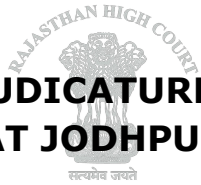




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



D.B. Civil Writ Petition No. 764/2023

CNR: RJHC010029302023 | URN: CW / 1649U / 2023

1. Parsa Ram S/o Shri Mohan Ram Ji Bishnoi, Aged About 42 Years, Village And Post Bher, District Nagaur, Rajasthan.
2. Jivan Ram S/o Shri Baldev Ram Ji, Aged About 46 Years, Village And Post Boodhi (Arjunpur), Teli Baas, Baswani, Tehsil Khienvsar, District Nagaur, Rajasthan.
3. Bhura Ram S/o Shri Ramu Ram Ji, Aged About 34 Years, H.no. 52, Nayakon Va Gahloton-Ki-Dhaniya, Tantwas, District Nagaur, Rajasthan.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Chief Secretary, Government Of Rajasthan, State Secretariat, Jaipur.
2. The Addl. Chief Secretary (Mines), Department Of Mines And Geology, Rajasthan, Jaipur.
3. The Director (Mines), Dept. Of Mines And Geology, Udaipur.
4. The Superintending Mining Engineer, Department Of Mines And Geology, Ajmer Circle, Ajmer.
5. The Mining Engineer, District Nagaur, Rajasthan.
6. The Director General Of Police, Govt. Of Rajasthan, Jaipur.
7. The Inspector General Of Policeeee, Range Ajmer, Rajasthan.
8. The Superintendent Of Police, Nagaur, Rajasthan.
9. The District Collector, Nagaur, Rajasthan.
10. The Sub Division Officer (Sdo), Khinvesar, District Nagaur.
11. The Tehsildar, Khievsar, District Nagaur, Rajasthan.
12. The Sarpanch, Gram Panchayat, Tantawas, Tehsil Khievsar, District Nagaur, Rajasthan.

-----Respondents

Connected With

D.B. Civil Writ Petition No. 4766/2023

CNR: RJHC010214152023 | URN: CW / 10526U / 2023





1. Magha Ram S/o Shri Gomand Ram Ji, Aged About 30 Years, Caste Jat, R/o Village Sarunda, Tehsil Nokha, District Bikaner, Rajasthan.
2. Kalu Ram S/o Shri Moda Ram Ji, Aged About 40 Years, Caste Jat, R/o Village Kukano Ki Dhani, Post Sarunda, Tehsil Nokha, District Bikaner.
3. Abhay Singh S/o Shri Dharu Singh, Aged About 25 Years, Caste Rajput, R/o Bhatiyon Ki Dhani, Post Sarunda, Tehsil Nokha, District Bikaner.
4. Karni Singh S/o Shri Mohan Singh Ji, Aged About 65 Years, Caste Rajput, R/o Bhatiyon Ki Dhani, Post Sarunda, Tehsil Nokha, District Bikaner.
5. Sukha Ram S/o Shri Lichman Ram, Aged About 31 Years, Caste Meghwal, R/o Village And Post Mandeliya, Post Sarunda, Tehsil Nokha, District Bikaner.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Chief Secretary, Government Of Rajasthan, State Secretariat, Jaipur.
2. The Dy. Secretary (Mines) (Group Ii), Department Of Mines And Geology, Rajasthan, Jaipur.
3. The Director (Mines), Dept. Of Mines And Geology, Udaipur.
4. The Director General, State Directorate Of Revenue Intelligencer, Jaipur.
5. The Superintending Mining Engineer, Department Of Mines And Geology, Bikaner, Rajasthan.
6. The Mining Engineer, District Nagaur, Rajasthan.
7. The Inspector General Of Police, Range Ajmer, Rajasthan.
8. The Superintendent Of Police, Nagaur, Rajasthan.
9. The Superintendent Of Police, Bikaner, Rajasthan.
10. The District Collector, Nagaur, Rajasthan.
11. The District Collector, Bikaner, Rajasthan.
12. The Sub Division Officer (Sdo), Nokha, District Bikaner.
13. M/s Nokha Minerals And Constructions, Bhojas, Tehsil Khievsar, District Nagaur, Through Its Manager.
14. M/s Balaji Mines And Minerals, Mandeliya, Tehsil Nokha,





District Bikaner Through Its Manager.

-----Respondents

For Petitioner(s) : Mr. Satya Prakash Sharma, with
Mr. Abhimanyu Khatri.
For Respondent(s) : Mr. Mahaveer Bishnoi, AAG.
Mr. Sajjan Singh Rathore, AAG.
Mr. Deepak Chandak, for
Mr. B.L. Bhati, AAG.



HON'BLE THE CHIEF JUSTICE MR. SANJAY K. AGRAWAL
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

07/10/2026

1. Both these writ petitions (PIL) have been filed by the petitioners seeking a direction to the Mining Department and other State authorities to take appropriate action and to carry out joint operations to stop illegal mining activities in the villages of Bher, Boodhi (Arjanpura), Tantawas, Bhojasar, Bhavanda and Balrathal, and the adjoining areas, in Tehsil Khivsar, District Nagaur.
2. An affidavit has been filed on behalf of respondents No. 1 to 3 and 6, setting out the details of the action taken. The relevant particulars, as tabulated in the chart annexed to the affidavit, read as under:

Details of Action Taken in Dist Nagaur from 2016 to 2022					
Year	Illegal Mining Cases Registered	Illegal Transportation Cases Registered	Penalty Imposed (In Rs.)	FIR's Registered	Penalty Recovered (In Rs.)
2016	6	42	25,51,352	1	17,36,880
2017	1	94	66,50,610	0	66,50,610
2018	8	221	4,88,05,554	54	1,36,92,859
2019	14	136	8,76,68,724	64	86,81,364
2020	32	141	19,16,09,541	18	1,67,28,879
2021	23	156	8,25,96,006	26	1,67,48,699
2022	21	107	3,10,65,391	10	1,30,89,471
Total	105	897	45,09,47,178	173	7,73,28,762



Details of Action Taken in Dist Nagaur from 2023 to 25-11-2024					
Year	Illegal Mining Cases Registered	Illegal Transportation Cases Registered	Penalty Imposed (In Rs.)	FIR's Registered	Penalty Recovered (In Rs.)
2023	38	118	5,79,26,179	70	1,51,75,969
2024 (Upto 25-11-24)	40	114	21,09,70,715	15	1,77,06,659
Total	78	232	26,88,96,894	85	3,28,82,628

Details of Action Taken in Tehsil Khinvsar from 2016 to 2022					
Year	Illegal Mining Cases Registered	Illegal Transportation Cases Registered	Penalty Imposed (In Rs.)	FIR's Registered	Penalty Recovered (In Rs.)
2016	0	16	5,96,860	1	5,33,360
2017	1	36	42,03,920	0	42,03,920
2018	4	32	2,92,23,250	3	20,62,850
2019	6	24	4,21,52,500	16	13,44,000
2020	24	54	9,74,80,921	9	92,53,921
2021	20	62	4,40,94,615	13	85,40,875
2022	13	28	68,97,983	1	64,64,305
Total	68	252	22,46,50,049	43	3,24,03,231

Details of Action Taken in Tehsil Khinvsar from 2023 to 25-11-2024					
Year	Illegal Mining Cases Registered	Illegal Transportation Cases Registered	Penalty Imposed (In Rs.)	FIR's Registered	Penalty Recovered (In Rs.)
2023	17	28	1,50,80,651	10	70,85,652
2024 (Upto 25-11-24)	11	16	16,95,56,484	2	27,02,518
Total	28	44	18,46,37,135	12	97,88,170

It is also relevant to bring to kind notice of this Hon' ble Court that in order to prohibit illegal mining and excavation of mineral from village Bhed, a joint Chowki of Border Homeguard and Police Department was established on 16.9.2019 which is still operative and functioning. Since the year 2019, there is effective implementation of prohibitive measures towards illegal mining at village Bhed.

Similarly, in order to prohibit illegal mining and excavation of mineral from village Berathal, a Chowki of Border Homeguard was established on 12.1.2023 which is still operative and



functioning. Thus, at village Berathal also, there is effective implementation of prohibitive measures towards illegal mining. In the meeting of the District legal public hearing convened by the District administration on 6.9.2022, villagers of village Lalwas submitted complaint of illegal mining at their village. For prohibiting the illegal mining at village Lalwas in light of complaint received from the villagers, a Chowki of Border Home-guard was immediately established on 7.9.2022 and since then, there is effective prohibition of illegal mining activities at village Lalwas."

3. Having perused the detailed affidavit regarding the cases registered for illegal mining, the FIRs lodged, and the penalties imposed and recovered, we are satisfied that appropriate actions are being taken by the Department.

4. As regards the check posts, learned counsel for the respondents would submit that check posts have already been established, and if the competent authority finds it necessary, the additional check posts will be established.

5. In that view of the matter, both the writ petitions (PIL) are disposed of accordingly. However, the Principal Secretary (Mines), Government of Rajasthan, Jaipur shall review the position from time to time so as to ensure that no illegal mining activities are carried out by unauthorized persons.

(BALJINDER SINGH SANDHU),J

(SANJAY K. AGRAWAL),CJ

66-67/Mohd Zeeshan