



**Government of Jammu & Kashmir
Office of the**

Divisional Commissioner, Kashmir, Srinagar

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Subject:- Minutes of the meeting held under the Chairmanship of Divisional Commissioner, Kashmir on 23-12-2013 regarding regularization of extraction of sand/bajri/boulders/river bed material from nallahs/streams/rivers.

There were various complaints and public representations related to unabated, unmindful and dangerous extraction of river bed material from various streams/nallahs/rivers in the Kashmir Division in general and Rambhara nallah in particular.

To discuss the issues related to extraction of sand/bajri/boulders, river bed material/nallah muck from nallahs/streams/rivers especially in the backdrop of the complaints received with regard to extraction of material from Rambhara Nallah running through Districts of Shopian and Pulwama, a meeting was held under the Chairmanship of Divisional Commissioner, Kashmir on 23-10-2013 at 2.00 pm. at Deputy Commissioner's Office, Pulwama.

The following officers participated in the meeting:-

1. District Development Commissioner, Pulwama
2. District Development Commissioner, Shopian
3. Chief Engineer, Irrigation & Flood Control, Kashmir
4. Assistant Commissioner, Revenue, Pulwama
5. Joint Director, Fisheries Department, Srinagar
6. Superintending Engineer, Hydraulics, Shopian
7. Executive Engineer, Flood Control, Division Pulwama
8. District Officer, Geology & Mining Department, Pulwama

In addition to above, people engaged in extraction like truck/tipper/tractor owners, contractors, lease holders of Geology & Mining Department also participated.

At the outset, the Chair sought feedback from the participants with regard to the modus operandi adopted for allotment of site/collection of royalty/issuance of NOCs by different department/mode of extraction adopted by the contractor, etc. It was informed that Geology & Mining Department, after auction, issues contracts orders for extraction of sand/bajri/boulders/river bed material/nallah muck from nallahs/streams/rivers in favour of the contractors who pay royalty to the department and the Department issues receipts for the same.

As far as allotment of site is concerned, it was intimated that the contractors select the site on their own and the extraction is done both manually and mechanically in an unscientific manner. It was also informed that comments/NOCs from Fisheries and Irrigation & Flood Control Departments are not sought by Geology & Mining Department, which has adversely affected the aquatic life and has also affected the nearby area converting it prone to flash floods/floods. In the nutshell it was observed that the environmental concerns are not addressed to suitably and adequately by Geology & Mining Department and need for regulating this mechanism was felt.

After threadbare discussions, the following decisions were taken:-

1. District Magistrates shall henceforth be the Nodal Officers for issuing the requisite NOCs for the purpose after obtaining comments from Irrigation & Flood Control and Fisheries Departments. Without NOC of District Magistrate, no quarrying on river/nallah site will be permitted.
2. A team consisting of Executive Engineer, Flood Control; Assistant Director, Fisheries and District Officer, Geology & Mining shall make a joint recce of the rivers/nallahs of the district and Executive Engineer, Flood Control shall identify the dry patches, available around rivers/nallahs, and other suitable spots quantifying the extent of material in terms of sand/bajri/boulders/river bed material/nallah muck to be extracted approximately from such patches/spots and thereafter Geology & Mining Department shall put on auction the said spots based on the calculations against the admissible royalty. A mechanism shall also be evolved/worked out by the Geology & Mining Department to ensure that the material extracted from the identified spots only and to the extent estimated by the authorities of Flood Control Department purely in a scientific manner in due consultation with Flood Control Department and not otherwise. Mechanical means be used at such

places explicitly permitted for mechanical extraction by the Flood Control Department and all other places/spots be exploited manually only.

3. Clear cut demarcation of the sites will be made by the Geology & Mining Department. A signboard giving details of the successful bidder and quantity to be extracted by the bidder will have to be installed for general information to the public and stakeholders.
4. Check Posts shall be erected/raised by Geology Mining Department at suitable places to ensure collection of permissible royalty from the concerned for the genuine loads. District Officer, Geology & Mining shall deposit the same in the Govt. Chest under relevant Account Head, and in case of any deviation, he/she shall be squarely responsible.
5. The extraction of the material shall be carried out at the identified from 8.00 a.m. to 6.00 p.m., beyond which period no one shall be allowed to extract the material and any person found indulging in illegal practices shall be proceeded against the Flood Control Department/Geology & Mining Department/concerned Police Station.
6. Restrictions, under Section 144 of Cr. P.C., shall be imposed by the District Magistrates prohibiting the extraction of building material beyond the permissible time and for regulation of the extraction operation.
7. No other department, except Geology & Mining Department shall be authorized to collect the royalty from the genuine contractor for the permissible material as per norms. While making allotment, the department shall clearly mention about Do's and Don'ts related to the quarry operation.
8. The streams/sites notified by Fisheries Department will be prohibited from extraction of construction material.
9. No extraction shall be allowed 500 metres up/down of the bridges over the streams/bridges and 300 metres up/down irrigation/PHE schemes existing on the banks of the rivers.

10. Every department related to this extraction operation or otherwise shall take utmost care to save environment, ecology, flora-fauna and aquatic-biotic reserves of the area in general and around the quarrying site in particular. District Magistrates shall take suitable action against the violators u/s 133 Cr. P.C. and regulate it properly in their respective jurisdiction.

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

Sd/-

**Divisional Commissioner,
Kashmir**

No:- DivCom/Dev/2013/7--12

Dated:- 27-12-2013

Copy to:-

- 1-12. Deputy Commissioner/District Magistrate, Srinagar/Budgam/Pulwama/Anantnag/Shopian/Kulgam/Ganderbal/Baramulla/Kupwara/Bandipora/Leh/Kargil
- 13-27. Senior Superintendent of Police, Srinagar/Budgam/Pulwama/Awantipora/Anantnag/Shopian/Kulgam/Ganderbal/Baramulla/Sopore/Kupwara/Handwara/Bandipora/Leh/Kargil
28. Director, Geology & Mining Department, J&K Jammu
29. Director, Fisheries Department, J&K Jammu
30. Chief Engineer, Irrigation & Flood Control, Kashmir
31. Chief Engineer, Public Health Engineering, Kashmir
32. Chief Engineer, R&B, Kashmir
33. DIO, NIC, Srinagar for uploading it on the official website.

Copy also to:-

1. Secretary to Govt., Forest Department, J&K Jammu
2. Secretary to Govt., Industries Department, J&K Jammu
3. Secretary to Govt., R&B Department, J&K Jammu
4. Secretary to Govt., PHE/FC Department, J&K Jammu
5. Principal Private Secretary to Chief Secretary, Govt. of J&K, Jammu

**Additional Commissioner,
Kashmir**