

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

Subject:- Grant of Mining Lease of Minor Mineral Block No-04 over an area of 4.22 hectares at Nihama Bridge Upstream Vishu Nallah District, Kulgam in favour of M/S J&K Project Construction Corporation Ltd.

Reference:- Rule -91 of J&K Minor Mineral Concession, Storage, Transportation of Minerals and Prevention of Illegal Mining Rules, 2016.

Order No: 09-DGM of 2020
Dated : 18.08.2020

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 Government vide its Order No. 95-IND of 2020 dated 27.05.2020 has allotted/reserved Minor Mineral Block No-04 over an area of 4.22 hectares at Nihama Bridge Upstream Vishu Nallah District, Kulgam in favour of M/S J&K Project Construction Corporation Ltd.

Whereas, the Corporation submitted the approved Mining Plan on 18.08.2020 duly approved by Competent Authority vide No.8-MCC/DGM/Kulgam/41-45 dated 09.07.2020;

Whereas, the Corporation submitted Consent to Operate on 03.07.2020 issued by J&K Pollution Control Board vide No. PCB/digital/20041565883 of 2020 dated 27.07.2020;

Whereas, as per condition No-XX of Consent to Operate issued by J&K Pollution, the Environmental Clearance issued by DIEAA vide No. DCK/Accts/2018-19/60-73 dated 28.04.2018 valid up to 02.06.2023; the JKPC shall abide by all the terms and conditions of EC dated 28.04.2018 as per affidavit submitted vide No. B581723 dated 24.07.2020;

Whereas, as per condition No-xxi of Consent to Operate, the JKPC shall obtain fresh Environmental Clearance from the Competent Authority i.e SEIAA within two years from issuance of Consent to Operate (Fresh) i.e on or before 27.07.2022;

Whereas, the Corporation submitted Memorandum and Article of Association on 18.08.2020;

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-04 over an area of 4.22 hectares at Nihama Bridge Upstream Vishu Nallah District, Kulgam in favour of M/S J&K Project Construction Corporation Ltd., 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 and 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 as per mandate prescribed in Govt; Order No 95-IND of 2020 dated 27.05.2020.
8. The Lessee shall work strictly as per approved Mining Plan and guidelines/ Conditions of Environmental Clearance/CTO etc.
9. The lessee shall adhere the instructions of MoEF&CC, NGT, Stake Holder Departments & District Administration etc. issued from time to time.
10. 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.

No.936/MCC/DGM/B-4/JKPCC/Kul/20/4091-98
Dated: -19.08.2020


Director
Geology & Mining
J&K, Jammu.

Copy to :-

1. The Commissioner/Secretary to Govt.(I&C) Civil Secretariat Jammu for kind information.
2. The Chairman, J&K State Pollution Control Board, Jammu for information.
3. The Director, J&K Environment Impact Assessment Authority Department of Ecology, Environment & Remote Sensing, Jammu for information.
4. The District Development Commissioner, Kulgam for information.
5. The Managing Director, M/S J&K Project Construction Corporation Ltd for Information & n/a.
6. The Joint Director(K), Geology & Mining Deptt. Srinagar for information & n/a.
7. The Officer I/C Website, Geology and Mining Deptt; Jammu for inf. & n/a.
8. The District Mineral Officer, Geology & Mining Deptt. Kulgam for inf. & n/a.