to effectively curb and prevent illegal mining activities, the District Administration Ganderbal has

  
DEPUTY COMMISSIONER  
Ganderbal

constituted a District Level Quick Response Team (QRT) vide Order No. 128/DCG of 2025 dated 31.12.2025, pursuant to the guidelines issued by the Principal Secretary, Mining Department, J&K. The said QRT, headed by the District Mineral Officer and comprising representatives of the Revenue, Police, I&FC, ARTO and District Informatics Office, has been mandated to identify and take action against illegal mining beyond leasehold areas, quantify illegally extracted material, impose penalties including recovery of royalty and cost, refer matters for compounding or judicial action, inspect mining belts with respect to ecological safeguards, prevent environmental degradation, and ensure strict enforcement of applicable mining and environmental laws.

16. That it is respectfully submitted that there has been no laxity, willful negligence, or inaction on the part of the answering Respondent no. 06. On the contrary, sustained, coordinated, and multi-pronged enforcement measures are being undertaken to effectively check illegal mining activities and to protect the environment.
17. That, the response is supported by duly sworn affidavit.

In view of the foregoing, it is most respectfully prayed that the present response/reply may kindly be taken on record on behalf of the answering Respondent No. 06 in the instant matter.

  
DEPUTY COMMISSIONER  
Ganderbal  
Answering Respondent No.06  
Through Ld. Counsel



**Government of Jammu & Kashmir**  
**OFFICE OF THE DEPUTY COMMISSIONER GANDERBAL**  
**(MINI SECRETARIAT, DUDERHAMA)**

**Sh.Gautam Singh, Advocate**  
**Supreme Court of India,**  
**Chamber No.71, Supreme Court of India,**  
**New Delhi-110201**  
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No. DCG/ADC-PS/2026/87

Dated: - 02-02-2026

**In the matter of:-** Reply/Response on behalf of Deputy Commissioner, Ganderbal (Respondent No.6) in compliance to Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated 16.07.2024 passed in O.A No. 826 of 2024 titled Pillars of Ravi-Tawi Canal Bridge and Railway Bridge exposed after mining in Basantar River in Samba.

Sir,

Pursuant to the matter titled above, I am directed to enclose herewith the Reply/Response on behalf of Deputy Commissioner, Ganderbal(Respondent No.6) duly signed with a request that the same be filed before the Hon'ble National Green Tribunal, New Delhi well before the date of hearing viz;06.02.2026 so as to avoid any adverse orders from the Hon'ble Tribunal.

**Yours Faithfully**

**Encl:-A/A**

*Salahuddin*  
 02/02/26  
 Dr S. Salahu Ud Din (JKAS)  
**Assistant Commissioner (Revenue)**  
**Ganderbal**

Copy to:-

1. Commissioner/Secretary to Govt. Department of Forest, Ecology & Environment, Civil Secretariat, J&K for favour of information.
2. Secretary to Govt. Department of Law, Justice and Parliamentary Affairs, J&K for favour of information.
3. Member Secretary, JK Pollution Control Committee, Jammu for favour of information.
4. District Mineral Officer, Ganderbal for information.
5. PA to Deputy Commissioner, Ganderbal for information of the chair.