

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 114/2025

Sushil Kumar

**.....Applicant**

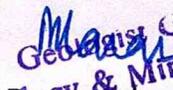
Versus

Union Territory of Jammu & Kashmir & Ors.

**..... Respondent(s)**

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 Geologist Grade-I,  
 Geology & Mining Deptt.  
 On behalf of Respondents No. 3&4  
 Dr. Rajinder Singh Rana,  
 Geologist Grade-Ist,  
 Directorate of Geology & Mining, Jammu

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 114/2025

Sushil Kumar

.....Applicant

Versus

Union Territory of Jammu & Kashmir & Ors.

..... Respondent(s)

**In the matter of:**

**Reply on behalf of Respondent No. 3 &  
4 to the Original Application.**

Most Respectfully showeth as under:

1. That prior to 2016, the Minor Minerals like sand, bajri, clay, masonry stone, etc., were regulated through J&K Minor Minerals Rules, 1962 issued vide SRO 58 of 1962 dated 10.04.1962 for grant of Short-Term Quarry Permits, Royalty Collection Contracts and mining leases in respect of minor minerals.
2. That In the year 2012, the Hon'ble Apex Court in case titled Deepak Kumar V/s State of Haryana, wherein, all the State Governments and Union Territories were directed to frame Rules in light of the guidelines issued /passed in the judgment itself, the State of Jammu and Kashmir now UT of J&K with a view to bring the scheme of Mines and Minerals within the ambit of the directions of the Hon'ble Apex Court and in exercise of the powers conferred under section 15 read with section 23-C of the Mines and Minerals (Development and Regulations) Act, 1957 thus reframed the rules called "The Jammu and Kashmir Minor Mineral

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Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining" Rules, 2016 notified vide SRO 105 of 2016" regulating the grant of various forms of Minerals Concession in respect of Minor Minerals and storage, transportation of mineral and prevention of illegal mining in the State now UT of J & K.

3. That under the provision of above-said rules, Mineral Concessions viz; Mining Leases/ Quarry Licenses/Short Term Permits/Disposal Permits are granted.
4. In case of Mining Leases and Quarry license, the department is granting Mineral concessions through e-auction mode only where the minerals are deposited in the State Land. However, where the minerals are not deposited in the State land, permission shall be granted to the owner of the (Private Land) or his authorized representative for mining/extraction only after fulfilling the criteria provided under the provisions of these rules. The Rule-27 of SRO-105 of 2016 provides that : -"27. Procedure for grant of Mining lease: Any minor mineral deposits may be Procedure for grant of Mining lease: Any minor mineral deposits may be granted for a mining lease by the Government for a period not less than 05 years but not exceeding 15 years depending upon the nature of the mineral deposit: Provided that where minerals are deposited in the State land, the lease shall be granted after following an "e-auction" process as provided under Chapter-VI of these rules excluding:

Provided also that where the minerals are not deposited in the State land, permission shall be granted to the owner of the (Private Land) or his authorized representative for mining/extraction only after fulfilling the criteria provided under the provisions of these rules-

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- (i) the quarry areas ancestrally occupied and certified by the revenue authorities in this regard; and
- (ii) areas earmarked for operation by such public sector undertaking as the Government may direct:

Provided further that Director shall constitute one or more Committees for identification of minor mineral blocks having an area not less than 05 hectares but not more than 10 hectares

which shall be put to "e-auction" after approval from the competent authority.

Provided also that no Minor Mineral Block shall be put to e-auction without having secured NOCs from the Stakeholding departments as may be prescribed by the department of Mining/Department of Environment, Ecology and Remote sensing".

5. In compliance to said rules namely "The Jammu and Kashmir Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining" Rules, 2016 notified vide SRO 105 of 2016" during the year, 2019-20 to till date, the Department has identified/carved out about 417 Mineral Blocks in the UT of J&K.

Thereafter the Department obtained Approval from the Government in terms of Reserve Price/auction of the blocks and as per Rule-53 of SRO-105 of 2016 dated 31.03.2016, the District Level Auction Committee comprising of following Officers:

1. Dy. Commissioner concerned or an Officer authorized by him not below the rank of Additional Deputy Commissioner (Chairman)
2. Superintending Engineer(R&B) or an officer authorized by him not below the rank of Executive Engineer (Member)
3. District Treasury Officer (Member)
4. Executive Engineer (I&FC) (Member)
5. Officer of the Department not below the rank of Deputy Director/Mining Engineer (Member)
6. Officer Incharge of the Department of the concerned District (Member Secretary)

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Conducted the e-auction of these Blocks in transparent manner through online mode to promote healthy competition among the bidders participate from every nook of the country.

On the recommendations of concerned Deputy Commissioners, the Letter of Intents (Lols) were issued under Rule 55(9) of SRO-105 dated 31.03.2016 with the direction to submit to submit: -

1. NOCs of concerned Stakeholder Departments including the Revenue, Irrigation & Flood Control, Fisheries, Forest etc. under Single Window System.
2. Mining Plan approved from the Competent Authority headed by Deputy Commissioner, concerned.
3. Environmental Clearances issued by the J&K Environment Impact Assessment Authority (JKEIAA/DEIAA).
4. Consent to Operate issued from the J&K Pollution Control Board/Committee etc.,

On fulfilment of the above said requisite formalities by the successful bidders the Department has granted 202 Mining Leases in favour of the successful highest bidders for providing key construction material to various UT/National Importance projects and general masses etc.

In case of Limestone (Major Mineral): In case of Mineral Limestone, before 2015, the Government of J&K has granted 36 Mining Lease on First Cum First Serve basis. However, during the year 2015, the Ministry of Mines, Gol has issued "**The MINERAL AUCTION RULES, 2015**", "**The Minerals (EVIDENCE OF MINERAL CONTENTS) RULES, 2015**" and "**THE MINERALS (OTHER THAN ATOMIC AND HYDRO CARBONS ENERGY MINERALS CONCESSION RULES, 2016**" whereunder, the process of e-auction of Limestone is described in detail. The present status of Limestone is as under: -

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- The J&K Government has submitted Seven (07) Limestone Blocks (03 in Rajouri, 01 in Poonch and 03 in Anantnag Districts) to Ministry of Mines, Gol for conducting of e-auction vide letter No. GM-MNG/159/2024-02, dated 29.07.2024.
- The Ministry of Mines, Gol has agreed to conduct e-Auction of Five (05) Limestone Blocks for grant of Composite License/Mining lease on behalf of J&K, UT Government in first phase.

**Parawise Reply:-**

1-3) That the contents of paras 1 to 3 are matter of record, hence needs no reply. However, anything contrary to the records is vehemently denied.

4) (i) That in reply to the contents of Para 4(1) it is submitted that, the Department has granted Short Term Permit (STP)/Disposal Permit (DP) for Government works of emergent nature for public interest Strictly under the provision of "The Jammu and Kashmir Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining" Rules, 2016 notified vide SRO 105 of 2016.

4 (II) That in reply to the contents of Para 4(ii) it is submitted that, the Department has granted STPs/DPs in favour of M/s Shivalaya Constructions Pvt. Ltd., M/s Megha Engineering and infrastructure Ltd., M/S Vishwa Samundra Engineering Pvt. Ltd., M/S Gawar Constructions Ltd., and M/s APCO Infratech Pvt. Ltd. strictly as per the provisions provided in SRO-105 of 2016 relevant rules are reproduced as under:-

**Rule-56 of SRO-105 states that:**(1) Short Term Permit or disposal permit shall be granted for –

- (i) disposal of minor minerals encountered in the process of construction of tunnels, canals, roads, bridges, buildings etc;
- (ii) disposal of minor minerals excavated during the process of construction, maintenance and operation of the tunnels, canals, roads, drainage system by Government Departments;
- (iii) Government works of emergent nature for public interest;
- (v) an area less than one hectares and not covered under any other mineral concession granted system by Government Departments; under these rules for the excavation of specified quantity of minor minerals for a specified period on advance payment of royalty and guarantee amount. However, disposal permit may be given on an area exceeding one hectare.
- vi) Short Term Permit, upto One (01) hectare shall be granted only to the resident of Jammu and Kashmir. However, in case of Government works and emergent nature works, the Short Term Permit shall be granted to the Central/State Government institution such as BRO, NHAI, CPWD, JKPCCE etc.

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Provided that in emergent situation, the Administrative Secretary, Mining Department in the interest of Major Development projects of Indian Railways, National Highway Authority of India (NHAI) and Airports Authority of India (AAI), including their subsidiary companies such as IRCON, KRCL and NHIDCL, subject to statutory clearances including environment safeguards, may granted short term permit to their principal Executing agencies based on the certification of the Concerned authorities upto 30.06.2025.

(2) The following shall be the authorities for grant of short term or disposal permit under these rules.-

- (i) Officer In charge of the District concerned for minor minerals upto 5000 tonnes;
- (ii) Joint Director/Dy. Director/Mining Engineer of the Department for minor minerals above 5,000 upto 50,000 tonnes; and
- (iii) Director for minor minerals above 50,000 tonnes.

(3) Short Term Permit or Disposal Permit may be granted for a specified period not exceeding three months at one time for a specified quantity only.

4 (III) That in reply to the contents of Para 4(iii) it is submitted that, the Department is granting Disposal Permits (DPs) of already excavated/dredged out material to the executing agencies strictly in terms of SRO-105 of 2016 and in light of Minutes of Meeting chaired by Principal Secretary PW(R&B), Department on 27.12.2023 issued vide No. PWD-PLNG/52/2022-05 dated 01.01.2024 wherein it was directed:

X. Chief Engineer I&FC Jammu shared list of 20 locations (list enclosed) in seasonal nallahs/ rivulets of Kathua, Samba and Jammu districts where accumulation of about 2 crore MT river bed material (RBM) has taken place. He was advised to share the details of RBM locations with Divisional Commissioner Jammu along with NOC of the Department, under intimation to Administrative Secretaries JSD and PWD, for its dredging in a time bound manner and utilization for ongoing NH projects.

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XI. Divisional Commissioner, Jammu was advised to authorize RO NHAI to dredge out the required quantity through DCs in scientific manner keeping in view its requirement for the project period. NHAI shall subsequently apply with Geology & Mining Department for disposal permit and initiate extraction of RBM.

XII. NHAI shall ensure removal of the material from nallah sites by June 2024 for requirement till September 2024, before the onset of monsoon rains. In the month of May 2024, CE I&FC shall conduct survey of the identified extraction sites, and in case dredged material is found stacked near the nallah sites, NHAI shall necessarily remove it by 15th June 2024 and in case NHAI fails to remove the dredged material. Penalty equivalent to four times the amount of royalty charges shall be imposed on it.

XIII. In order to ensure accountability, it was decided that NHAI shall use GPS vehicle tracking devices on transportation vehicles for monitoring mineral utilization for bona fide purposes. While submitting requisition for the RBM blocks, list of vehicles to be used for transportation be enclosed with the application by the NHAI concessionaires, which shall be authorized by the Mining department while issuing disposal permission within 7 days from the date of application received.

Copy of the Minutes of Meeting is annexed herewith for perusal and marked as **Annexure-I**.

**4(IV)** That in reply to the contents of Para 4(v), it is submitted that, the Department has already taken action Under section 21 (4) & (5) of MMD&R Act and rules made their under against the Persons/Firms/Machinery involved in illegal Mining.

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Year	No. of Vehicles/ Machineries seized	Penalty amount realized in Lakhs
2018-19	944	139.63
2019-20	1892	305.48
2020-21	5353	952.98
2021-22	6131	1675.34
2022-23	6909	1634.00
2023-24	7018	1919.85
2024-25	6219	1679.73

Besides, the Government/Department is taking the following steps to curb the menace of illegal extraction and transportation of minerals in the UT of J&K as and when reported: -

1. 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.
2. 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.
3. 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.
4. 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.
5. The Department through BISAG is developing Mine Surveillance System for Minor Minerals, being automatic software leveraging image processing technology which

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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.

6. 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.
7. 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.

4(V) That the contents of para 4(v) does not pertain to the answering respondents.

4 (VI to XIII) That the contents of paras 4(vi to xiii) are matter of record, hence needs no reply. However, anything contrary to the records is vehemently denied.

4(XIV) That in reply to the contents of Para 4(xiv) it is submitted that, the department is granting disposal permit for already excavated material for Government works of emergent nature for public interest as per rules provided in 56 (iii) of SRO-105 of 2016.

### **Reply to Grounds:**

XVI.

- I. That in reply to the contents of ground Para (I) it is submitted that the department has granted Mining Leases in case of River Bed Material (RBM) after completing all the codal formalities including Environment Clearances issued from Jammu and Kashmir Environment Impact Assessment Authority (JKEIAA). However, in case of Disposal permit of RBM, the excavation/dredging has been carried out by I&FC department, NHAI, executing agencies and subsequently, monitored by District/Divisional Level Committee(s) constituted by Government vide Govt. Order No. 983-JK (GAD) of 2022 dated 30.08.2022. Thereafter, the department of Geology & Mining has granted permission for lifting and transporting of already excavated material by the executing agencies strictly as per provisions provided in

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- SRO-105 of 2016, and the department has not violated any environmental norm.
- II. That in reply to the contents of ground Para (II) it is submitted that all the concerned departments are complying the directions issued in Minutes of Meeting issued vide No. PWD-PLNG/52/2022-05 dated **01.01.2024** chaired by Principal Secretary PW(R&B), Department on **27.12.2023**.
- III. That in reply to the contents of ground Para (III) it is submitted that detailed submission has been made in the preceding Paras and to avoid repetition may kindly consider the same for this Para also.
- IV. That the contents of ground Paras (IV to IX) are matter of record hence needs no reply. However, anything contrary to the records is vehemently denied.
- V. That in reply to the contents of ground Para (X) it is submitted that the department of Geology & Mining has granted permission only for lifting and transporting of already excavated material strictly as per the provisions provided in SRO-105 of 2016, vide letter No. 1261 /MCC /DGM /Shivalaya /STP/Kth/2022/916-21 dated 12.02.2024.
- VI. That the contents of ground para (XI) does not pertains to the answering respondents.
- VII. That in reply to the contents of ground Para (XII), it is submitted that as per Irrigation and Flood Control Department and District/Divisional Level administration, the purpose of lifting of material is channelization/removal of excess accumulated material from the River. This will help in preventing flooding, improving water flow and ensuring the effective utilization of water resources.
- VIII. That the contents of ground (XIII) do not pertains to the answering respondents.
- IX. That in reply to the contents of ground Paras (XIV and XV) it is submitted that detailed submission has been made in the preceding Paras and to avoid repetition may kindly consider the same for this Para also.
- X. That the contents of ground Paras (XVI & XVII) do not pertains to the answering respondents.
- XI. That I reply to the contents of ground Para (XVIII), it is submitted that the dredging/de-silting permission

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does not pertain to the answering respondents. However, the department has granted 52 No. of Disposal permits to M/sShivalaya Construction Pvt. Ltd. during the year 2023-2024 & 2024-2025 only for lifting and transporting of already excavated material strictly as per provisions provided in SRO-105 of 2016 for captive use for construction of National Importance projects.

XII. That the contents of ground (XIX) do not pertain to the answering respondents.

**An affidavit in support of the reply duly sworn is annexed herewith.**

**PRAYER:**

Keeping in view of the submissions made hereinabove and those to be urged at the time of hearing, it is therefore most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to dismiss the Original Application filed by the applicant against the answering respondents in the interest of Justice and fair play.

Place: Jammu  
Dated : 10-10-2025

*Maram*  
Geology & Mining Dept.  
**On behalf of Respondent No. 3 & 4**  
Dr. Rajinder Singh Rana,  
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Directorate of Geology & Mining, Jammu

**Government of Jammu and Kashmir  
Public Works (R&B) Department  
Civil Secretariat, Srinagar/ Jammu**

**Subject:** Minutes of the meeting chaired by Principal Secretary, PW(R&B) Department on 27.12.2023 to firm up plan for supply of aggregates to NHAI for Delhi-Amritsar-Katra Expressway project.

In pursuance to the directions issued by Chief Secretary, J&K in the meeting held on 23.12.2023, a follow up meeting was taken by Principal Secretary PWD on 27.12.2023 at 5:00 pm in his Office Chamber at Civil Secretariat Jammu to firm up a supply plan in consultation with I&FC and Mining Departments for providing aggregates to NHAI for Delhi-Amritsar-Katra Expressway project in response to Secretary MoRTH letter dated 31.10.2023 and PRAGATI agenda item.

List of participants is annexed.

After detailed discussions with the participants, following course of action was decided for ensuring availability of aggregates in sufficient quantity to NHAI for DAK Expressway project:

1. Chief Engineer I&FC Jammu shared list of 20 locations (list enclosed) in seasonal nallahs/ rivulets of Kathua, Samba and Jammu districts where accumulation of about 2 crore MT river bed material (RBM) has taken place. He was advised to share the details of RBM locations with Divisional Commissioner Jammu along with NOC of the Department, under intimation to Administrative Secretaries JSD and PWD, for its dredging in a time bound manner and utilization for ongoing NH projects.
2. DivCom Jammu was advised to authorize RO NHAI to dredge out the required quantity through DCs in scientific manner keeping in view its requirement for the project period. NHAI shall subsequently apply with Geology & Mining Department for disposal permit and initiate extraction of RBM.
3. NHAI shall ensure removal of the material from nallah sites by June 2024 for requirement till September 2024, before the onset of monsoon rains. In the month of May 2024, CE I&FC shall conduct survey of the identified extraction sites, and in case dredged material is found stacked near the nallah sites, NHAI shall necessarily remove it by 15th June 2024 and in case NHAI fails to remove the dredged material, penalty equivalent to four times the amount of royalty charges shall be imposed on it.

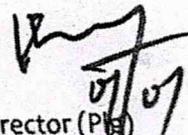
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4. JKPCC has a mining block spread over 9.80 Ha in district Samba with 1.98 lakh MT quantity per annum. MD JKPCC informed that JKPCC will handover site to NHAI within a week and his staff will be there for supervision. RO NHAI was advised to take out the available quantity in next 3 months against payments to JKPCC/ Mining Department.
5. In order to ensure accountability, it was decided that NHAI shall use GPS vehicle tracking devices on transportation vehicles for monitoring mineral utilization for bona fide purposes. While submitting requisition for the RBM blocks, list of vehicles to be used for transportation be enclosed with the application by the NHAI concessionaires, which shall be authorized by the Mining department while issuing disposal permission within 7 days from the date of application received.
6. It was also directed that all concerned departments and HODs shall follow rules and procedures while facilitating dredging and ensuring adequate supply for RBM for projects of national importance.

The meeting ended with a vote of thanks to and from the Chair.

7 This issues with the approval of the competent authority.

  
Joint Director (Plg)  
Public Works (R&B) Department

No. PWD-PLNG/52/2022-05

Dated: 01-01-2024

Copy to the:

1. Administrative Secretary, Mining Department
2. Divisional Commissioner, Jammu
3. Regional Officer, NHAI, J&K Jammu
4. Chief Engineer, Irrigation & Flood Control, Jammu
5. Managing Director, JKPCC
6. Director, Geology & Mining, J&K
7. Deputy Commissioner, Kathua/ Samba/ Jammu
8. PvtSecy to CS J&K for information of worthy Chief Secretary
9. PvtSecy to ACS Jal Shakti Department for information of the ACS
10. PvtSecy to Principal Secretary PWD for Information of the PS

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**Government of Jammu and Kashmir  
Public Works (R&B) Department  
Civil Secretariat, Srinagar/ Jammu**

**Subject:** Record note of the meeting held under the chairmanship of Principal Secretary, PW(R&B) Department on 22.12.2023 regarding issues related to availability of aggregates and earth pertaining to Delhi-Amritsar-Katra Expressway.

A meeting to review issues related to availability of aggregates and earth pertaining to Delhi-Amritsar-Katra Expressway was held under the chairmanship of Principal Secretary, PW(R&B) Department on 22.12.2023 in his Office Chamber, Civil Secretariat Jammu.

List of participants is annexed.

While initiating discussion in the meeting, Regional Officer NHAI informed that for DAK expressway project, there is requirement of about 1 crore MT each of ordinary earth as well as aggregates during next 1 year. As per J&K Mining Rules, only short term permits are granted for mining over areas less than 1 Ha only. Therefore, NHAI agencies have to repeatedly obtain STPs (each of 20-30 thousand tons) to fulfill the huge gross earth requirement. For aggregates, private suppliers are not able to provide the required quantity and due to limited number of operational crushers, demanded rates are higher than the fair market value.

In order to address the issues raised by NHAI and for reducing the gap between demand and supply of construction material for the Expressway project, detailed discussions were held and following decisions taken/ directions issued in the meeting:

- 1) In respect of earth requirement, it was informed that the issue has largely been resolved and NHAI has started receiving earth for the project. It was clarified that earth does not qualify within the definition of minor mineral as per MMRD Act and Rules and STPs are not required, however the Mining Department is required to keep a watch on its excavation, disposal and transportation.

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2) DivCom Jammu informed that title verifications in respect of blocks for which STPs have been granted by the Mining Department, have been expedited. DCs Jammu/ Samba/ Kathua were advised to issue title verifications in respect of DAK expressway STP blocks expeditiously and dispose of within a weeks' time. RO NHAI was also advised to share details of title verifications pending at DC level, if any, with the DivCom on weekly basis so that the same are resolved without delays.

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3) DCs were directed to take action against concessionaires in case any violation of the mining permits and its non-bonafide use is observed. RO NHAJ was also directed that earth cutting should be done in a scientific and safe way and cultivable land not used. If required, orientation sessions on benching method of excavation may be planned by the Mining department for the concessionaires for promoting safe earth cutting. | Mup

4) While submitting requisition for earth or mineral block, list of vehicles to be used for transportation may also be enclosed with the application by the NHAJ concessionaires, which will be used by the Mining department while issuing permission. RO should also use GPS vehicle tracking devices on transportation vehicles for monitoring mineral utilization in an effective manner. | ✓

5) Regarding availability of aggregates, it was informed that existing concessionaires (block holders) are not able to meet the requirement of minor minerals of NHAJ for DAK project. It was also informed that MoEF&CC, Gol is yet to re-constitute J&K Environmental Impact Assessment Authority (JKEIAA) since July 2023, due to which Environment Clearance for mining blocks auctioned by the Mining Department is not being issued/ renewed and blocks not operational. It was informed that 44 blocks (annual capacity of 90 lakh MTs) are held up for want of EC in Jammu and Samba districts for which mining plans are ready. Secretary Mining may seek relaxation from the competent authority, purely in the interest of public and avoiding crisis, for extending ECs of leases of concessioners expired after July 2023 till JKEIAA is reconstituted by MoEF&CC, Gol, if replenishment data is available in consultation with the Forest Department.

6) MoEF&CC has restricted the validity of ECs to two years due to non-completion of Replenishment studies. The Mining Department informed that the studies have been completed and reports completed within one week for submission to MoEF&CC. | Mup ✓

7) It was also informed by the mining department that crushers are available in sufficient numbers and capacity for processing mining material that will be available from the blocks in Jammu, Samba and Kathua districts for which EC is pending. 25 crushers are available in Kathua district, 15 in Samba district and 49 in Jammu crushers as informed by DCs. | DC

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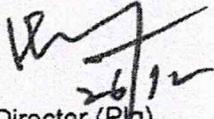
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DC Kathua informed that on average, 80 to 100 tippers deliver minor mineral loads across Lakhanpur every day. It was advised that delivery of minor minerals to neighboring districts outside UT be restricted for a few months, till DAK project requirements are arranged. This will make available about 7.20 lakh MT additional minor mineral for the project in a year. | DC

(16)

- 9) DivCom informed that JKPCC has been allotted mining blocks in district Samba, which has capacity of about 1.98 lakh MT per annum. RO NHAI, MD JKPCC and Director G&M were advised to work out a mechanism for supply of material to NHAI from the JKPCC block.
- 10) Chief Engineer Irrigation & Flood Control Jammu informed that I&FC Department has mapped availability of 112.63 lakh cum minor mineral in various rivers and streams in Jammu, Samba and Kathua districts (20 locations) which can be used to meet requirement of DAK project through dredging process. DCs were advised to hold district level committee meetings on 26<sup>th</sup> or 27<sup>th</sup> December for accord of dredging permission indicating monthly dredging targets. The material will be dredged at the earliest possible time before rains and stacked 100 mtrs away from riverbank. Geology & Mining will dispose of disposal permit applications within 7 days from date of receipt from NHAI.

The meeting ended with a vote of thanks to and from the Chair.

This issues with the approval of the competent authority.

  
26/12  
Joint Director (Plg)  
Public Works (R&B) Department

No. PWD-PLNG/52/2022-05

Dated: 26-12-2023

**Copy to the:**

1. Administrative Secretary, Mining Department
2. Divisional Commissioner, Jammu
3. Regional Officer, NHAI, J&K Jammu
4. Chief Engineer, Irrigation & Flood Control, Jammu
5. Managing Director, JKPCC
6. Director, Geology & Mining, J&K
7. Deputy Commissioner, Kathua/ Samba/ Jammu
8. PvtSecy to CS J&K for information of worthy Chief Secretary
9. PvtSecy to ACS Jal Shakti Department for information of the ACS
10. PvtSecy to Principal Secretary PWD for information of the PS

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*Div Com*

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

**Subject:-Constitution of Divisional and District Level Task Force(s) for taking urgent measures for safety of bridges and removal of accumulated materials.**

Reference:-U.O No.GM-MNG/317/2022-02 from Mining Department.

**Government Order No.983-JK(GAD) of 2022  
Dated:30.08.2022**

Sanction is hereby accorded to constitution of the Divisional and District Level Task Force(s), comprising the following, for taking urgent measures for safety of bridges and removal of accumulated material due to heavy rains, on an urgent basis:-

**A. Divisional Level Task Force(s):-**

1.	Divisional Commissioner, Kashmir/ Jammu	Chairman
2.	Chief Engineer, PW (R&B) Kashmir / Jammu	Member Secretary
3.	Chief Engineer, I&FC Kashmir / Jammu.	Member

**B. District Level Task Force(s):**

1.	Deputy Commissioner Concerned	Chairman
2.	Executive Engineer, PW (R&B), Concerned	Member Secretary
3.	Assistant Commissioner Revenue /Sub-Divisional Magistrate Concerned	Member
4.	Executive Engineer, I&FC, Concerned	Member
5.	District Mineral Officers Concerned	Member
6.	Project Directors of Concerned Executing Agencies.	Member

**Terms of Reference:-**

- A. To examine threat to safety of bridges due to the flash-flood during rainy seasons on account of accumulation of huge loads of river borne material; and
- B. To ensure scientific removal of such material in a time bound manner.

**By order of the Government of Jammu and Kashmir.**

**Sd/-  
(Dr. Piyush Singla) IAS  
Secretary to the Government**

No. GAD-ADM0IV/178/2022-09-GAD

Dated:30.08.2022

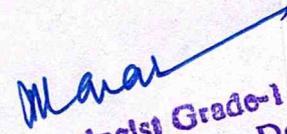
Copy to the:-

1. Principal Secretary to the Government, Public Works (R&B) Department.

*Madan*  
**Geologist Grade-1,  
Geology & Mining Deptt.  
J A M M U.**

2. Principal Secretary to the Hon'ble Lieutenant Governor.
3. Joint Secretary (J&K) Ministry of Home Affairs, Government of India, New Delhi.
4. Divisional Commissioner, Kashmir/Jammu.
5. Secretary to the Government, Mining Department.
6. Deputy Commissioners (All).
7. Private Secretary to the Chief Secretary, J&K.
8. Private Secretary to Advisor (B) to the Lieutenant Governor.
9. Private Secretary to the Secretary to the Government, General Administration Department.
10. Government Order file/Stock file/website, GAD.

  
(Mohit Raina)JKAS  
Under Secretary to the Government

  
Geologist Grade-I,  
Geology & Mining Deptt  
J A M M U.



19

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

*Manan*  
Geologist Grade-1,  
Geology & Mining Deptt.  
J A M M U.

*[Handwritten signature]*

- 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.

*Muan*  
Geologist Grade-I  
Geology & Mining Deptt  
J A M & K

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.

**Sd/-**

(Hilal Ahmad) IAS,  
Commissioner/Secretary to the Government.

Dated: 22.10.2018.

*[Signature]*  
22.10.18  
(Chander Parkash),  
Deputy Secretary to the Government.

*[Signature]*  
22/10

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 114/2025

Sushil Kumar

**.....Applicant**

Versus

Union Territory of Jammu & Kashmir & Ors.

**..... Respondent(s)**

IN THE MATTER OF: AFFIDAVIT IN SUPPORT OF OBJECTIONS

I Dr. Rajinder Singh Rana, presently posted as Geologist Grade-Ist, Geology and Mining Department, Jammu do hereby state on oath/solemn affirmation that I have read the contents of reply of the above titled Original Application and declare that the contents of reply are true and correct as per the records available in the Department and nothing has been concealed therein.

Verification

I solemnly swear/affirm that this affidavit is true and no part of this is false and nothing has been concealed therein.

*Manan*  
DEPONENT  
Geologist Grade-1,  
Geology & Mining Deptt  
JAMMU.

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DEPONENT  
Geologist Grade-1,  
Geology & Mining Deptt  
JAMMU.