

Title of the case:-In re: News item titled "Gypsum Jam: Ramant mining Troubles Kashmir Villages" appearing in Village Square dated : 20-08-2023.

Subject: Compliance report to the Hon'ble NGT (PB) Order dated: 11-09-2023 in OA No 538/2023 in re: New's Items Titled " Gypsum Jam: Rampant Mining Troubles Kashmir Villages" appearing in village Square dated: 20-08-2023.

Operative Part of Hon'ble NGT (PB) Order dated: 11-09-2023 in OA NO: 538/2023 is reproduced as under:-

"Having regard to the nature of the issue involved in the matter; we also deem it proper to form a joint committee comprising of the Director, Central Pollution Control Board, Member Secretary, J&K Pollution Control Committee, concerned District Magistrate and the concerned District Forest Officer. The District Forest Officer will act as a coordinating agency for conducting meeting of the committee and taking steps in pursuance to this order. The committee will carry out the spot inspection and collect the information in respect of the issues mentioned in said order more particularly issues relating to the health hazard of operation of these mines on the local residents of the area, Environmental damages caused, operation of mines within the prohibited distance from Wild Life sanctuary and will submit an independent report before the Hon'ble Tribunal on or before the next date of hearing by e-mail at judicial-ngt@gov.in in the form of searchable pdf. The report may further include the actions if any, required to be taken for restoration of Environmental & recovering cost of restoration from the Miners by levying environmental compensation if any"

In compliance to the abovedirections, spot visits were under taken by the members of the committee and their representatives and details are being collected. On the basis of the reports received from the concerned members firming up of final conclusive report may require some more time. Therefore preliminary compliance report on the basis of action taken till date is submitted as under:-

2 files



- 1) That factual report with respect to Health hazard of operation of the mines on the local residents of the area was sought by Divisional Forest Officer Jehlum Valley Forest Division vide NO: DFO/JV/2023-24/934-35 dated: 24-11-2023 from Block Medical Officer Boniyar.
- 2) That factual report regarding delineation of leased out mine area on ground and excess or over exploitation, if any , in respect of (1) MS Kohinoor Gypsum (2) MS New Sigma Industries (3) MS GEE EMM Industries (4) MS Tower Chemicals (5) MS Baba Chemicals was sought by Divisional Forest Officer Jehlum Valley Forest Division Baramulla vide NO: DFO/JV/2023-24/936-37 dated: 24-11-2023 from Tehsildar Boniyar.

- 3) That factual report with respect to operation of these mines within the prohibited distance from the Wildlife Sanctuary allied effects on Wild Life was sought from Wild Life Warden North Division Sopore vide DFO JV Forest Division Baramulla No DFO/JV/2023-24/941-42 dated: 24-11-2023.
- 4) That necessary documents and information with respect to (a) Approved Mining Plans (b) Quality of Gypsum extracted as on date since establishment of these mining units. (c) Dully approved mining Map alongwith Geo co-ordinates. (d) Environmental clearance, (e) Consent to establish was sought from District Mineral Officer Baramulla vide DFO JV Forest Division Baramulla NO: DFO/JV/2023-24/932-33 dated: 24-11-2023.
- 5) That the Joint Committee comprising of the sub-Divisional Magistrate Uri (Representative on behalf of District Magistrate Baramulla) Divisional Forest Officer Jehlum Valley Forest Division Baramulla, Divisional Officer Pollution Control Committee Baramulla (Representative on behalf of Member Secretary J&K Pollution Control Committee, besides other Officers viz Chief Medical Officer Baramulla, District Mineral Officer Baramulla, Tehsildar Boniyar and Block Medical Officer Boniyar Undertook spot inspection on 02-11-2023 of Gypsum mines mentioned in the Hon'ble NGT (PB) order quoted supra. The preliminary ground observations are submitted as under:

- (1) The miners have not ear-marked their boundary which is essential in order to assess over exploitation and Environmental damages if any.
- (2) The miners do not have ear-marked necessary buffer zone all along the mining area' as such mining is being carried in haphazard manner.
- (3) The miners have reached adjacent to the conifer vegetation for which delineation and erection of Boundary Pillars is essential in order to prevent any over exploitation & Environmental damage.
- (4) The air quality report dated 28.10.2023 placed on record by District Pollution Control Committee Baramulla vide NO : JKPC/RDK/AL/MR/746 Dated 28/10/2023(**copy Enclosed as Annexure I**) is reproduced as under:-

2 Fine

Sr. No	Location	PM 10	PM 2.5	SO ₂	NO ₂
01	Within the premises of Abdul Rehman Khan S/O Shah Wali Khan, Sabayee Mohalla Bagna Baramulla	148.98	64.48	10.58	20.33
02.	Within the Premises of Govt. Boys Primary/Middle School Bagna Baramulla	139.56	53.42	8.32	17.69

Note: Ambient Air Quality Standard Limits

24 Hours Avg.:- (i) PM 2.5 = 60 µg/m³ (ii) RSPM = 100 µg/m³ (iii) SO₂ = 80 µg/m³ (IV) NO₂ = 80 µg/m³

The air quality in respect of Particulate Matter is approximately 2.5 times higher than permissible limit both in the residential premises of Abdul Rehman Khan S/O Shah Wali Khan, Subayee Mohalla Bagna and in the premises of Govt. Boys Primary / Middle School Bagna Baramulla

- (5) The Wild life Warden North Division Sopore vide NO: WLW(N)/Estt/2023-24/1843-45 dated: 29-11-2023 (**copy Enclosed as Annexure II**) reported that all five mines viz (1) GEE EMM Industries Bagna (2) New Sigma Industries Bagna (3) Tower Chemicals Bagna (4) Kohinoor Gypsum Bagna (5) Baba Chemicals Salamabad are falling within 01

Km from the Boundary of the Lachipora Wild Life Sanctuary of which Geo-coordinates have been provided by District Mineral Officer Baramulla. The Wildlife Warden also reiterated that the matter is subjudice before the Hon'ble High Court of Jammu & Kashmir at Srinagar.

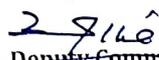
- (6) That Block Medical Officer Boniyar vide his No: BMOB/2023/313-18 dated: 05/12/2023(Copy Enclosed as Annexure III) reported that village Bagna Salamabad has approximately 980 souls out of which about 300 were screened (30 % of population of said village). The screening of children adults and workers was done. About 50 persons were found to be suffering from acute respiratory elements which can be sessional. Out of 52 patients with chest symptoms 38 were screened for pulmonary TB. All of them were found negative for acute pulmonary TB, 07 were diagnosed with diabetes, 06 patients had hyper tension and 11 patients out of 52 had anemia mostly in the pediatrics age group. Block Medical Officer further reported that full screening process of the said village and adjoining areas followed by necessary investigations will continue which will lead formally to the formation of final report with opinion of experts from pulmonary department of GMC Baramulla if needed.
- (7) That Tehsildar Boniyar vide his No: Teh/BR/OQ/A-3 1719 dated: 05/12/2023 (Copy enclosed as Annexure IV) reported that the lessees have not erected Boundary Pillars of their respective leased mines and also there is no defined buffer zone in such mining areas. Further the environmental loss/excess area if any can be checked perfectly once the lessees erect their boundary pillars of their leased areas and the conifer vegetation may also be checked properly and had requested that the lessees may be directed for the same and requested to grant least 06 weeks' time in order to delineate the leased area properly so that over exploitation/environmental loss/violation if any be ascertained; as the area involved in the subject case is mountainous and hilly

In the premises, it is, therefore prayed that taking into consideration the above made submissions, the Hon'ble National Green Tribunal may kindly be pleased to grant 08 weeks' time in order to firm up comprehensive report and assess violations /over exploitation /environmental loss if any and complete medical screening of the inhabitants of Villages falling around above mentioned mines.

It is also prayed that Hon'ble National Green Tribunal may kindly be pleased to pass direction to Miners (Lessees) not to operate till they do not delineate and erect boundary pillars on leased out area on ground duly authenticated by concerned Revenue Authorities and maintain necessary buffer zone.


Divisional Officer
Pollution Control Committee
(Representative)
on behalf of Member Secretary
Jammu & Kashmir Pollution
Control Committee


Divisional Forest Officer
Jehlum Valley Forest Division
Baramulla


Addl. Deputy Commissioner
Baramulla
On behalf of
Deputy Commissioner
Baramulla

40

(Annexure I)

Government of Jammu & Kashmir
J&K State Pollution Control Board
Regional Directorate-Kashmir

Sheikh-ul-Alam Complex, Rajbada, near Government Silk Factory, Srinagar-190008
Email: reg_dir_directorkmr@gmail.com
Tel: 9191 231812

The Regional Director,
J & K State Pollution Control Board
Srinagar.

No:- JKPCB/RDK/AL/MR/746. Dated:- 28/10/2023.

Subject:- Hon'ble NGT order dt: 11-2-2023 in OA No:- 583/2023 in
re:News item titled "Gypsum Jam: Rampat mining troubles Kashmir
villages"

Sir,

Kindly find enclosed, here with the Air Quality Monitoring report with regard to
the above cited subject.

Yours faithfully,


Scientist-"A"
JKPCB, Air lab.

The In-charge,
Air lab, JKPCCK Kashmir.

No:- JKPCCK/RDK/AL/MR/746 Dated:- 28/10/2023

Subject:- Hon'ble NGT order dt. 11-2-2023 in OA No. 538/2023 In re: News item titled "Gypsum Jam : Rampant mining troubles Kashmir villages"

Ref:- Hon'ble NGT email dt. 15th September 2023.

Air Quality Monitoring Report

The Air lab team along with Field team of District Office Baramulla visited the site on 20-10-2023 to 21-10-2023 and carried out Ambient Air quality Monitoring of following parameters and the results are given below:-

S.No.	Location	PM10	PM2.5	SO ₂	NO ₂
1	Within the premises of Abdul Rehman Khan S/O Shah wali Khan, Subayee Mohalla Bagna Baramulla	148.98	64.48	10.58	20.33
2	Within the premises of Govt.Boys Primary/Middle School Bagna Baramulla	139.56	53.42	8.32	17.69

Note:- (1) Ambient Air Quality standard limits:-
24 Hours Avg:- (i) PM 2.5=60 µg/m³. (ii) RSPM=100 µg/m³. (III) SO₂=80 µg/m³
(IV) NO₂=80 µg/m³.

- (2) All values are in µg/m³.
- (3) The monitoring data is confined to the collected samples and operation of three mines only.
- (4) The operation of mines was suspended for few days, specifically 2 to 3 days prior to the day of monitoring due to rain fall.
- (5) Only three mines were found operational during monitoring namely M/S Kohinoor Gypsum, M/S Tower Chemicals & M/S New Sigma Industries, out of 04 mines in the said area, M/S GEE EMM Industries was found non operational during the monitoring period, However M/S Baba Chemicals is located far away from this spot and hence needs separate Air Monitoring.
- (6) The production of raw material was confined to 3 to 4 dumpers (Tipper) due to low Demand as stated by owners of the mines.


R.A.

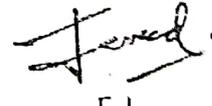
Air Lab.Sgr.


F.V.

Air Lab.Sgr


R.A.

Air Lab.Sgr


F.I.

Baramulla District



Department of Wildlife Protection J & K Government
OFFICE OF THE WILDLIFE WARDEN NORTH
KASHMIR DIVISION SOPORE

Fax: 01954221682 Email: wlwnorth786@gmail.com

The Divisional Forest Officer
 JV Forest Division
 Baramulla.

No:-WLW (N)/Estt/2023-24/1893-45
 Dated: - 29 -11-2023

Subject: - Hon'ble NGT order dated 11-09-2023 in OA 538 of 2023 titled "Gypsum Jam Rampant Mining Troubles Kashmir Villages".

Reference:- Your office letter No. DFO/JV/L/2023-24/941-42, Dated:- 24-11-2023.

Sir,

Regarding the subject cited above, the five Gypsum Mining Units mentioned in the aforementioned letter are falling within 1 KM from the boundary of the Lachipora Wildlife Sanctuary. The Geo Coordinates of the Gypsum Mining Units as provided by the District Mineral Officer, Geology and Mining Department Baramulla are mentioned below:-

CORNER POINTS OF GYPSUM Mining Units.

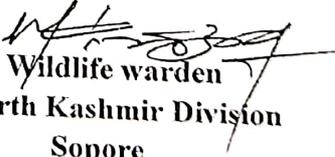
1. GEE EMM INDUSTRIES, BAGNA (A'B'C'D'F'G'HI)		
F'	34° 9'31.43" N	74° 7'7.18"E
A'	34° 9'29.57" N	74° 7'1.40"E
B'	34° 9'30.81" N	74° 6'58.66"E
C'	34° 9'33.25" N	74° 6'56.53"E
D'	34° 9'31.48" N	74° 6'54.89"E
G'	34° 9'27.56" N	74° 7'9.20"E
H	34° 9'24.89" N	74° 6'55.83"E
I	34° 9'29.60" N	74° 6'53.71"E
2. NEW SIGMA INDUSTRIES, BAGNA (01234567ABCD)		
0	34° 9'40.21" N	74° 7'7.15"E
1	34° 9'37.61" N	74° 7'3.61"E
2	34° 9'37.19" N	74° 7'2.26"E
3	34° 9'35.13" N	74° 7'1.43"E
4	34° 9'31.35" N	74° 7'3.29"E
5	34° 9'31.38" N	74° 7'8.25"E
6	34° 9'32.82" N	74° 7'8.86"E
7	34° 9'36.26" N	74° 7'8.82"E
A	34° 9'33.79" N	74° 7'3.78"E
B	34° 9'34.52" N	74° 7'0.78"E
C	34° 9'31.49" N	74° 6'57.77"E
D	34° 9'29.57" N	74° 7'1.40"E
3. TOWER CHEMICALS, BAGNA (ABCDEFGH)		
A	34° 9'40.50" N	74° 7'7.03"E
B	34° 9'38.60" N	74° 7'4.52"E
C	34° 9'38.06" N	74° 7'1.51"E
D	34° 9'38.31" N	74° 6'59.89"E
E	34° 9'43.51" N	74° 6'58.96"E

F	34° 9'46.59" N	74° 6'59.25"E
G	34° 9'47.53" N	74° 7'1.52"E
H	34° 9'47.46" N	74° 7'2.61"E
4. KOHINOOR GYPSUM, BAGNA (ABCDEX₁X₂X₃X₄FGHI)		
A	34° 9'48.77" N	74° 7'1.23"E
B	34° 9'50.46" N	74° 7'2.40"E
C	34° 9'51.92" N	74° 7'2.40"E
D	34° 9'52.03" N	74° 7'6.30"E
E	34° 9'47.42" N	74° 7'6.60"E
X ₁	34° 9'47.11" N	74° 7'2.91"E
X ₂	34° 9'47.48" N	74° 7'2.68"E
X ₃	34° 9'47.56" N	74° 7'1.58"E
X ₄	34° 9'46.85" N	74° 6'59.79"E
F	34° 9'46.45" N	74° 6'55.25"E
G	34° 9'52.05" N	74° 6'51.95"E
H	34° 9'52.05" N	74° 6'57.95"E
I	34° 9'50.65" N	74° 6'58.78"E
5. BABA CHEMICALS, SALAMABAD (CtR₁R₂R₃R₄R₅R₆R₇)		
Ct	34° 9'40.09" N	74° 7'48.15"E
R ₁	34° 9'40.39" N	74° 7'48.76"E
R ₂	34° 9'41.93" N	74° 7'47.70"E
R ₃	34° 9'41.11" N	74° 7'45.23"E
R ₄	34° 9'39.26" N	74° 7'46.53"E
R ₅	34° 9'36.71" N	74° 7'41.76"E
R ₆	34° 9'31.09" N	74° 7'45.69"E
R ₇	34° 9'34.79" N	74° 7'52.58"E

Further the matter is sub judicious before the Hon'ble High Court of Jammu & Kashmir at Srinagar and Hon'ble Court of Forest Magistrate Srinagar.

Hence submitted for favour of information and necessary action please.

Yours faithfully


Wildlife warden
North Kashmir Division
Sopore

Copy submitted for favour of information to:-

1. The Deputy Commissioner Baramulla.
2. The Regional Wildlife Warden, Kashmir Region Srinagar.



Department of Health



OFFICE OF THE BLOCK MEDICAL OFFICER BONIYAR

Email Address: bpmboniyar@gmail.com

Pincode: 193122

The
Divisional Forest Officer
Jhelum Valley Forest Division
Baramulla

Ref No:- DFO/JV/2023-24/934-35

Dated:- 24/11/2023

Sub:- Preliminary report.
Sir.

Kindly refer to the subject cited above and in compliance to your letter no DFO/JV/2023-24/934-35 a medical team was constituted by Block Medical Officer Boniyar, comprising of the following officials:

1. Dr. Khursheed Ahmad Khan (BMO Boniyar)
2. Dr. Mir Waseem (Physician Specialist)
3. Dr. Jeelani (MO RBSK)
4. Dr. Hilal (MO RBSK)
5. Dr. Iram (MO RBSK)
6. Dr. Ishtiyaq (MLHP/CHO)
7. Shagufta Jabeen (BAC)
8. Ishfaq Ali Mir (ANM RBSK)
9. Ishfaq Shabir (MMPHW)
10. Taseena Jeelani (FMPHW)
11. Rubeena Maqbool (FMPHW)
12. Ashas of concerned Village.

Preliminary Report

The population of village Bagna Salamabad is about 980 approximately souls out of which about 300 were screened. (which is 30% of Population of the said village). The Screening / medical camp was organised on 01-12-2023. In this camp screening of children, adults and workers of gypsum mines was done.

About 52 persons were found to be suffering from acute respiratory ailments, which can be seasonal. Out of 52 patients with chest symptoms, 38 were screened for Pulmonary TB. All of them were found Negative for Acute Pulmonary TB. 07 were diagnosed with diabetes and 6 patients had hypertension, 11 patients out of 52 had anemia, mostly in the paediatric age group.

The preliminary report is hence submitted. Moreover Block Medical team will continue the screening process of the said village and adjoining areas followed by necessary investigations which will lead formally to the formation of final report with opinion of experts from Pulmonary Department of GMC Baramulla if needed.

Hence report is submitted for favour of information.

No: BMOB/2023/313-18.

Dated 05/12/2023.

Copy to:

1. Deputy Commissioner, Baramulla for favour of Inf.
2. Sub Divisional Magistrate, Uri
3. Chief Medical Officer Baramulla.
4. District Mineral Officer, Baramulla
5. Tehsildar, Boniyar


Block Medical Officer
Boniyar
Block Boniyar

OFFICE OF THE TEHSILDAR BONIYAR

45

The Divisional Forest Officer,
J.V Forest Division,
Baramulla.

No: - Teh/Bonyar/A3 177

Dated: - 05-12-2023

Sub: - Demarcation of land w.r.t Hon'ble NGT Order dated 11-09-2023 in OA 538 of 2023 titled "Gypsum Jam Rampant Mining Troubles Kashmir Villages".

Sir,

Apropos to the subject captioned above, in this connection it is submitted that the Mines are operating in Revenue villages Bagna-Noorkhah, Dachina-Salamabad, Tehsil Boniyar. The constituted demarcation team reported that the lessees have not erected boundary pillars of their respective leased mines and also there is no defined buffer zone in such Mining Areas. Further the team has reported that the environmental loss/exceed area if any may be checked once the lessees erect their boundary pillars of their leased areas resp and the Conifer vegetation may also be checked properly. As such it is requested that the lessees may be directed for the same and this office may be given at least six weeks' time in order to delineate the leased area properly, so that this office may be able to assess the over exploitation/environmental loss/violation if any. Further the topography of said area is tough hilly terrain.

Encl: Nil lvs.

Yours faithfully


TEHSILDAR
BONIYAR

Copy for info to the:-

- i) Deputy Commissioner Baramulla.
- ii) Naib Tehsildar Concerned.
- iii) File Record.