

**Jammu and Kashmir
Pollution Control Committee**

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

No: JKPC/NGT/OA 924/2025/ 2142

Date:- 25-02-2025

Sub:- Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 26-07-2024 and 07.11.2024 passed in O.A No. 924/2024 titled: "Sand mafia destroys Jhelum embankment plus thousands at risk" appearing in Daily Excelsior dated 09.07.2024.

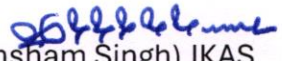
Sir,

In compliance to the directions of Hon'ble National Green Tribunal, Principal Bench, New Delhi order dated **26-07-2024 and 07.11.2024 passed in O.A No. 924/2024 titled: "Sand mafia destroys Jhelum embankment plus thousands at risk"**. The Report of the J&K Pollution Control Committee is submitted herewith.

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

Yours faithfully,

Encl:- As Above


(Ghansham Singh) JKAS
Member Secretary 25.2.25
J&K PCC

Copy to the:-

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

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

Original Application No. **924 of 2024**

IN THE MATTER OF

**"Sand mafia destroys Jhelum
embankment plus thousands at risk".**

Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal, order dated 26-07-2024 and 07.11.2024 passed in. O.A No. 924/2024 titled: "Sand mafia destroys Jhelum embankment plus thousands at risk" appearing in Daily Excelsior dated 09.07.2024.

Background:

That the Hon'ble National Green Tribunal vide Order dated **26-07-2024** in **OA No. 924 of 2024** directed as under:-

- 8. Having regard to the substantial question relating to environment arising out of the implementation of the Scheduled Enactment, we deem it proper to form a joint Committee comprising of the representative of the Member Secretary, J&K PCC; RO, MoEF&CC, Chandigarh and the District Magistrate, Pulwama. The District Magistrate, Pulwama will act as coordinating agency in the Committee. The joint Committee will visit the site, ascertain the correct position, the truthfulness of the facts disclosed in the news item as mentioned above and also suggest the remedial action and submit the action taken report before the Tribunal within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF*

In compliance to the aforesaid order of the Hon'ble NGT, the Deputy Commissioner, Pulwama and Divisional Officer, J&K PCC Pulwama submitted a report to the Hon'ble NGT on 06-11-2024 and the Hon'ble NGT after considering the report of Deputy Commissioner, Pulwama and Divisional Officer, PCC Pulwama vide its order dated **07-11-2024** observed and directed as under:

4. *The above report is only signed by the District Magistrate, Pulwama and Member Secretary, J&K Pollution Control Committee whereas in the joint committee constituted by the Tribunal RO, MoEF&CC, Chandigarh was also a member.*
5. *Learned Senior Counsel for MoEF&CC on instructions has submitted that RO, MoEF&CC was not informed by other members of the joint committee to join for inspection, therefore, he has not signed the report.*
6. *Respondent no.5 was the coordinating agency in the committee. Though notice was issued to respondent no.5-District Magistrate, Pulwama but, no one is present on his behalf.*
7. *Hence, we direct respondent no.5 to remain virtually present on the next date of hearing.*
8. *Respondent no.2- Member Secretary, J&KPCC has sought four weeks' time to file the reply. Prayer is allowed.*

Status Report:

In compliance to the aforesaid orders of the Hon'ble NGT, the matter was again taken up with the Deputy Commissioner Pulwama and also requested the Regional Officer, MoEF&CC for conducting site inspection afresh and furnishing of a report.

Accordingly, the representative of Regional Officer, MoEF&CC, Dr. Khursid Alam Khan, Deputy Director/Scientist 'C' Sub-Office, MoEF&CC, Jammu, third member of the joint committee constituted by the Hon'ble NGT, conducted the site inspection on 19-02-2025 alongwith following officers:

- i. Sh. Bilal Ahmad Khan, Divisional Officer, Pulwama, representative of Member Secretary, J&K Pollution Control Committee (J&KPCC)
- ii. Sh. Malik Asif, JKAS, Tehsildar, Pampore representative of Deputy Commissioner, Pulwama, J&K
- iii. Sh. Manzoor Ahmad, District Mineral Officer, Pulwama, and
- iv. Sh. Sami Ullah, Executive Engineer, Irrigation and Flood Control, Pulwama.

The team of officers alongwith representative of Regional Officer, MoEF&CC have submitted a report which is enclosed herewith **Annexure 1**.

That as per the report of the joint committee that damaged embankment has been reinforced by the Irrigation and Flood Control Department through the installation of Earth filled bags and the offenders excavated soil at the river edge. (**Photographs enclosed**). However, the area has been filled and levelled by the Irrigation and Flood Control Department. During interaction of the visiting team with the villagers of Khankah Bagh, it was confirmed that local administration has successfully stopped all illegal activities.

That as per the documents submitted, a mechanical loader and transporter (L&T) involved in illegal mining at Khankah Bagh site was seized by the Department of Geology and Mining and the vehicle was later released following a payment of fines of Rs. 56,792/- dated 22-07-2024 and FIR has also been lodged at Police Station Pampore against offender Mohd Maqbool Bhat S/o Gh. Qadir Bhat R/O Patal Bagh by the Flood Control Division, Kakpora for engaging in illegal sand mining at Khankah Bagh.

Additionally, several FIRs have been filed at Police Station Awantipora and Pampore against individuals involved in illegal extraction and transportation of sand from Barsoo, Kakapora, Pampore, Banderpora, Lelhara, Patalbagh and Awantipora. Mechanised boats used in the commission of these offences have been seized or capsized and those seize from Charsoo and Awantipora are still in custody. A total of 22.36 lacs have been realized through the compounding of offences of 93 seized vehicles involved in illegal sand extraction from January 2024 to date around the river Jhelum.

Similarly, the J&K Pollution Control Committee had also sought a report from Chief Engineer, Irrigation and Flood Control, Kashmir. The Chief

Engineer, Irrigation & Flood Control Department, Kashmir who have submitted a report vide his No. CE/IFCK/DB/15441 dated 12-12-2024. (copy enclosed as **Annexure 2**).

The Chief Engineer, Irrigation and Flood Control Department, Kashmir has submitted as under:-

1. Erosion of Jhelum Embankments:

Sand extraction is not directly impacting the stability of embankments. However, at certain locations in River Jhelum bed degradation has been observed close to the embankments.

2. Scale of Floods due to Destruction of River Jhelum:

The embankments of Jhelum River continue to provide immunity against floods of low to moderate magnitude. There is no large scale destruction of embankments. However, illegal mining at times does result in some sloughing of embankments or some damage to anti-erosion works which is addressed at regular intervals.

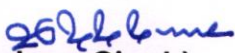
3. Preventive Measures:

Irrigation & Flood Control Department continuously monitors the condition of embankments and conducts yearly safety audits of embankments. Any weak or vulnerable spots are addressed through sage contractors or temporary basis and if need on permanent basis.

The District Administration, Pulwama and other law enforcing agencies as also Geology and Mining and Irrigation & Flood Control Departments have taken corrective measures to remediate the situation and have made some recommendations which are required to be implemented and followed by the concerned law enforcing agencies and stakeholders Departments to prevent such instances in future.

Prayer:

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


(Ghansham Singh)
Member Secretary 25.2.25

Factual Report of the Joint Committee, in the matter of OA No. 924 of 2024; Sand Mafia destroys Jhelum embankment puts thousands at risk” in compliance to the orders of Hon’ble NGT dated 26/07/2024

1. Background:

The matter in Original Application No. 924 of 2024; Sand Mafia destroys Jhelum embankment puts thousands at risk has been registered suo-moto based on a news item appeared in Daily Excelsior dated 09/07/2024. The involved matter concerns the destruction of Jhelum embankment near Khankah Bagh, Pampore in District Pulwama leaving nearly 400 households vulnerable to potential floods risking both their lives and property. The locals reported suspicious movements of heavy vehicles resulting in the destruction of embankment by resorting to illegal sand extraction and despite the efforts put in by the community members, the sand mafia managed to escape. The root cause of such incidents is the unchecked illegal sand mining driven by profit motives, disregarding Environmental Regulations and Community Safety. Acting upon the same, the Hon’ble Tribunal has been pleased to pass the order dated 26/07/2024.

2. Orders of Hon’ble National Green Tribunal:

Hon’ble NGT has observed in the order dated 26/7/2024 that:

Para 08: *Having regard to the substantial question relating to environment arising out of the implementation of the Scheduled Enactment, we deem it proper to form a joint Committee comprising of the representative of the Member Secretary, J&K PCC; RO, MoEF&CC, Chandigarh and the District Magistrate, Pulwama. The District Magistrate, Pulwama will act as coordinating agency in the Committee. The joint Committee will visit the site, ascertain the correct position, the truthfulness of the facts disclosed in the news item as mentioned above and also suggest the remedial action and submit the action taken report before the Tribunal within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.*

In compliance to the aforesaid Hon’ble NGT’s order, a factual report was submitted by the District Magistrate, Pulwama, on behalf of Respondent No. 5 (Annexure 1). However, the representative of the RO, MoEF&CC, was not informed about the site visit. The report was considered by the Hon’ble NGT on 07/11/2024 which had observed and further directed as under: -

4. *The above report is only signed by the District Magistrate, Pulwama and Member Secretary, J&K Pollution Control Committee whereas in the joint committee constituted by the Tribunal RO, MoEF&CC, Chandigarh was also a member.*
5. *Learned Senior Counsel for MoEF&CC on instructions has submitted that RO, MoEF&CC was not informed by other members of the joint committee to join for inspection, therefore, he has not signed the report.*

6. Respondent no.5 was the coordinating agency in the committee. Though notice was issued to respondent no.5-District Magistrate, Pulwama but, no one is present on his behalf.
7. Hence, we direct respondent no.5 to remain virtually present on the next date of hearing.
8. Respondent no.2- Member Secretary, J&KPCC has sought four weeks' time to file the reply. Prayer is allowed.

Accordingly, the Member Secretary, J&K PCC again took up the matter with Deputy Commissioner, Pulwama and also requested representative of Regional Officer, Dr. Khursid Alam Khan, Deputy Director/Scientist 'C', Sub-Office, MoEF&CC, Jammu, a member of the joint committee constituted by the Hon'ble NGT for site visit afresh so that compliance report in terms of the Hon'ble NGT order could be prepared and submitted to the Hon'ble NGT.

Compliance of the orders of Hon'ble NGT:

2.1. Site Inspection by RO, MOEF&CC, alongwith team of following Officers from District Pulwama was conducted afresh:

- i. Dr. Khursid Alam Khan, Deputy Director/ Scientist 'C', Sub-Office Jammu (formerly Integrated Regional Office, Jammu) now under Regional Office Chandigarh, Ministry of Environment, Forest and Climate Change (MoEF&CC)
- ii. Sh. Bilal Ahmad Khan, Divisional Officer, Pulwama, representative of Member Secretary, J&K Pollution Control Committee (J&KPCC)
- iii. Sh. Malik Asif, JKAS, Tehsildar, Pampore representative of Deputy Commissioner, Kishtwar, J&K.

2.2. Site visit and collection of relevant information:

Accordingly, the Joint Team/Committee conducted a site visit on 19/02/2025 to address the concerns raised in the newspaper. The District Mining Officer, Pulwama, along with the Executive Engineer of Irrigation and Flood Control, Pulwama, and the concerned Patwari, were present during the visit.

During the visit, the Joint Team/Committee inspected the embankment site referenced in the newspaper and took photographs for inclusion in the factual report. Additionally, the committee collected relevant seizure reports from the District Mining Officer and other concerned agencies.

3.3. Observations of the Joint Team/Committee during site visit:

The initial evidence and observations made by the Joint Team/Committee during its site inspection indicate that the damaged embankment has been reinforced by the Irrigation and Flood Control Department through the installation of earth-filled bags [Annexure-2 (Geo-tagged Photographs 1 & 2)]. Furthermore, the committee noted that offenders had excavated





soil at the river's edge (Photographs 3 & 4). However, this area has since been filled and levelled by the Irrigation and Flood Control Department (Photographs 5 & 6). The committee also interacted with the villagers of Khankah Bagh, who confirmed that the local administration has successfully stopped all illegal activities (Photograph 7).

According to the submitted documents, a mechanical loader and transporter (L&T) involved in illegal mining at the Khankah Bagh site in Pampore was seized by the Department of Geology and Mining. The vehicle was later released following the payment of a fine of Rs. 56,792/- (Rupees fifty-six thousand seven hundred and ninety-two) through G.R No. 1076905 dated 22/07/2024. An FIR has also been lodged at Police Station Pampore against the offender, Shri Mohammad Maqbool Bhat, S/o Ghulam Qadir Bhat, R/o Patal Bagh, by the Flood Control Division, Kakapora, for engaging in illegal sand mining at Khankah Bagh (Annexure-3).

Additionally, several FIRs have been filed at Police Stations Awantipora and Pampore against individuals involved in illegal extraction and transportation of sand from Barsoo, Kakapora, Pampore, Banderpora, Lelhara, Patalbagh, and Awantipora. Mechanized boats used in the commission of these offenses have been seized or capsized, with those seized from Chersoo and Awantipora still in custody. A total of Rs. 22.36 lakh has been collected through the compounding of fines from the seizure of 93 vehicles involved in illegal sand extraction from January 2024 to date, around the River Jhelum (Annexure-4).

4.0. Recommendations and Remedial measure :

4.1. Strict adherence to the Act, Rule and Guidelines

(Mines and Minerals (Development and Regulation) Act, 1957 and Sustainable Sand Mining Management Guidelines, 2020)

MMDR-Act, 1957 and the Rules made thereunder, "J&K Minor Mineral Concession Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016" notified vide SRO-105 dated 31/03/2016" and Sustainable Sand Mining Management Guidelines, 2020 should be strictly enforced by the law enforcing agencies.

4.2. Enhanced Surveillance and Monitoring

A Rapid Action Team should be constituted to control illegal mining through seizures, late-night patrolling, dismantling of ramps and approach roads, and blacklisting of vehicles.

4.3. Strengthening Legal Framework

Strict Enforcement of Laws: Implementation of regulations against illegal sand mining. The Geology and Mining Department and other law enforcing agencies need to enforce penalties and take swift action against offenders like lodging of FIRs, heavy pecuniary penalties and punishment for the offence as provided under Section 21, Section 23 A and Section 23 B of the Act for illegal mining under MMDR Act, 1957 .


4.4. Cooperation with Law Enforcement agencies

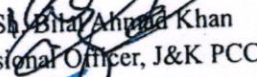
Inter-agency Collaboration and Coordination: There is need to Improve coordination between various law enforcement agencies (such as police, forest departments, Irrigation and flood control department and Geology and mining department) to crack down on organized crime involving sand mafias and District Administration required to monitor the progress.

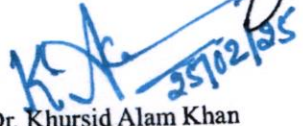
However, most of the remedial measures are being implemented by the concerned agencies to curb illegal mining in the area.

5.0. Prayer of the Joint Committee:

The above factual report is being submitted before the Hon'ble National Green Tribunal in compliance to the orders dated 26/07/2024, which may kindly be taken on record. The Joint Committee will abide by further directions of the Hon'ble NGT, in this matter.


Sh. Malik Asif, JKAS
Tehsildar, Pampore


Sh. Bilal Ahnada Khan
Divisional Officer, J&K PCC, J&K


Dr. Khursid Alam Khan
Deputy Director/Scientist 'C',
Sub-Office, MoEF&CC, Jammu

Dated: February 25, 2025

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

Original Application No. 924/2024

In the Matter of:


News Item titled "Sand Mafia destroys Jhelum embankment puts thousands at risk" appearing in Daily Excelsior dated 09.07.2024.

Report filed on behalf of Respondent No 5

The Respondent No 5 begs to state as follows:

The Hon'ble National Green Tribunal Principal Bench, New Delhi has taken suo-moto cognizance by registering the Original Application on the basis of the News Item titled "Sand Mafia destroys Jhelum embankment puts thousands at risk" appearing in Daily Excelsior dated 09.07.2024. The involved matter concerns the destruction of Jhelum embankment near Khankah Bagh, Pampore in District Pulwama leaving nearly 400 households vulnerable to potential floods risking both their lives and property. The locals reported suspicious movements of heavy vehicles resulting in the destruction of embankment by resorting to illegal sand extraction and despite the efforts put in by the community members, the sand mafia managed to escape. The root cause of such incidents is the unchecked illegal sand mining driven by profit motives, disregarding Environmental Regulations and Community Safety. Acting upon the same, the Hon'ble Tribunal has been pleased to pass the order Dated 26-07-2024 wherein the following authorities are impleaded as respondents in the matter.

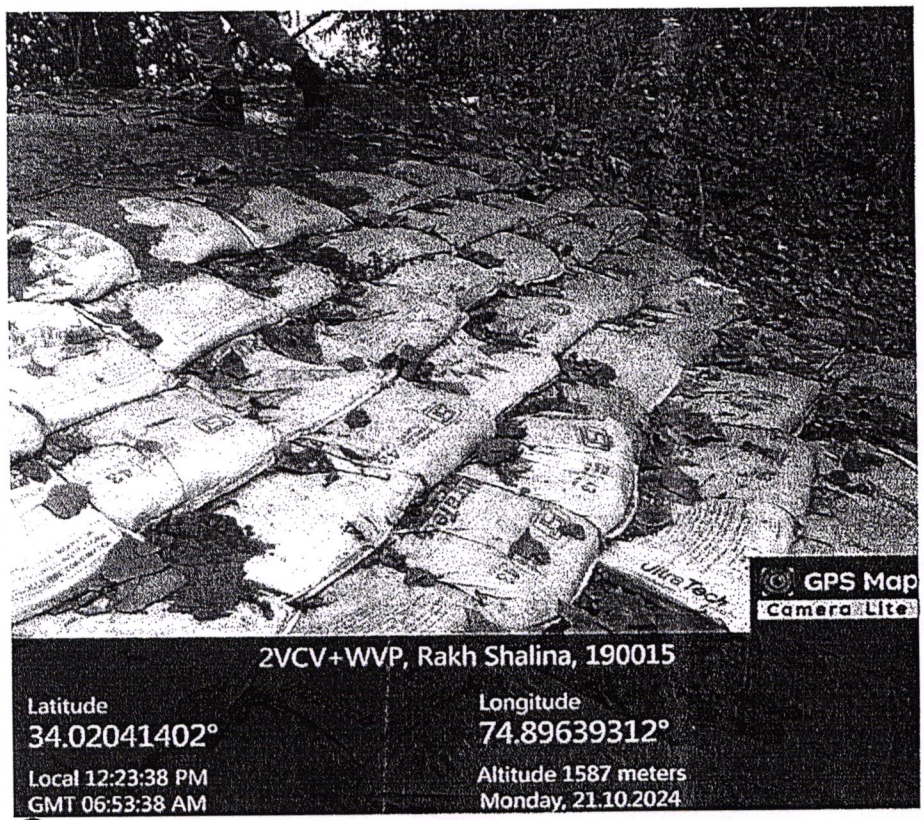
- (1). Central Pollution Control Board, through its Member Secretary,
- (2). Pollution Control Committee J&K, through its Member Secretary,
- (3). Ministry of Environment and Forest, Integrated Regional Office,
- (4). Geology and Mining Department, through its Director,
- (5). District Magistrate Pulwama

 Furthermore, the Hon'ble NGT has directed the formation of a joint committee comprising of the above impleaded respondents to visit the site and ascertain the correct position, the truthfulness of the facts disclosed in the news item and also suggest the remedial action and submit the action taken report before the Tribunal within three months.

However, the district administration, Pulwama alongwith the concerned line Departments viz Department of Geology & Mining and the Department of Irrigation and Flood control had taken immediate cognizance of the incident raised by the locals through printed/social media. The L&T involved in the illegal Mining at KhankahBagh Pampore

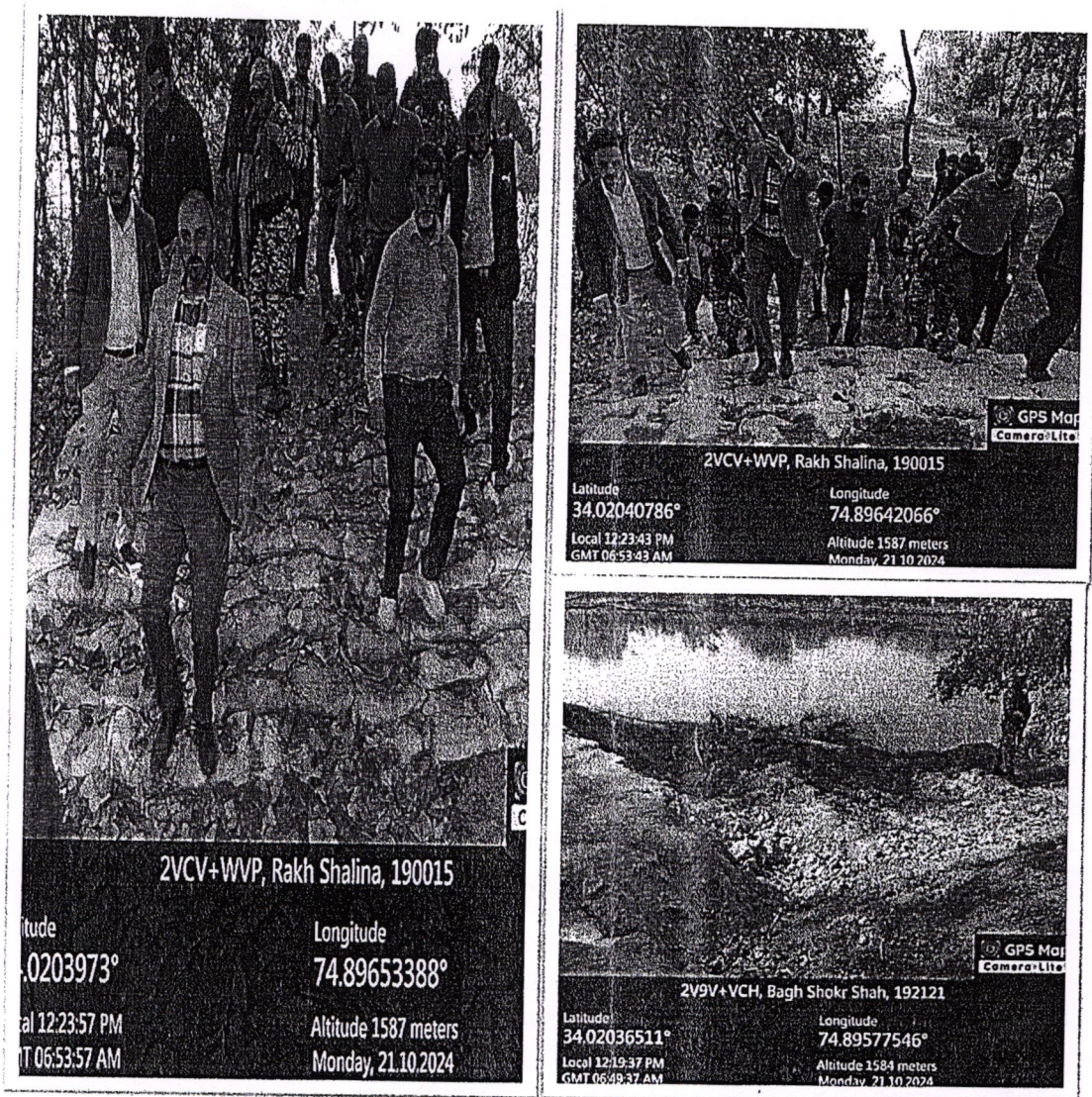
had been seized by the Department of Geology and Mining and released after heavy compounding of Rs. 56792= (Rupees fifty six thousand seven hundred and ninety two) vide G.R No. 1076905 dated 22/07/2024. Furthermore, an FIR had been lodged at P/S Pampore against the offender namely Shri Mohammad Maqbool Bhat S/o Ghulam Qadir Bhat R/o Patalbagh, by the Department of Flood control Division Kakapora for engaging L&T in the illegal mining of soil/sand at KhankahBagh.

Furthermore, it was ensured that no mining of any sort takes place and the damaged portion of embankment was also strengthened by way of laying of earth filled bags. The attempt by the offenders to construct ramps in order to carry out their illegal activities was also closed, restoring the embankment to its original shape/position. The geo-tagged photograph of closure of ramps is enclosed herewith for kind perusal of the Hon'ble Tribunal.



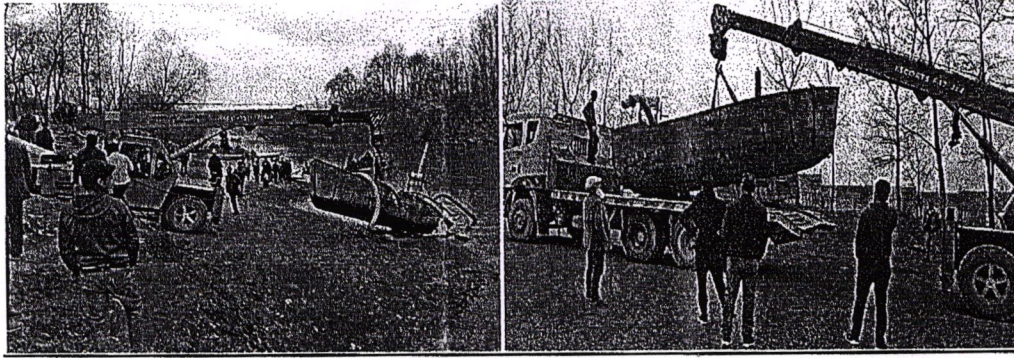
B.P. In compliance to the order mentioned supra, the respondent no. 5 in the capacity of being the coordinating agency convened the visit of the Joint Committee excluding the representative of RO, MoEF & CC Chandigarh to the spot on 21st October, 2024, who could not participate in the joint venture on the scheduled date. It is not out of place to mention here that the said visit could not be convened earlier due to back to back elections in the UT of J & K. However, owing to the legal constraints and the timely submission of report before the Hon'ble NGT, the joint visit has been conducted as on the above mentioned date in the absence of the aforesaid representative. On spot inspection, it has been found that the said spot is approximately fifteen hundred metres (1500mtrs) away from the nearest habitation & there is found neither

mechanical nor manual mining activity going on at the mentioned spot in the jurisdiction of this district so far as the present scenario is concerned. The geo-tagged photographs depicting the joint spot inspection are enclosed herewith for the kind perusal of this Hon'ble Tribunal:



It is in place to mention here that several FIRs are lodged in the P/S Awantipora and Pampore against the illegal extractors/transporters of Barsoo, Kakapora, Pampore, Banderpora, Lelhara, Patalbagh and Awantipora. The Mechanized Boats involved in the commission of offence are being seized/capsized and the mechanised boats seized from Chersoo and Awantipora are still in the custody. The Compounding to the tune of **Rs 22.36 lacs** has been realized from the seizure of **93 vehicles** from **January 2024 till date** in and around the River Jhelum for the illegal extraction of sand. The geo-tagged photographs of seizure are enclosed

herewith for kind perusal of the Hon'ble Tribunal.



The line Departments work to the best of their capabilities and in strict adherence to the MMDR-Act 1957 and the Rules made thereunder, "J&K Minor Mineral Concession Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016" notified vide SRO-105 Dated: 31.03.2016". Stringent actions like lodging of FIRs, heavy pecuniary penalties and punishment for the offence as provided under Section 21, Section 23 A and Section 23 B of the Act for illegal mining under MMDR Act 1957 are taken. Rapid Action Team to control illegal mining, seizures and late night patrolling, dismantling of the ramps/approaching roads, blacklisting of the vehicles and announcements in local religious institutions are made to curb the illegal mining activities in and around the river Jhelum. The Department of Geology and Mining is issuing the Disposal permissions for lifting of the accumulated sand from various spots of river Jhelum under S.O 599 dated 15th of November, 2022 (customary mining), thereby, providing sustainable livelihood to the inhabitants associated with this trade since so many years and providing availability of construction material for various developmental activities.

The department of Irrigation and Flood control, Division Kakapora is also very keenly taking up the issue of illegal extraction and is continuously taking necessary action against the offenders who are found involved in illegal extraction by filing of challans under JKSWRRA Act 2010. During the last three years, the area has not got inundated during the floods declared and the embankment is safe to carry the flood discharge. There is no breach anywhere in the stretch of 3085 mts between Khankahbagh and EDI Sempora Pampore.

The measures adopted by the line departments already projected hereinabove are the possible remedial measures which are found effective in curbing the illegal menace of sand mining and remedying the ecological imbalance tended to be created by the sand mafia. As such, the report is hereby submitted before the Hon'ble Green Tribunal as desired.

1. Pollution Control Committee
through its Member Secretary,

2. District Magistrate
Pulwama



1



2V9V+VCH, Bagh Shokr Shah, 192121

Latitude 34.02036511°	Longitude 74.89577546°
Local 12:19:37 PM	Altitude 1584 meters
GMT 06:49:37 AM	Monday, 21.10.2024

2

Photo 3 & 4. River bank damaged by the offenders.



Bagh Shokr Shah
2v9v+vch, Bagh Shokr Shah, 192121,
Lat 34.020287° Long 74.895804°
20/02/2025 02:50 PM GMT +05:30

3



Bagh Shokr Shah
2v9v+vch, Bagh Shokr Shah, 192121,
Lat 34.020288° Long 74.895721°
20/02/2025 02:46 PM GMT +05:30

4

Photo 5 & 6. Damaged part has been filled and levelled by Irrigation and Flood Control



Photo 1. Embankment repaired by the Irrigation and Flood control department.

5



Photo 2. Embankment repaired by the Irrigation and Flood control department.

6



Photo 7. Joint committee interacting with the villagers of Khankah Bagh.

7

GOVERNMENT OF JAMMU AND KASHMIR
 OFFICE OF THE ASSISTANT EXECUTIVE ENGINEER
 FLOOD CONTROL SUB-DIVISION PAMPORE

The Station Housing Officer
 Police Station Pampore

No.F/CSDD/95
 Dated:- 01/07/2024

Subject:- Lodging of FIR against Mohd Maqbool Bhat S/o Ghulam Qadir Bhat R/O Patalbagh for Willful damage to Public property (River Embankment), Weakening/adversely affecting Flood Protection Mechanism at Khankah Bagh opposite Shalina near EDI.

Reference:- Seizure of Machinery involved in illegal sand mining;
 Excavator(LNT)

Sir,

Upon receiving inputs from the locals of Khankah Bagh, the above mentioned machine was seized on the spot by a squad of multi departmental Task Force which includes Mr. Abdul Rehman Sofi (W/S) and Mr. Mohd Ramzan Wagay (W/S) from Flood Control Sub-Division Pampore of FCD Kakapora, which was involved in illegal sand mining during night hours at Khankah Bagh opposite Shalina near EDI.

The said machinery has heavily damaged the river embankment at the said spot and thus have committed the offence of making willful damage to public property (River Embankment), weakening/adversely affecting the Flood Protection Mechanism/System (WRR&M Act 2010), which demands stringent action against the culprits so that such incidents don not occur in future.

In light of the above, it is requested to lodge a FIR against the culprits under the relevant provisions of Law

Yours faithfully

Assistant Executive Engineer
 Flood Control Sub-Division
 Pampore

Copy to the:-

1. Executive Engineer Flood Control Division Kakapora for information.



Government of Jammu & Kashmir

Department of Geology and Mining.
OFFICE OF THE DISTRICT MINERAL OFFICER PULWAMA

The Addl. District Magistrate
Pulwama

No: DMO/Pul/DGM/NGT/5670

Dated: 24/10/2024

Subject:-Constitution of Committee regarding the implementation of the Order passed by Hon'ble NGT (PB) O.A No. 924/2024 Order Dated 26/07/2024-reg

Ref: Your office letter No. DCP/Legal/24/223-31 dated 18/10/2024.

Sir,

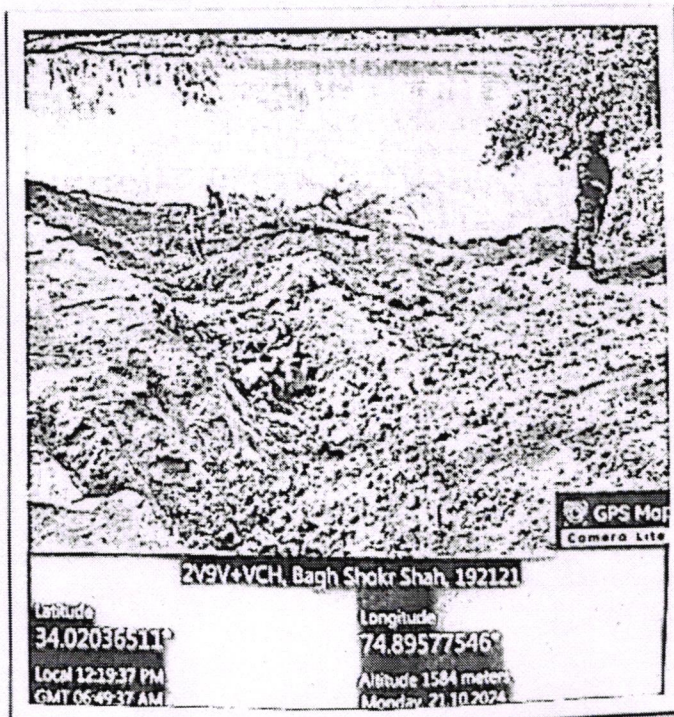
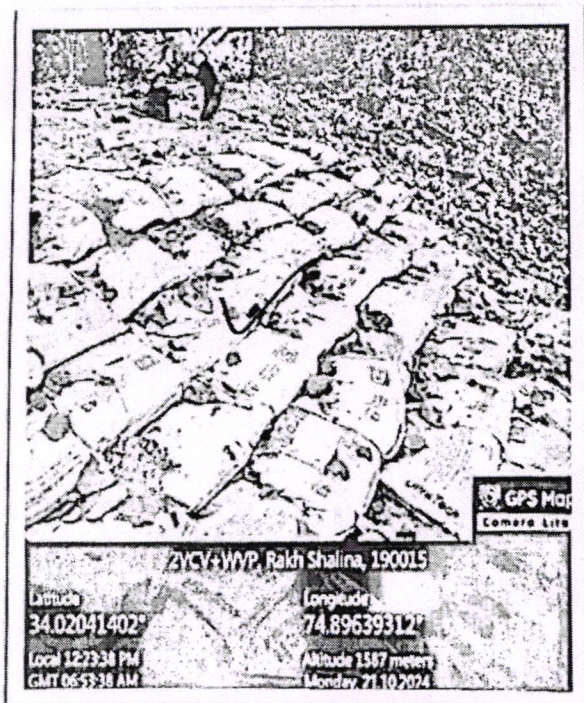
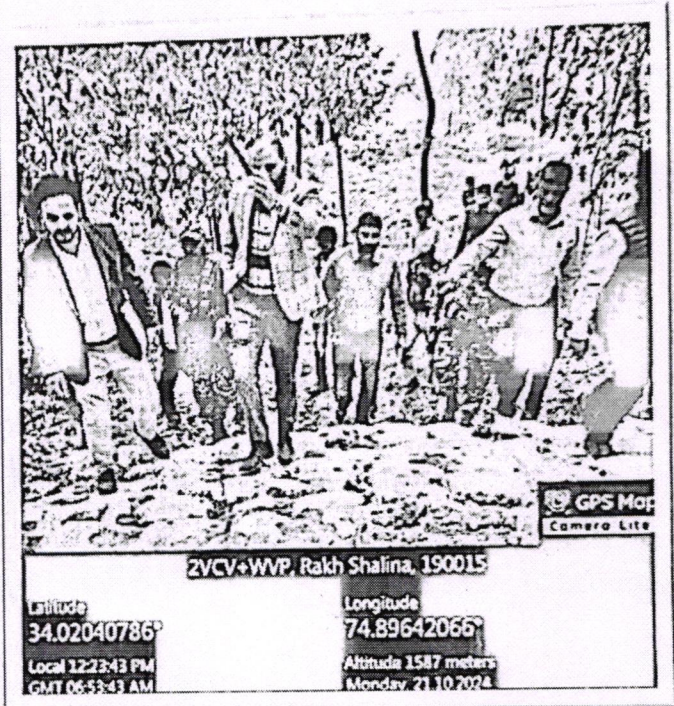
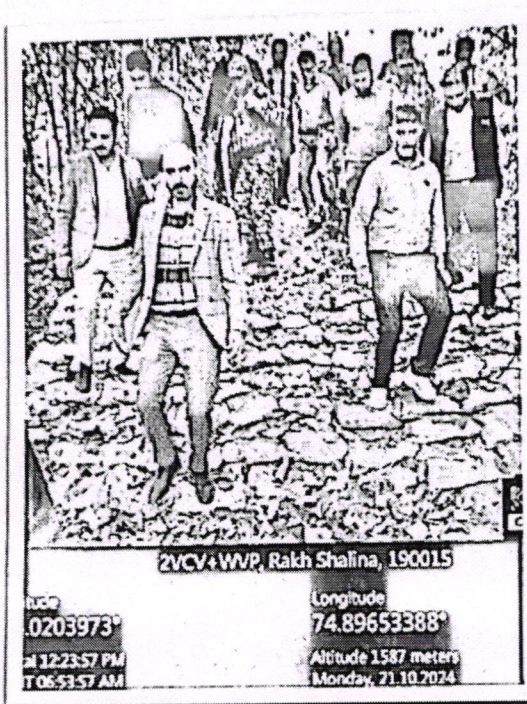
Kindly refer to the above subject and reference. In context of which, it is to inform that this office, in spite of the limited manpower is working in the best interest of the administration and for effective implementation MMDR-Act 1957 and rules made there under, "J&K Minor Mineral Concession Storage,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

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

As per as the place in question is concerned, the L&T involved in the illegal Mining at Khankah Bagh Pampore was seized by this Department and was released after the heavy compounding of Rs. 56792= Rupees fifty six thousand seven hundred and ninety two vide G.R No. 1076905 dated 22/07/2024 (Copy enclosed) Further, FIR against the offender namely shri Mohammad Maqbool Bhat S/o Ghulam Qadir Bhat R/o Patalbagh was lodged in the Police Station Pampore, by the Department

of the Flood control Division Kakapora for engaging L&T in illegal mining of soil/soil at Khankah Bagh (Copy enclosed).

It is further put here that the said spot is approximately fifteen hundred metres (1500mtrs) away from the nearest habitation & presently there is not any kind of mining happening neither mechanically nor manually at the spot in question.

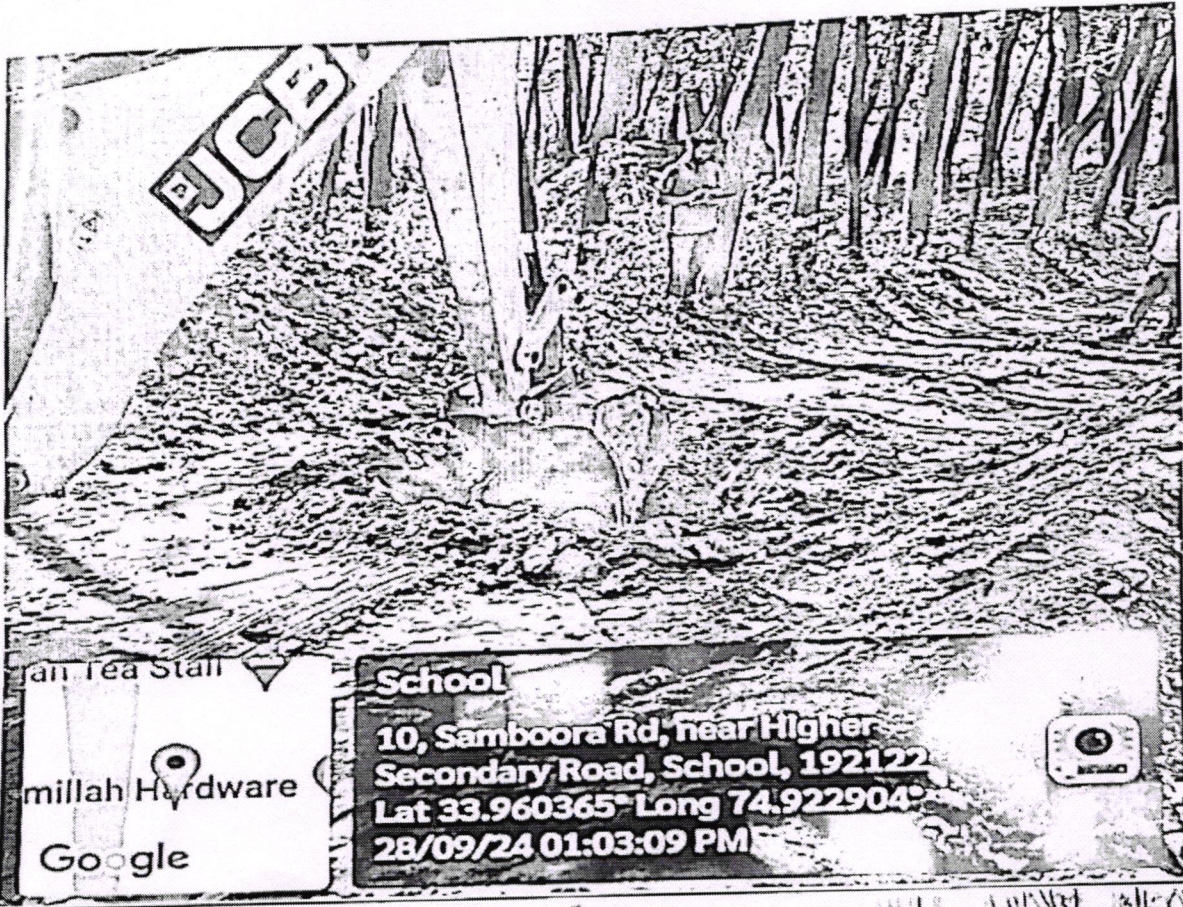


Pertinent to mention here that this office is issuing the Disposal permissions for lifting of the accumulated sand lifted manually from various spots of river Jhelum under S.O 599 dated 15th of November, 2022 (customary mining) thereby providing sustainable livelihood to the inhabitants associated with this trade since so many years and providing availability of construction material for various Developmental activities.

The field functionaries have been directed to identify the whistle blowers in River Jhelum particularly in the complainant area and keep a close liaison with them frequently besides work in close coordination with other stack – holder departments (Viz. Irrigation/Flood control /Revenue/police) so that the action as warranted under rules will be initiated against illegal offenders in the area.

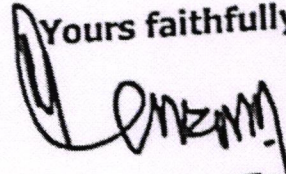
Further strict directions have been passed on Area Incharges to curb the illegal mining activities and ensure that no transportation of any mineral by any means from the place of raising to another is made without being in possession of a valid "mineral transport e-challan" in form –"A". Moreover, these actions against the illegal mining have been intensified and cracking the whips on illegal miners, regular seizures are made and these illegal miners have been warned to desist from illegal extraction of minerals. Regular inspections are conducted in the area from where complaints of illegal mining and transportation of minor mineral are received.

It is not out of place to mention here that various FIRs have been lodged in the Police Station Awantipora and Pampore against the illegal extractors/transporters of Barsoo, kakapora, Pampore, Banderpora, Ielhara, patalbagh and Awantipora Area involved in illegal extraction/transportation. The Mechanized Boats involved in the commission of the offence are being seized/ capsized and presently two mechanised boats seized from Chersoo and Awantipora are still in the custody. **Compounding, in and around the River Jhelum for illegal extraction of sand, to the tune of the Rs 22.36 lacs have been realized from the seizure of the 93 vehicles from January 2024 till date.**



Further, it is reiterated that this drive against the illegal mineral minor transporters/extractors have been launched more vigorously/ intensified and it is ensured that at the said spot no mining of any sort takes place.

Yours faithfully



District Mineral Officer,
Pulwama.

Handwritten notes in Urdu, likely a preliminary report or investigation notes. The text is dense and covers the details of the incident, including the location (Shahia near E.D.I. Reference), the nature of the damage (illegal sand mining), and the involvement of various departments (Flood Control, Police, etc.).

FIRST INFORMATION REPORT

Form fields for the First Information Report, including:

- Date: 7/9/2021
- Time: 06:00
- Place of Occurrence: (a) Direction and distance from P.S. ...
- Complainant's Name: ...
- Occupation: ...
- Details of a vehicle used for the purpose of the offence: ...
- Reason for delay in reporting: ...
- Particulars of companies concerned: ...
- Police Station: ...
- Sub-Division: ...
- Police Officer: ...

یہ اطلاع پیش کردہ ایک ایسے شخص کے بارے میں ہے جو...

Form 7 of First Information Report No. (117-1)

Sl. No.	Name	Address	Occupation	Signature
1				

Suo Ps Pa-pnc

Sl. No.	Name	Address	Occupation	Signature
1				

Sl. No.	Name	Address	Occupation	Signature
1				

None will be entered only if complainant informant is not particular about suspects accused
 یہاں کوئی نام نہیں لکھتا ہے اگر کوئی شخص کو نام نہ نہ ہو تو
 کیس کی ایک کاپی تیار ہے۔

وفاقی حکومت کے وزیر اعلیٰ کے نام سے ایک درخواست

- 1) Acknowledgement. Since the acknowledgment is a copy of the original...
- 2) Date, Name of C...
 10/11/2010
- 3) Return of...
 10/11/2010
- 4) Transfer of...
 10/11/2010

Signature of Officer in Charge Police Station
 Name: Abdul Rashid Khan
 Rank: 10/11/2010

Investigation
 10/11/2010

Home & Const
 10/11/2010

- 14) Signature of...
 10/11/2010
- 15) Date of...
 10/11/2010

10/11/2010

Printed in India

418
57723

FORM—F. C. 1



RECEIPT FORM No.
M. D. 1111 709 No.
= SP20-57723 =

RECEIPT FOR PAYMENTS TO GOVERNMENT

1076905

Receipt No. Place Pulivama =

Dated 22-07-2024

Office/Division DMO Pulivama

Received from Mohd. Maqbool Bhat.

With Letter No. Dated : 22-07-2024

Rs. 56,792/- (Rupees) Fifty Six Thousand

Seven hundred & Ninety Two only

in cash/by cheque on account of Comp + other charges

= 55,000 =

= 600 =

= 60 =

= 18 =

= 1114

Cashier's Signature

(03) ml Day =

Accountant Designation

ANJPB.

64392

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

Printed on Security Paper

Government of Jammu & Kashmir
Office of the Executive Engineer Flood Control Division Kakapora

The District Magistrate,
Pulwama,

No. FCDK/Camp/ 3180-84
Dated:- 24-10-2024

Subject:- News item titled " Sand Mafia destroys Jhelum embankment puts thousands risk " appearing In Daily Excelsior dated 09-07-2024..

Reference:- National Green Tribunal New Delhi Order dated 26-07-2024
(original application No. 924/2024)

Sir,

As your good self is well aware of the fact that sumo-moto on the basis of news item regarding illegal extraction in River Jhelum at Khankahbagh Pampore was taken by the Hon'ble Court and the directions issued among other stake holders, the worthy District Magistrate Pulwama being the coordinator of the committee had to ascertain the factual position. Compiling the court directives your goodself directed the undersigned to report at Khankahbagh Pampore spot on 21-10-2024 where illegal extraction was reported through news article . It needs to mention here your good self was appraised by a swift action initiated by this office along with Geology & Mining Department immediately after the incident was raised by locals through printed/social media. The vehicles involved were seized and FIR was lodged against the offender namely Mohd Maqbool Bhat S/O Gh Qadir Bhat R/O Patalbagh vide AEE's letter No. FCSDP/95 dated 01-07-2024 . Besides the damaging portion of the embankment was also strengthening by way of laying of earth filled bags and the ramp which was constructed by the offenders was closed and the embankment has been given its original shape/position. Furthermore this department is very keenly taking up the issue of illegal extraction and are continuously taking necessary action being having limited resources, against the offenders who are found involved in illegal extraction by filing of challans under JKSWRRA Act 2010. During the last three years the area does not get undulated during the floods declared and the embankment is safe to carry the flood discharge and there is no breach anywhere in the stretch of 3085 mtrs between Khankahbagh and EDI Sempora Pampore. The department also proposed the spot under vulnerable spots under FMP Phase 2nd Part B for a length of 550 mtrs to safeguard the life and property of the inhabitants residing near the river embankment.

Hence report is submitted for Kind perusal.

Yours faithfully,

Executive Engineer,
Flood Control Division
Kakapora.

Copy to the:-

1. Chief-Engineer Kmr, I & F C Department Srinagar for favour of information.
2. Superintending Engineer Hydraulic Circle Pulwama H.Q. Shopian for favour of information.
3. District Mineral Officer Pulwama for information.
4. Assistant Executive Engineer FC Sub Division Pampore for information.
5. File.



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Ammeer-2

Government of Jammu & Kashmir
Office of the Chief Engineer, Irrigation & Flood Control Department, Kashmir
Engineering Complex, Near Income Tax Office, Rajbagh, Srinagar, J&K – 190008
01942311834; 01942311085; www.ifckashmir.com; ce-ifckashmir@jk.gov.in

The Member Secretary,
J&K Pollution Control Committee.

No – CE/IFCK/^{DB}1541
Dt – 12 /Dec/2024

Subject – OA no 924/2024 title: "Sand mafia destroys Jhelum embankment plus thousands at risk" appearing in Daily Excelsior dated 09.07.2024.

Reference - Your office no:- JKPCC/Sc./OA-924/2024/1531-32;
dated:- 10-12-2024

Sir,

In context to the above mentioned reference the following points may be kindly be noted:

1. Erosion of Jhelum Embankments:

Sand extraction is not directly impacting the stability of embankments. However, at certain locations in River Jhelum bed degradation has been observed close to the embankments.

2. Scale of Floods due to Destruction of River Jhelum:

The embankments of Jhelum River continue to provide immunity against floods of low to moderate magnitude. There is no large scale destruction of embankments. However, illegal mining at times does result in some sloughing of embankments or some damage to anti-erosion works which is addressed at regular intervals.

3. Preventive Measures:

Irrigation & Flood Control Department continuously monitors the condition of embankments and conducts yearly safety audits of embankments. Any weak or vulnerable spots are addressed through stage contractors or temporary basis and if need on permanent basis.

Yours sincerely,

Technical Officer with
Chief Engineer

SC (AN)

13.12.24