

Government of Jammu and Kashmir (UT)
Department of Geology and Mining, Jammu.

Subject:- Grant of Mining Lease of Minor Mineral Block No-06 over an area of 3.39 hectares at Gaib Shahwali to Goose Downstream Lolab Nallah District, Kupwara in favour of Mr. Mohd. Yousuf Dar.

Order No: 19-DGM of 2020
Dated : 26.09.2020

Whereas, the Adm. Department (I&C) scrapped the open auction process vide communication No. IND/Legal/239/2018 dated 26.02.2019 & subsequently various Writ Petitions challenging the said scrapping were dismissed by the Hon'ble High court in its judgment dated 01.05.2020. LPAs filed against these being well contested in the Double Bench of the Hon'ble High court;

Whereas, subsequently Adm. Department (I&C) vide its communication Order No. IND/Legal-103/2019 dated 11.05.2020 & 12.05.2020 instructed the department to conduct e-auction of these Minor Mineral blocks and accordingly the said block was re-auctioned on 25-06-2020 by the District level auction committee after approval from the Adm. Department vide No. IND/MNG-32/2020 dated 20.05.2020;

Whereas, on the recommendations of Deputy Commissioner, Kupwara vide letter No. DCK/LS-ARA/469-77 Dated; 01.07.2020, Letter of Intent was issued to the successful bidder vide No.715/MCC/DGM/B-6/Kup/20/2123-30 dated 20.07.2020 read with No. 715/MCC/DGM/B-6/Kup/20/5842-48 dated 19.09.2020 with the directions to submit Approved Mining Plan, Environmental Clearance, Consent to Operate and remaining 50% bid amount within a period of six months;

Whereas, the successful bidder submitted remaining 50% bid amount vide CDR No. 120456 dated 19.09.2020 amounting to Rs. 67.00 Lacs and 02% income tax vide DD No. 453361 dated 19.09.2020 amounting to Rs. 1.34 Lacs; Security deposit amounting Rs. 4.00 lacs vide CDR No.3055081 dated 25.09.2020 and Dead Rent of Rs. 3600/- vide CDR No.3052303 dated 25.09.2020;

Whereas, the successful bidder submitted Consent to Operate on 11.08.2020 issued by J&K Pollution Control Board vide No. PCB/ digital/ 20041571613 of 2020 dated 11.08.2020;

Whereas, as per condition No. XX of Consent to Operate issued by J&K Pollution Control Board, the Environmental Clearance issued by DIEAA vide No. DCK/ARA/LS/168-86 dated 02.06.2018 valid up to 02.06.2023. The successful bidder shall abide by all the terms and conditions of EC dated 02.06.2018;

Whereas, as per condition No. xxi of Consent to Operate, the successful bidder shall submit approved Mining Plan from the competent authority within 02 months and fresh Environmental Clearance for the block No. 05 on or before August, 2022;

Whereas, successful bidder submitted Mining Plan duly approved by the competent authority vide letter No.DDK/DGM/MPA/KUP/F-07/92-96 dated 19.09.2020;

Now, therefore, in exercise of the powers vested with Director Geology & Mining under Rule 42 of the J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 sanction is hereby accorded to Grant of Mining Lease of Minor Mineral Block No-06 over an area of 3.39 hectares at Gaib Shahwali to Goose Downstream Lolab Nallah District, Kupwara in favour of Mr. Mohd. Yousuf Dar S/o Mohammad Maunawar Dar R/o Awoora, Kupwara for a period of 05 years subject to the following terms and conditions that :-


1. The lessee shall have no objection to the conducting of exploration in the leased area as and when required by the Department.
2. The lessee shall abide by the provisions of Mines & Minerals (Development & Regulation) Act 1957, Rules made there under and the Mines Act 1952, rules and regulations there under and regulations there under, Forest (Conservation) Act 1980, Environment Protection Act 1986, Jammu and Kashmir Water Resources (Regulation and Management) Act 2010 & J&K State Fisheries Act, 1960 and the rules made thereunder.
3. The lessee shall execute, register the lease deed as per Rule, 40 of the J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016 with the conditions laid down in Rule 38 of the said Rules.

4. The lessee shall furnish Financial Assurance in the shape of Bank Guarantee favouring Director, Geology & Mining for restoration/ reclamation works as per the Mining Plan.
5. The lessee shall commence the mining operation only after demarcation of the lease area by the Department.
6. The lessee shall not further sublet the Mining Lease.
7. The Lessee shall work strictly as per approved Mining Plan and guidelines/ Conditions of Environmental Clearance/CTO etc.
8. The lessee shall adhere the instructions of MoEF&CC, NGT, Stake Holder Departments & District Administration etc. issued from time to time.
9. The Lease shall be further subject to outcome of any Writ Petition pending before Hon'ble Court of J&K or any other Court of Law if any, as may be applicable to this Mineral Concession.
10. The Lessee shall pay the costs imposed if any on it and shall also indemnify the Department against any adverse decision by any Court of Competent Jurisdiction/Tribunal in this regard and any other connected matter

No. 715/MCC/DGM/B-6/Kup/20 /6144-51

Dated: 26 .09.2020

Copy to the:-


Director
 Geology & Mining
 J&K, Jammu
 26/09/2020

1. The Commissioner/Secretary to Govt. Mining (Geology and Mining) Deptt, Civil Secretariat, Srinagar for kind information.
2. The Chairman, J&K Pollution Control Board, Jammu for kind information.
3. The Director Ecology, Environment & Remote Sensing Department/Member Secretary(JKEIAA) Jammu for information. They may suggest any other condition/requirement for incorporating in the lease deed.
4. The District Development Commissioner, Kupwara for information.
5. The Joint Director (K), Geology & Mining Deptt. Srinagar for information & n/a.
6. The Officer I/C Website, G & M Deptt; Jammu for inf. & n/a.
7. The District Mineral Officer, Geology & Mining Deptt. Kupwara for inf. & n/a. This has reference to his office letter No. DMO/KUP/e-aucton/20-06/864-866 dated 25.09.2020.
8. Mr. Mohd. Yousuf Dar S/o Mohammad Maunawar Dar R/o Awoora, Kupwara for information & n/a.

Mr 26/09