

415
Government of Jammu and Kashmir
J&K Pollution Control Committee
Jammu



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Consultant (Judicial),
Hon'ble National Green Tribunal, (P.B)
New Delhi.

No. JKPCC/NGT/129/165-166

Dt. 12-01-2024.

**Sub: - Action Taken Report w.r.t. Jammu and Kashmir Pollution Control Committee
in O.A No. 706/2022 titled Asgar Ahmad Najar Versus Ministry of
Environment, Forest and Climate Change & Ors**

Ref.:- Consultant Judicial, (Hon'ble NGT) email dated 23rd November 2023.

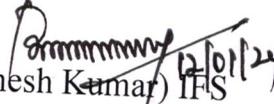
Sir,

In compliance to the Hon'ble National Green Tribunal Order Dated 10-11-2023 in
O.A No. 706/2022 titled Asgar Ahmad Najar Versus Ministry of Environment, Forest
and Climate Change & Ors, kindly find enclosed the Action Taken Report w.r.t. J&K
Pollution Control Committee, in this regard.

The Action Taken Report may kindly be taken on record and placed before the
Hon'ble NGT for consideration please.

Yours faithfully,

Encl: (As above)


(K. Ramesh Kumar) IFS
Member Secretary
JKPCC, Jammu.

Copy to the: -Sh. G.M. Kawoosa, Additional Standing Counsel for J&K Govt. in Hon'ble
NGT matters in New Delhi, for information and necessary action. This is in
reference to Govt. of J&K Order No. 8495-JK(LD) of 2022 Dt 12-10-2022.



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Action Taken Report of Jammu and Kashmir Pollution Control Committee to the directions of Hon'ble National Green Tribunal Order Dt. 10-11-2023 in O.A No. 706/2022 titled Asgar Ahmad Najar Versus Ministry of Environment, Forest and Climate Change & Ors.

Background:

The Hon'ble National Green Tribunal Order Dt. 10-11-2023 in O.A No. 706/2022 has directed the following: -

"District Magistrate, Ramban and the Member Secretary J&K Pollution Control Committee are directed to take appropriate remedial measures in accordance with the recommendation made in the report of the Joint Committee and submit an action taken report."

The Action Taken Report w.r.t. Jammu and Kashmir Pollution Control Committee in O.A No. 706/2022 titled Asgar Ahmad Najar Versus Ministry of Environment, Forest and Climate Change & Ors.

In compliance to the Hon'ble National Green Tribunal order, the J&K Pollution Control Committee carried out the inspection of the site on 12.12.2023 in association with the applicant to verify the compliances made by the Project Proponent M/s ABCI Infrastructure Pvt Ltd. to the remedial measures suggested by the Joint Committee and the Status of Compliance is submitted as under:-

S.No	Recommendations of the Joint Committee during visits to the site.	Status of the compliances done by the Project Proponent to the recommendations of Joint Committee.
1	Visit dated 16.11.2022 Ramps or closed pipes are required to transport the waste	As already reported, pucca/concrete drain passing through one side of the village (natural drainage on down slope) has been

[Handwritten Signature]

	water at the points where waste water is crossing the pathways/crossing points.	constructed by the project proponent and concrete ramps have been laid over the pathways/crossings points of the village over the drain as per the recommendations of the Joint Committee. (Photograph of drain is annexed as Annexure-I)
2	<p><u>Visit dated 16.11.2022</u></p> <p>To construct settling tank of adequate size outside the face of the tunnel so that the slush etc is settled and removed at regular intervals.</p>	The main tunnel T- 77D (now renamed as T-55) seepage water (clean water as the construction activities inside the main tunnel are completed) has been permanently diverted towards the Jammu end through concrete deep drain laid inside the main tunnel and nothing is diverted through the abandoned tunnel T-77A/Village drain. Moreover, the work on the main tunnel has been completed and the trial runs of the train also done through it between Banihal and Khari stations.
3	<p><u>Visit dated 16.11.2022</u></p> <p>A retaining structure such as gabions/crate wall to retain the muck dumped for construction of approach road on upper side of the village is needed badly to avoid any untoward incident, leading to loss of property or life.</p>	As already reported, a gabion wall to retain the muck dumped for the construction of approach road towards tunnel T-77A has been provided by the project proponent along the bottom of the dump in the railway acquired land as per the recommendations of the Joint Committee and was found intact (Photograph is annexed as Annexure-II)
4	The project proponent is required to collect and store the empty	Store for empty cement bags already provided. It was observed that the

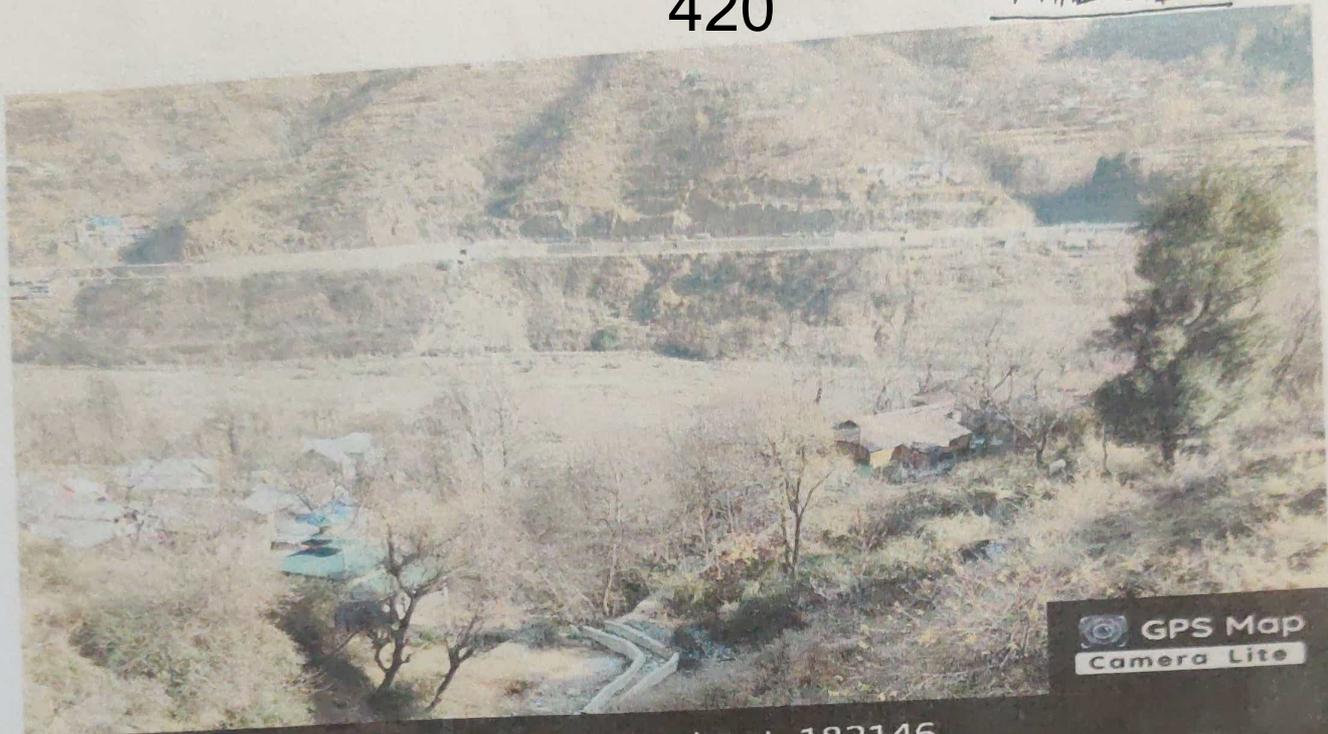
	<p>cement bags properly and dispose off the same through supplier or vendor, to avoid contributing towards particulate emissions.</p>	<p>operation of the batching plant has been stopped and the dismantling of same has been started. The underground sedimentation tank of the batching plant has been closed and filled with debris/muck due to completion of the project work.(Photographs is annexed as Annexure- III)</p>
5	<p><u>Visit dated 31.3.2023</u></p> <p>It was observed that a small portion of the soil has started sliding down just below the gabion wall provided by the proponent near Northern face of tunnel T-77A. It was recommended that slope stability is ensured by the proponent before leaving the site.</p>	<p>As already reported, a PCC retaining wall in about 20 M length and 3.0 M above ground in height has been constructed to avoid sliding of the soil near the Northern face of the abandoned tunnel T-77A by the project proponent as per the recommendations of the Joint Committee. (Photograph is annexed as Annexure- IVA)</p>
6	<p>It was recommended that apart from providing the compensation for the loss of crop, the remediation of the agriculture land damaged as verified by the Agriculture Officer, to restore to its original condition by the Proponent under the supervision of concerned Agriculture Officer of the area.</p>	<p>The project proponent has already deposited an amount Rs 69,084/- as annual damages assessed by the Chief Agriculture Officer, Ramban for the crops Rabi &Kharif and has also deposited an amount of Rs 2,93,394/- as the cost of restoration of the agriculture land, damaged due to discharge of untreated waste water as assessed by the Chief Agriculture Officer, Ramban with the office of Sub Divisional Magistrate, Banihal as per the directions of District Magistrate, Ramban. The</p>



		remediation work utilizing the amount is yet to be started.
7.	On spot verbal instructions were issued by the District Magistrate, Ramban during his visit to the site on 11.8.2023 to remove debris in front of the abandoned tunnel T-77A and construct a retaining wall in front of the tunnel.	The project proponent has removed the construction debris lying in front of the tunnel T-77A and has also submitted latest photograph of the ongoing construction work of the retaining wall in front of the tunnel as per the instructions. (Photograph is annexed as Annexture-IVB)

Hence, the Action Taken Report may kindly be taken on record and placed before the Hon'ble NGT for consideration, please.





GPS Map
Camera Lite

C59X+QVF, Bankoot, 182146

Latitude
33.41753708°
Local 12:41:25 PM
GMT 07:11:25 AM

Longitude
75.19905447°
Altitude 1709 meters
Tuesday, 12.12.2023



PHOTOGRAPH OF CONCRETE DRAIN PASSING THROUGH VILLAGE

XYNEXURB-II

C59X+QVF, Bankoot, 182146

Latitude

33.41709643°

Local 12:37:33 PM

GMT 07:07:33 AM

Longitude

75.19896088°

Altitude 1709 m

Tuesday, 12.12.2023

PHOTOGRAPH SHOWING GRABON/RETAINING WALL AT THE BOTTOM OF THE DUMP

ANNEXURE - III



C59X+QVF, Bankoot, 182146

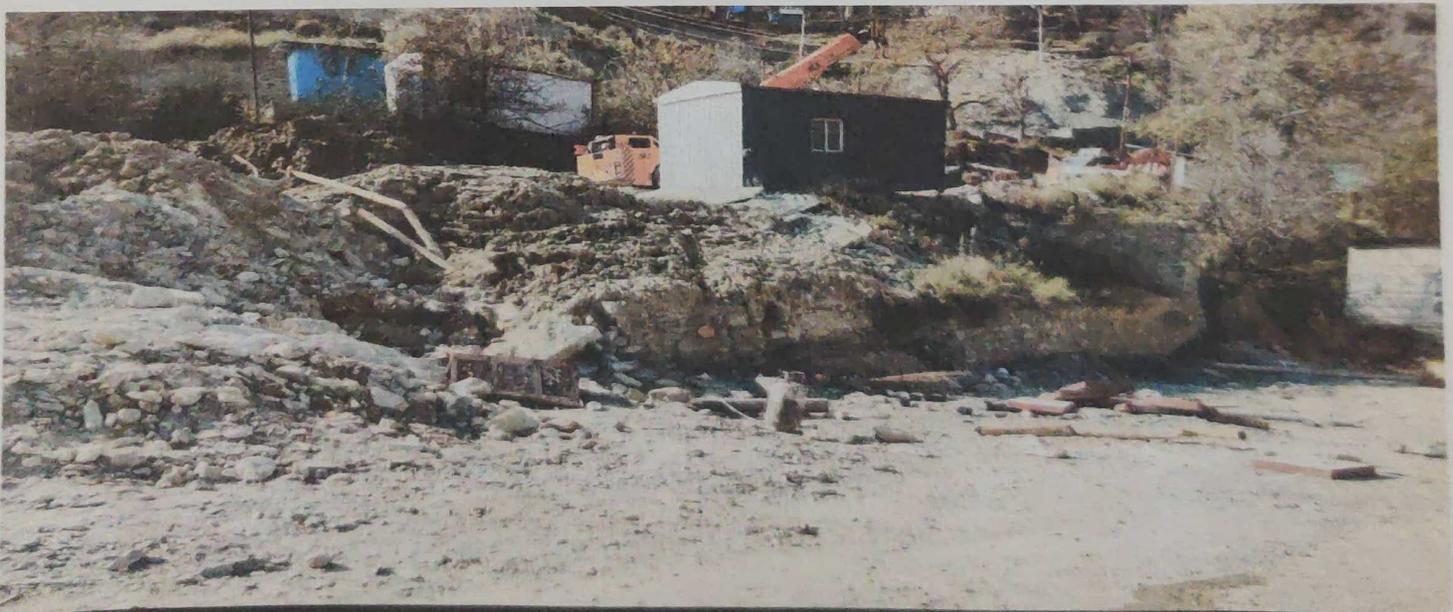
Latitude
33.41694325°

Longitude
75.19979632°

Local 12:44:43 PM
GMT 07:14:43 AM

Altitude 1672 m
Tuesday, 12.12.2023

PHOTOGRAPH OF THE CEMENT STORE AND BATCHING PLANT UNDER DISMANTLE



C59X+QVF, Bankoot, 182146

Latitude
33.41687402°

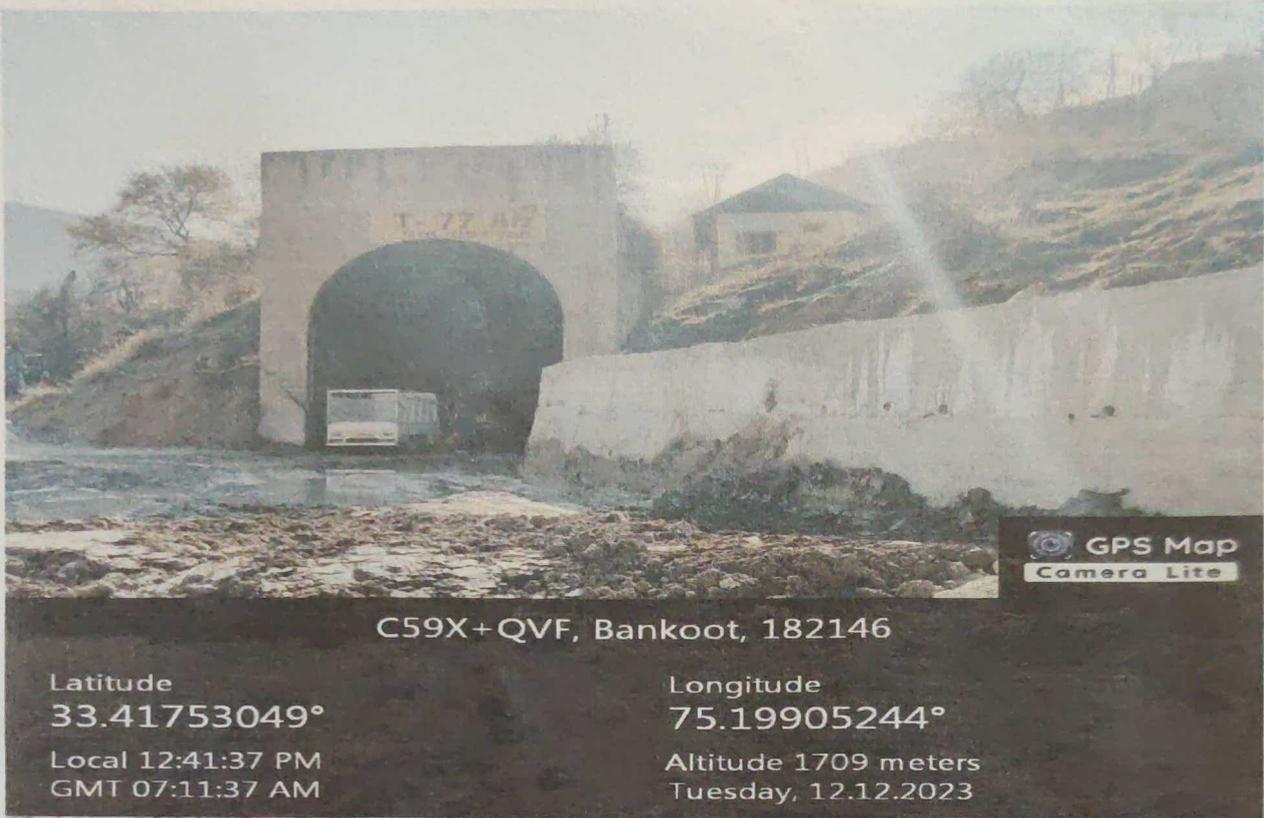
Longitude
75.1998239°

Local 12:45:58 PM
GMT 07:15:58 AM

Altitude 1672 m
Tuesday, 12.12.2023

PHOTOGRAPH SHOWING SITE OF THE SEDIMENTATION TANK OF BATCHING PLANT NOW FILLED WITH DEBRIS/MUCK AFTER COMPLETION OF PROJECT WORK.

(A)



PHOTOGRAPH SHOWING RCC RETAINING WALL NEAR ABANDONED TUNNEL T-77A

(B)



PHOTOGRAPH SHOWING CONSTRUCTION OF RETAINING WALL IN FRONT OF ABANDONED TUNNEL T-77A