

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7723 of 2026**

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DEVENBHAI SHANTUBHAI KUNKANA

Versus

STATE OF GUJARAT THROUGH PRINCIPAL SECRETARY & ORS.

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Appearance:

MR SHREYANG S VAYEDA(10917) for the Petitioner(s) No. 1

DS AFF.NOT FILED (N) for the Respondent(s) No. 7

MS POOJA CHAUDHARY, ASST. GOVERNMENT PLEADER for the
Respondent(s) No. 1,2,8

MR.HARDIK B SHAH(3751) for the Respondent(s) No. 5,6

SIDDHARTH R KHESKANI(9483) for the Respondent(s) No. 3,4

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**Date : 28/07/2026****ORAL ORDER**

1. Heard learned advocate Mr.Shreyang Vayeda appearing on behalf of the petitioner, learned Assistant Government Pleader Ms.Pooja Chaudhary appearing on behalf of the respondents No.1, 2 & 3, learned advocate Mr.Siddharth Kheskani appearing on behalf of respondents no.3 & 4 and learned advocate Mr.Hardik Shah appearing on behalf of respondents no.5 & 6.

2. The present petition has been preferred in context of an allegation by the present petitioner that there was illegal mining / excavation of soil from the Gram Panchayat land more particularly the Gram Panchayat being Village: Tajpore

Bujrang, Taluka: Bardoli, District: Surat and whereas, in spite of the petitioner complaining against the same before various authorities, no action appears to have been taken.

3. Upon this Court issuing notice and seeking for appropriate response, it would appear that while the State had tried to submit that at the relevant point of time action could not be taken up on account of some communication gap and whereas, it also appears that an officer who was having the supervisory duties over the place in question having retired, yet, upon direction of this Court, affidavits have been filed by the District Development Officer, Surat, Collector, Surat, Geologist, Surat and also by the Additional Chief Secretary, Industries and Mines, State of Gujarat as regards the directions of this Court, more particularly as regards action having been taken by the authorities.

3.1. It would appear in this regard that the State has taken further follow up action with regard to the illegal mining and whereas, a committee has been constituted to inquire with regard to the issue of illegal mining and necessary recommendations were to be given the Government. It also appears as per the copies of the further follow up action by

the State Authorities that the State has instructed the local Geologist and other Offices to take strict action against illegal mining and whereas, in case of complaint, an application has been developed by the State named 'Geomine Application' through which appropriate complaints could be submitted by citizens as regards illegal mining. Control rooms as well as phone numbers where the complaints could be made, has also been set up.

3.2. Learned AGP has submitted that appropriate action is also being taken by the State for ensuring wide publicity to be given to the above aspect so as to ensure that in case any citizen intends to complaint against any illegal mining, then the citizens has various options through which he could easily connect to the State Officers.

4. Considering the submissions made by learned AGP, more particularly, based upon the affidavits filed by the officers referred to hereinabove, to this Court, nothing further is required to be done except directing the State Authorities to comply with the statements made by the officers concerned in their respective affidavits, more particularly, to ensure that illegal mining does not become a rampant issue in the State

and complaints by the citizens are attended to as expeditiously as possible. It is further directed that the State Authorities shall ensure that wide publicity is given to the phone numbers of control rooms district wise so that citizens could directly register their complaints on the said phone numbers and whereas, the State shall also ensure periodical wide publicity to be given to the Application in question i.e. Geomine Application and whereas, the State shall also ensure that the methodology of operating the App is also publicized widely so that citizens can easily access the App and file their complaint through the medium of the App itself.

5. With the above observations and directions, the petition stands disposed of as partly allowed.

Bhoomi

(NIKHIL S. KARIEL,J)