

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 – 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006

Silk Factory Road
Rajbagh, Srinagar, 190 008

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

No. JKPCC/NGT/OA 538-2024/ 760

Dt. 04 -09-2024.

Sub: - Compliance Report of Jammu & Kashmir Pollution Control Committee in compliance to Hon'ble National Green Tribunal directions dated 20-02-2024 passed in OA No. 538 of 2023 titled News item "Gypsum Jam: Rampant mining troubles Kashmir villages" appearing in village Square dated 20-08-2023.

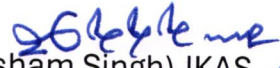
Sir,

In compliance to the Hon'ble National Green Tribunal Order Dated **20-02-2024** in **OA No. 538 of 2023** titled News item "Gypsum Jam: Rampant mining troubles Kashmir villages" appearing in village Square dated **20-08-2023**, the Compliance Report of J&K Pollution Control Committee is submitted herewith.

It is therefore, requested that the Compliance Report may kindly be taken on record and placed before the Hon'ble National Green Tribunal for consideration.

Yours faithfully,

Encl: (As above)


(Ghansham Singh) JKAS 4.9-24
Member Secretary
JKPCC, Jammu

Copy to the: -

1. Sh. G.M Kawoosa, Additional Standing Counsel, Supreme Court of India / Hon'ble NGT New Delhi, for information and necessary action. This is in reference to Govt. of J&K Order No. 15387-JK(LD) of 2024 Dated 03-09-2024.

**Before the Hon'ble National Green Tribunal
Principal Bench, New Delhi**

Original Application No. 538 of 2023

IN THE MATTER OF

News item titled "Gypsum Jam: Rampant mining troubles Kashmir villages" appearing in Village Square dated 20.08.2023

Compliance Report of Jammu and Kashmir Pollution Control Committee in compliance to Hon'ble National Green Tribunal directions dated 20.02.2024 passed in OA No. 538 of 2023 titled News item titled "Gypsum Jam: Rampant mining troubles Kashmir villages" appearing in village Square dated 20.08.2023.

Background:

That the Hon'ble National Green Tribunal was pleased to pass following directions vide judgement dated **20.02.2024** in **OA No. 538 / 2023:-**

1. *"Since, action for closure of the mines operating in violation of the norms has already been taken, therefore, no further action in this regard is required. Only surviving issue is in respect of imposition of environmental compensation on the defaulting mines for causing damage to the environment by operating in violation of the environmental norms. Hence, we direct Secretary, J&KPCC to take appropriate action against these defaulting mines for imposition of environmental compensation after duly following the Principle's of 'Natural Justice'. In that process, J&KPCC before ascertain the environmental compensation, if any, will record the factual finding in respect of nature and extent of violation.*
2. *"Let action taken report be submitted by Member Secretary, J&KPCC before the Registrar General of the Tribunal within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. If found necessary, the matter may be listed for consideration before the Tribunal.*

Status Report:

In compliance to the aforesaid directions of the Hon'ble National Green Tribunal dt. 20-02-2024 in **OA No. 538 of 2023**, Regional Director, Pollution Control Committee, Kashmir was directed to furnish the latest status of all 14 mining units in Baramulla District vide this office letter No. JKPCCT/C/mining/Blm/2024/1116-17; dated 14-03-2024 (copy enclosed as **Annexure A**). The mining units are listed as under:

1. M/s Kohinoor Gypsum
2. M/s New Sigma Industries
3. M/s GEE EMM Industries
4. M/s Tower Chemicals
5. M/s Baba Chemicals
6. M/s Jhelum Chemicals
7. M/s Syed Mohd Irshad
8. M/s Syed Mohd Tahir
9. M/s Raz Chemicals
10. M/s Snow White Gypsum
11. M/s Neelam Valley Gypsum
12. M/s Noor Mohammad Trumboo
13. M/s Khyber Industries and
14. M/s Kashmir Minerals Mills

The Regional Director, Pollution Control Committee, Kashmir submitted a detailed report vide his letter No. PCC/RDK/PS/2024/186-187; dated 29-03-2024 (Copy enclosed as **Annexure B**) indicating therein that out of 14 units, 4 units are without consent and in some cases consent to operate has been expired and not renewed thereafter by the unit holders. In 5 cases, the extraction made by the unit holder as per the report District Mineral Officer Baramulla is in excess of the quantity consented by the J&K Pollution Control Committee in the consent order.

Thereafter, the Regional Director, Pollution Control Committee, Kashmir submitted Environmental Compensation formats indicating therein the



consented quantity, total extraction, excess extraction (5 cases only) and period of violations etc in respect of 09 mining units vide No. PCC / RDK / PS / 2024 / 432-33 dated 12-06-2024 and the same was referred to the Technical Advisory Committee constituted for evaluation and assessment of the Environmental Compensation leviable upon the defaulting units.

The Technical Advisory Committee of the J&K Pollution Control Committee recommended levy of Environmental Compensation upon the below mentioned 5 mining units for extraction of excess quantity of mines than the consented quantity and operation of the mines without validity of the Consent to Operate.

S. No.	Name of the unit	Consented quantity in (MT) terms of the CTO granted by the J&K PCC	Total extraction (MT) as per the report of DMO / DO Baramulla	Excess quantity extracted	EC proposed to be levied
1)	Mr. Suhail Andleeb Wani (Prop.) Raz Chemicals, Naloosa Uri, Baramulla	24300	27729	3429	Rs. 308610/-
2)	Mr. Biilal Ahmad Bhat (Prop.) M/s Kohinoor Gypsum, Baga Salamabad Dachine Bonyar Uri, Baramulla	Without consent	48623	48623	Rs. 4376070/-
3)	Mr. Gh. Qadir Wani & Ajaz Ahmad Wani (Prop) M/s Tower Chemicals Gypsum Mining Project, Village Begna, Tehsil Bonyar, Baramulla	31666	36860	5194	Rs. 467460/-
4)	Mr. Nadeem Hasan Beigh (Prop), M/s Baba Chemicals, Baga Salamabad Dachine Bonyar Uri, Baramulla	11667	52180	40513	Rs. 3646170/-
5)	Mr. Syed Mohd Tahir (Prop), M/s Syed Mohammad Tahir Gypsum Mining Project, Daragutliyan, Tehsil Bonyar, Baramulla	48600	55417	6817	Rs. 613530/-

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Accordingly, opportunity of being heard was provided to the unit holders and Show Cause Notices for levying of Environmental Compensation were issued against the 05 defaulting units with the direction to show cause within 15 days as to why the proposed Environmental Compensation should not be levied upon them vide Nos and dates indicated against each as under (Copies enclosed as **Annexure C**):

S. No.	Name of the Mining unit	Show Cause Notice No. and Date
1)	Mr. Suhail Andleeb Wani (Prop.) Raz Chemicals, Naloosa Uri, Baramulla	JKPCC/LSK/7510142/431-432; 02-07-2024
2)	Mr. Bilal Ahmad Bhat (Prop.) M/s Kohinoor Gypsum, Baga Salamabad Dachine Boniyar Uri, Baramulla	JKPCC/LSK/7510142/429-30; 02-07-2024
3)	Mr. Gh. Qadir Wani & Ajaz Ahmad Wani (Prop) M/s Tower Chemicals Gypsum Mining Project, Village Begna, Tehsil Boniyar, Baramulla	JKPCC/LSK/7510142/427-28; 02-07-2024
4)	Mr. Nadeem Hasan Beigh (Prop), M/s Baba Chemicals, Baga Salamabad Dachine Boniyar Uri, Baramulla	JKPCC/LSK/7510142/425-26; 02-07-2024
5)	Mr. Syed Mohd Tahir (Prop), M/s Syed Mohammad Tahir Gypsum Mining Project, Daragutliyan, Tehsil Boniyar, Baramulla	JKPCC/LSK/7510142/423-24; 02-07-2024

However, no response was received from these units even after expiry of stipulated period.


Therefore, in compliance to the directions of the Hon'ble NGT dated 20-02-2024, the Environmental Compensation was levied upon the below mentioned mining units as per the details indicated against each. (Copies annexed as **Annexure D**).

S. No.	Name of the Mining unit	Excess Quantity Extracted (MT)	Environmental Compensation levied
1)	Mr. Suhail Andleeb Wani (Prop.) Raz Chemicals, Naloosa Uri, Baramulla	3429	Rs. 3.08 lacs, vide order No. 27- JKPCC of 2024; Dated: 24-08-2024
2)	Mr. Biilal Ahmad Bhat (Prop.) M/s Kohinoor Gypsum, Baga Salamabad Dachine Boniyar Uri, Baramulla	48623	Rs. 43.76 lacs, vide order No. 28 JKPCC of 2024; Dated: 24-08-2024
3)	Mr. Gh. Qadir Wani & Ajaz Ahmad Wani (Prop) M/s Tower Chemicals Gypsum Mining Project, Village Begna, Tehsil Boniyar, Baramulla	5194	Rs. 4.67 lacs, vide order No. 26 JKPCC of 2024; Dated: 24-08-2024
4)	Mr. Nadeem Hasan Beigh (Prop), M/s Baba Chemicals, Baga Salamabad Dachine Boniyar Uri, Baramulla	40513	Rs. 36.46 lacs, vide order No. 25 JKPCC of 2024; Dated: 24-08-2024
5)	Mr. Syed Mohd Tahir (Prop), M/s Syed Mohammad Tahir Gypsum Mining Project, Daragutliyan, Tehsil Boniyar, Baramulla	6817	Rs. 6.13 lacs, vide order No. 24 JKPCC of 2024; Dated: 24-08-2024

Accordingly, the compliance report in the aforesaid OA is submitted for consideration of the Hon'ble National Green Tribunal, Principal Bench, New Delhi.

Prayer:

In the premises, it is therefore respectfully prayed that the report may kindly be taken on record before the Hon'ble National Green Tribunal for consideration.


 (Ghansham Singh) 4.9.24
 Member Secretary
 J&K PCC

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

The Regional Director,
Pollution Control Committee,
Kashmir.

No: JKPCC/T/C/mining/Blm/2024/1106-07

Dated:- 14.03.2024

**Subj:- Status of Mining activity falling within prohibited zone /1 KM from
Lachipora, WLS.**

Ref.: WLW(N)/Esst/2023-24/2110-11 dt. 22.01.2024.

Sir,

With reference to the above cited subject, you are advised to furnish the latest status of all 14 mining units (as per list enclosed) in Baramulla district as per the format mentioned below:

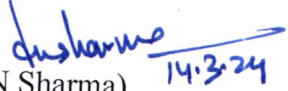
S. No.	Name of mining unit	Location of unit	Consent status with Validity	Quantity consented		Status of EC with validity period	Mining Area (ha)	Compliance of consent conditions
				Consented	Extracted/ mined			

In cases where illegal mining is observed, provide the detail information of the mining units on the prescribed Environment Compensation format (copy enclosed) for levying of EC as per the direction and guidelines of the Hon'ble NGT.

The information must reach within 5 days positively

Yours faithfully,

Encl.: a/a


(J N Sharma) 14.3.24
Environmental Engineer
JK PCC, Jammu.

Copy to Divisional Officer, Pollution Control Committee, Baramulla for information and compliance



Government of Jammu & Kashmir
J&K POLLUTION CONTROL COMMITTEE
OFFICE OF THE REGIONAL DIRECTOR - KASHMIR

Sheikh-ul-Alam Campus, Rajbagh, near Government Silk Factory, Srinagar-190008
www.jkspcb.in Email: regionaldirectorjkmr@gmail.com, Tel/fax 0194-2311842



The Member Secretary
 JK Pollution Control Committee
 Jammu.

No:- PCC/RDK/PS/2024/...¹⁸⁶⁻¹⁸⁷

Dated:- 29-03-2024

Subject:- Status of mining activity within prohibited zone/ 1 KMs from Lachipora WLS in District Baramulla.

Reference:- Your office letter No. JKPCC/T/C/mining /Blm/2024/116-117 dt. 14-03-2024.

Sir,

With regard to the subject and reference cited above, kindly find enclosed herewith the information on the devised format submitted by District Officer, PCC Baramulla for further course of action at your end.

Yours faithfully

(Abhijeet Joshi)SES
 Regional Director, PCC
 Kashmir

Encl:- (4 lvs)

Copy to the:-

1. PA to Chairman JKPCC for information of Worthy Chairman,



Government of Jammu & Kashmir
Jammu & Kashmir Pollution Control Committee
Office of the District Officer Baramulla.

Regional Director,
JK PCC Kashmir.

No: -PCC/BLA/Status-gypsum/2024/72

Dated: - 27-03-2024

Subject: -Status of Mining activity within prohibited zone/1 KM from Lachipora, WLS in district Baramulla.

Ref No:-JKPCC/T/C/mining/Bla/2024/116-17 Dated:-14-03-2024

Sir.

Apropos to the subject and reference cited above, kindly find enclosed here with the latest status of all 14 gypsum mining units in baramulla district as per given format.

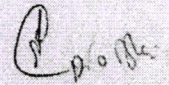
Submitted for further n/a.

Yours faithfully,

Tariq Ahmad sofi (Engg.)
Divisional Officer,
PCC, Baramulla.

List of mining unit/information unit as per given format

S. No	Name of mining unit	Location of the unit	Consent status with Validity	Quantity consented		States of EC with validity period	Mining Area (ha)	Compliance of consent conditions	Remarks
				Consented	Extracted/mined				
01.	M/s Raz Chemicals	Naloosa Uri District Baramulla	August 2022	16200 MTA	61991.5MTs	EC granted but Validity not mentioned)	2.73 ha.	The mining activity not fulfill all condition mentioned as per consent	Lease expired on August 2022, as per report of DM Officer mining activity is done as per EC & mining Plan & total quantity to be extracted was 91238MTs
02.	M/s Snow White Gypsum	Naloosa Boniyar (Uri) District Baramulla	October 2024	25000 MTA	174703.2 MTs	EC granted but Validity not mentioned)	4.09 ha.	The mining activity not fulfill all condition mentioned as per consent	As per report of DM Officer mining activity is done as per EC & mining Plan & total quantity to be extracted was 177370MTs
03.	M/s Peer Panchal Industries	Naloosa (Uri) District Baramulla	Not Consented	Nil	Nil	Without EC	4.72ha	NA	Only Lease was granted but not operational till date as per report of DM Officer
04.	M/s Khyber Industries	Jabadar Bijhama (Uri) District Baramulla	Not Consented	Nil	Nil	Without EC	2.18ha	NA	Not functional long back as report of DM Officer & lease was expired-2022
05.	M/s Noor Mohammad Trumboo (Actual name Northern Gypsum)	Zamboor Pattan (Uri) District Baramulla	Not Consented	Nil	15975.105MTs	Without EC	1.57ha	Non- functional since Jan.2015 as per report of DM.Officer	Permission for lifting of slided/ loose material to the tune of 33904MTs by Administrative department vide letter No:IND/MND-39/2020 Dt.02-07-2020 as per report of DM Officer
06.	M/s GEE EMM Industries	Bagna Salamabad Dachina Boniyar(Uri) District	03-2024	22968MTA	22383.527 MTs	EC granted but Validity not mentioned)	4.80ha	The mining activity not fulfill all condition mentioned as per previous	As per report of DM Officer mining activity is done as per EC & mining Plan, total quantity to be extracted was 90288MTs



		Boniyar(Uri) District Baramulla				not mentioned)		condition mentioned as per previous consent	extracted was 90288MTs
07.	M/s New Sigma Industries	Bagna Uri District Baramulla	July-2025	60000MTA	177208.516 MTs	EC granted but Validity not mentioned)	4.849ha	The mining activity not fulfill all condition mentioned as per consent	As per report of DM Officer mining activity is done as per EC & mining Plan, total quantity to be extracted was 188496MTs
08.	M/s Tower Chemicals	Bagna Uri District Baramulla	September 2023 (Applied for renewal CTO(R)vide Application: 3141429	20000MTA	101030.513 MTs	EC granted but Validity not mentioned)	4.0128 Ha	The mining activity not fulfill all condition mentioned as per consent	As per report of DM Officer mining activity is done as per EC & mining Plan, total quantity to be extracted was 184990MTs
09.	M/s Kohinoor Gypsum	Baga Salamabad Dachina Boniyar(Uri) District Baramulla	09-2022 (CTE(F) applied for CFO(F) vide application. 3847058	Not mentioned consent	48578.962 MTs	EC granted but Validity not mentioned)	4.20ha	The mining activity not fulfill all condition mentioned as per consent	As per report of DM Officer mining activity is done as per EC & mining Plan, total quantity to be extracted was 62271MTs
10.	M/s Baba Chemicals	Salamabad Dachina Boniyar (Uri) District Baramulla	October 2024	4000 MTA	138453.057 MTs	EC granted but Validity not mentioned	4.93 ha	The mining activity not fulfill all condition mentioned as per consent	As per report of DM Officer mining activity is done as per EC & mining Plan, total quantity to be extracted was 161587MTs
11.	M/s Syed Mohammad Tahir	Dara Gutliya (Uri) District Baramulla	July 2024	16200MTA	170898.090 MTs	EC granted but Validity not mentioned	4.18ha	The mining activity not fulfill all condition mentioned as per consent	As per report of DM Officer mining activity is done as per EC & mining Plan, total quantity to be extracted was 194427MTs
12.	M/s Syed Mohammad	Dara Gutliya (Uri) District	Not Consented	Not Consented	2635.940MTs	Without EC	4.365ha	Non- functional since	Permission for lifting of sliced loose material to the tune of

(Signature)
20/11/24

	Irshad	Baramulla						February 2019 as per report of DM. Officer	8899MTs by Administrative department vide letter No:IND/MND-39/2020 Dt.02-07-2020 as per report of DM Officer
13.	M/s Jhelum Valley	Dara Gutliya (Uri) District Baramulla	November 2024	16200MTA	138046.549 MTs	EC granted but Validity not mentioned	4.430ha	The mining activity not fulfill all condition mentioned as per consent	As per report of DM Officer mining activity is done as per EC & mining Plan, total quantity to be extracted was 166293MTs
14.	M/s Kashmir Mineral Mills	Dara Gutliyan (Uri) District Baramulla	Not Consented	Without consent	3700.66MTs	Without EC	4.13ha	Non- operational since September 2019 as per report of DM	Permission for lifting of slided/ loose material to the tune of 6650MTs by Administrative department vide letter No:IND/MND-39/2020 Dt.02-07-2020 as per report of DM Officer

Note:-During the inspection road was not motorable upto mining units because soil erosion was seen, insufficient plantation was done by lease holders & all gypsum mines are closed since last 4 months as per statement of locals.

**Jammu and Kashmir
Pollution Control Committee**
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Rajbagh, Srinagar, 190 008

**Mr. Suhail Andleeb Wani (Prop.)
M/s Raz Chemicals, Naloosa Uri,
District Baramulla.**

No.: JKPCC/LSK/7510142/431-432

Dated. 02-07-2024

Sub :- Show cause notice for levy Environmental Compensation.

Sir,

Whereas, on the basis of pollution potential, **Mining** is classified as **Red** category and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla vide letter No. **DMO/DGM/Bl/2024-25/53-55** dated **16-04-2024** reported that you have exceeded the mining quantity as per the consent of J&K Pollution Control Committee, which is a violation of Environmental (Protection) Act, 1986 as well as the conditions of consent and;

Whereas, Environmental Clearance issued to you by the District Expert Appraisal Committee (DEAC) vide No. **ADC/Reader/2017/1151-16** dated **14-08-2017** with some specific terms and conditions has been expired and is not valid, as same was to be revalidated and;

Whereas, you were supposed to apply with JK Environment Impact Assessment Authority (JKEIAA) for Environmental Clearance and presently you are operating the mine illegally without having requisite Environment Clearance from the Competent Authority and;

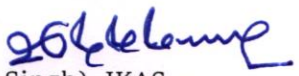
Whereas, Hon'ble National Green Tribunal, Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Troubles Kashmir Village** in its order dt. **20-02-2024**, has directed to take action against the stake holder involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by you for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Environmental Protection Act, 1986 and;

Now, therefore, take this notice and show cause within **15 days** from the date of issuance of this notice as to why:-

- i) *Environmental Compensation amount to **Rs. 3.86** lacs levying against you on the basis of **Polluter Pays Principle (PPP)** in terms of directions of the Hon'ble National Green Tribunal be not recovered from you.*
- ii) *You may not be prosecuted under Environment (Protection) Act 1986 for offending illegal extraction of minerals.*

In the event no tenable response is received within the notice period, the order for recovery of **Environmental Compensation** as per prescribed guidelines shall become obvious against you along with initiation of prosecution proceedings in court of law against you without further notice.


(Gansham Singh), JKAS
Member Secretary
& JK PCC, Jammu. 2.7.24

Copy to the:-

1. Regional Director, PCC Kashmir for information and necessary action.

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

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Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006
Silk Factory Road
Rajbagh, Srinagar, 190 008

**Mr. Bilal Ahmad Bhat (Prop.)
M/s Kohinoor Gypsum,
Baga Salambad Dachine Boniyar Uri,
District Baramulla.**

No.: JKPCCLSK/7510142/429-30

Dated. 02-07/2024

Sub :- Show cause notice for levy Environmental Compensation.

Sir,

Whereas, on the basis of pollution potential, **Mining** is classified as **Red** category and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla vide letter No. **DMO/DGM/Bla/2024-25/53-55** dated **16-04-2024** reported that you have exceeded the mining quantity as per the consent of J&K Pollution Control Committee, which is a violation of environmental(Protection) Act,1986 as well as the conditions of consent and;

Whereas, Environmental Clearance was issued to you by the District Expert Appraisal Committee (DEAC) vide No. **ADCB/Reader/2018-19/3350-55** dated **13-02-2019** with some specific terms and conditions, but the same has expired and is not valid, same was to be revalidated and;

Whereas, thereafter for the same you were supposed to apply with JK Environment Impact Assessment Authority(JKEIAA) for Environmental Clearance but without applying presently you are operating the mine illegally without having Environment Clearance from the Competent Authority and;

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Trubles Kashmir Village** in its order dt. **20-02-2024** has directed to take action against the stake holders involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by you for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Environmental Protection Act, 1986 and;

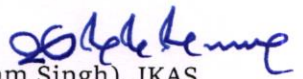
Whereas, in terms of Hon'ble National Green Tribunal directions and the approved guidelines, you are liable for the **Environmental Compensation** for damaging the environment besides prosecution proceedings against you in terms of **Section 17** of Environment(Protection) Act, 1986.

[Handwritten signature]

Now, therefore, take this notice and show cause within **15 days** from the date of issuance of this notice as to why:-

- i) *Environmental Compensation amount to Rs. 3.77 lacs levying against you on the basis of **Polluter Pays Principle (PPP)** in terms of directions of the Hon'ble National Green Tribunal be not recovered from you.*
- ii) *You may not be prosecuted under Environment (Protection) Act 1986 for offending illegal extraction of minerals.*

In the event no tenable response is received within the notice period, the order for recovery of **Environmental Compensation** as per prescribed guidelines shall become obvious against you along with initiation of prosecution proceedings in court of law against you without any further notice.


(Gansham Singh), JKAS
Member Secretary 2.7.24
JK PCC, Jammu.

Copy to the:-

1. Regional Director, PCC Kashmir for information and necessary action.

**Jammu and Kashmir
Pollution Control Committee**

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Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006
Silk Factory Road
Rajbagh, Srinagar, 190 008

**Mr. Gh. Qadir Wani & Ajaz Ahmad Wani (Prop.)
M/s Tower Chemicals Gypsum Mining Project,
Village Begna, Tehsil Boniyar,
District Baramulla.**

No.: JKPC/LSK/7510142/427-18

Dated. 02-07/2024

Sub :- Show cause notice for levy Environmental Compensation.

Sir,

Whereas, on the basis of pollution potential, **Mining** is classified as **Red** category and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla vide letter No. **DMO/DGM/Bla/2024-25/53-55** dated **16-04-2024** reported that you have exceeded the mining quantity as per the consent of J&K Pollution Control Committee, which is a violation of environmental(Protection) Act,1986 as well as the conditions of consent and;

Whereas, Environmental Clearance was issued to you by the District Expert Appraisal Committee (DEAC) vide No. **ADCB/Reader/2018-19/3311-114** dated **19-02-2019** with some specific terms and conditions, but the same has expired and is not valid, same was to be revalidated and;

Whereas, thereafter for the same you were supposed to apply with JK Environment Impact Assessment Authority(JKEIAA) for Environmental Clearance but without applying presently you are operating the mine illegally without having Environment Clearance from the Competent Authority and;

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Trubles Kashmir Village** in its order dt. **20-02-2024** has directed to take action against the stake holders involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by you for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution)Act, 1981 and Environmental Protection Act, 1986 and;


Whereas, in terms of Hon'ble National Green Tribunal directions and the approved guidelines, you are liable for the **Environmental Compensation** for damaging the environment besides prosecution proceedings against you in terms of **Section 17** of Environment(Protection) Act, 1986.

20/07/24

Now, therefore, take this notice and show cause within **15 days** from the date of issuance of this notice as to why:-

- i) *Environmental Compensation amount to **Rs. 4.67** lacs levying against you on the basis of **Polluter Pays Principle (PPP)** in terms of directions of the Hon'ble National Green Tribunal be not recovered from you.*
- ii) *You may not be prosecuted under Environment (Protection) Act 1986 for offending illegal extraction of minerals.*

In the event no tenable response is received within the notice period, the order for recovery of **Environmental Compensation** as per prescribed guidelines shall become obvious against you along with initiation of prosecution proceedings in court of law against you without any further notice.


(Gansham Singh), JKAS
Member Secretary
JK PCC, Jammu.

2.7.24

Copy to the:-

1. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 - 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006
Silk Factory Road
Rajbagh, Srinagar, 190 008

**Mr. Nadeem Hasan Beigh (Prop.)
M/s Baba Chemicals,
Baga Salambad Dachine Boniyar Uri,
District Baramulla.**

No.: JKPCCLSK/7510142/425-26

Dated. 02-07/2024

Sub :- Show cause notice for levy Environmental Compensation.

Sir,

Whereas, on the basis of pollution potential, **Mining** is classified as **Red** category and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla vide letter No. **DMO/DGM/Bla/2024-25/53-55** dated **16-04-2024** reported that you have exceeded the mining quantity as per the consent of J&K Pollution Control Committee, which is a violation of environmental(Protection) Act,1986 as well as the conditions of consent and;

Whereas, Environmental Clearance was issued to you by the District Expert Appraisal Committee (DEAC) vide No. **ADCB/Reader/2018-19/3344-49** dated **13-02-2019** with some specific terms and conditions, but the same has expired and is not valid, same was to be revalidated and;

Whereas, thereafter for the same you were supposed to apply with JK Environment Impact Assessment Authority(JKEIAA) for Environmental Clearance but without applying presently you are operating the mine illegally without having Environment Clearance from the Competent Authority and;

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Trubles Kashmir Village** in its order dt. **20-02-2024** has directed to take action against the stake holders involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by you for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution)Act, 1981 and Environmental Protection Act, 1986 and;

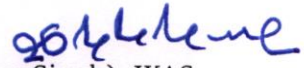
Whereas, in terms of Hon'ble National Green Tribunal directions and the approved guidelines, you are liable for the **Environmental Compensation** for damaging the environment besides prosecution proceedings against you in terms of **Section 17** of Environment(**Protection**) Act, 1986.

[Handwritten signature]

Now, therefore, take this notice and show cause within **15 days** from the date of issuance of this notice as to why:-

- i) *Environmental Compensation amount to **Rs. 36.46** lacs levying against you on the basis of **Polluter Pays Principle (PPP)** in terms of directions of the Hon'ble National Green Tribunal be not recovered from you.*
- ii) *You may not be prosecuted under Environment (Protection) Act 1986 for offending illegal extraction of minerals.*

In the event no tenable response is received within the notice period, the order for recovery of **Environmental Compensation** as per prescribed guidelines shall become obvious against you along with initiation of prosecution proceedings in court of law against you without any further notice.


(Gansham Singh), JKAS
Member Secretary
JK PCC, Jammu.

2.7.24

Copy to the:-

1. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.

**Jammu and Kashmir
Pollution Control Committee**

chairman87jkspcb@gmail.com
membersecretaryjkspcb@gmail.com

0191 - 2472881, 2476925



Parivesh Bhavan, Forest Complex
Transport Nagar, Jammu, 180 006
Silk Factory Road
Rajbagh, Srinagar, 190 008

**Mr. Syed Mohd Tahir (Prop.)
M/s Syed Mohammad Tahir Gypsum Mining Project,
Daragutliyan, Tehsil Boniyar,
District Baramulla.**

No.: JKPCCL/LSK/7510142/423-24

Dated. 02 -07/2024

Sub :- Show cause notice for levy Environmental Compensation.

Sir,

Whereas, on the basis of pollution potential, **Mining** is classified as **Red** category and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla vide letter No. **DMO/DGM/Bla/2024-25/53-55** dated **16-04-2024** reported that you have exceeded the mining quantity as per the consent of J&K Pollution Control Committee, which is a violation of environmental(Protection) Act,1986 as well as the conditions of consent and;

Whereas, Environmental Clearance was issued to you by the District Expert Appraisal Committee (DEAC) vide No. **ADCB/Reader/2018-19/3106-311** dated **04-01-2019** with some specific terms and conditions, but the same has expired and is not valid, same was to be revalidated and;

Whereas, thereafter for the same you were supposed to apply with JK Environment Impact Assessment Authority(JKEIAA) for Environmental Clearance but without applying presently you are operating the mine illegally without having Environment Clearance from the Competent Authority and;

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Trubles Kashmir Village** in its order dt. **20-02-2024** has directed to take action against the stake holders involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by you for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution)Act, 1981 and Environmental Protection Act, 1986 and;

Whereas, in terms of Hon'ble National Green Tribunal directions and the approved guidelines, you are liable for the **Environmental Compensation** for damaging the environment besides prosecution proceedings against you in terms of **Section 17** of Environment(Protection) Act, 1986.

[Handwritten signature]

Now, therefore, take this notice and show cause within **15 days** from the date of issuance of this notice as to why:-

- i) *Environmental Compensation amount to **Rs. 6.13** lacs levying against you on the basis of **Polluter Pays Principle (PPP)** in terms of directions of the Hon'ble National Green Tribunal be not recovered from you.*
- ii) *You may not be prosecuted under Environment (Protection) Act 1986 for offending illegal extraction of minerals.*

In the event no tenable response is received within the notice period, the order for recovery of **Environmental Compensation** as per prescribed guidelines shall become obvious against you along with initiation of prosecution proceedings in court of law against you without any further notice.


(Gansham Singh), JKAS

Member Secretary 2.7.24
JK PCC, Jammu.

Copy to the:-

1. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Subject:- Levying of Environmental Compensation on M/s Raz Chemicals, Naloosa, Uri -District Baramulla.

ORDER No. : 27- JK PCC of 2024
Dated : 24-08-2024

Whereas, on the basis of pollution potential, **Mining** is classified as **Red category** and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla, vide letter No. **DMO/DGM/Bl/2024-25/53-55** dated **16-04-2024** reported that Project Proponent have exceeded the mining quantity to the extent of 3429 MT (Consent Quantity =24300: Total Extraction=27729 MT) in terms of the consent of J&K Pollution Control Committee, which is a violation of environmental (Protection) Act, 1986 as well as the conditions of consent and;

Whereas, Environmental Clearance was issued to the Project Proponent by the District Expert Appraisal Committee (DEAC) vide No. **ADC/Reader/2017/1151-16** dated **14-08-2017**, with some specific terms and conditions, but the same was not revalidated by the Project Proponent and;

Whereas, the Project Proponent did not applied to the J&K Environment Impact Assessment Authority (JKEIAA) for the revalidation of Environmental Clearance and carried out the mining operation illegally without having EC from the Competent Authority and;

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Troubles Kashmir Village** in its order **dt. 20-02-2024** directed to take action against the stake holders involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by Project Proponent for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Environmental (Protection) Act, 1986 and;

Whereas, in terms of directions of the Hon'ble National Green Tribunal and the approved guidelines, Project Proponent is liable for levy of **Environmental Compensation** for damaging the environment, besides, prosecution proceedings under **Section 17** of Environment(Protection) Act, 1986 and;

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Whereas, the case was forwarded to the Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental compensation (as per the format submitted by D.O. Baramulla) amounting to **Rs.3.86 lacs (Rupees Three lakh Eighty Six Thousand only)** and;


Whereas, show cause Notice for levying of Environmental Compensation amount to **Rs.3.86 lacs** was served upon **M/s Raz Chemicals, Naloosa Uri -District Baramulla** vide No. **JKPCC /LSK/7510142/431-432** dated **02-07-2024**, with the direction to show cause within 15 days as to why Environmental Compensation recommended by the TAC be not be levied upon him, but the Project Proponent have failed to respond in the matter despite lapse of more than one and half month.

Now, therefore, Environmental Compensation amounting to **Rs. 3.86 lacs** is hereby levied upon **M/s Raz Chemicals, Naloosa, Uri -District Baramulla** for extraction of excess quantity of 3429 MT and operation of mining activity without Environmental Clearance from the competent authority. The Project Proponent is hereby directed to deposit a sum of **Rs.3.86 lacs (Rupees Three lakh Eighty Six Thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the JK Pollution Control Committee in J&K Bank Ltd. within **30 days** from the date of issuance of this order.

In case of default to pay *Environmental Compensation* in due time, the violator is liable to pay Environment Compensation by (2) two times, (4) four times, (8) Eight times for 2nd, 3rd and 4th quarter respectively as per the guidelines of Environmental Compensation issued by Central Pollution Control Board (CPCB) and violator will not be allowed to operate.

'Issued with the approval of Competent Authority'.

Encls:- EC Calculation Sheet


(Ghansham Singh), JKAS
Member Secretary 24.8.24
JK Pollution Control Committee
Jammu/Srinagar

No.: JKPCC/LSK/Mining/7510142/2024/109-112

Dt. : 24-08-2024

Copy to the:-

1. Deputy Commissioner / District Magistrate Baramulla for information and necessary action
2. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
3. Divisional Officer, Pollution Control Committee, Baramulla for information and necessary action, with the direction to take up the matter with the District Administration for recovery of Environmental Compensation.
4. Prop. M/s Raz Chemicals, Naloosa, Uri -District Baramulla for compliance.

Jammu and Kashmir Pollution Control Committee

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Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008

Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

**Sub:- Levying of Environmental Compensation on M/s Raz Chemicals,
Naloosa, Uri, District Baramulla – Corrigendum thereof.**

Please read amounting to Rs. 3.06 lacs instead of Rs. 3.86 lacs
levying of Environmental Compensation on M/s **Raz Chemicals,
Naloosa, Uri, District Baramulla**, issued vide this office Order **No. 27-
JKPCC of 2024 dated 24-08-2024** under endorsement **No. JKPCC/LSK/
Mining/7510142/2024/109-112 dated 24-08-2024.**

Ghansham Singh
(Ghansham Singh) JKAS 31.8.24
Member Secretary
J&K PCC

No. JKPCC/ LSK/Mining/7510142/2024/ 590-601
Date. 31-08-2024.

Copy to the:-

- 1) Deputy Commissioner, Baramulla.
- 2) Regional Director, J&K PCC, Kashmir.
- 3) Divisional Officer, Pollution Control Committee, Baramulla.
- 4) Prop. M/s Raz Chemicals, Naloosa, Uri district Baramulla for compliance.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Subject:- Levying of Environmental Compensation on M/s Kohinoor Gypsum, Baga Salambad, Dachina Boniyar, Uri-District Baramulla.

ORDER No. : 28 - JK PCC of 2024
Dated : 24-08-2024

Whereas, on the basis of pollution potential, **Mining** is classified as **Red category** and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla, vide letter No. **DMO/DGM/Bl/2024-25/53-55** dated **16-04-2024** carried out the mining activity without obtaining consent to operate (CTO) from the J&K Pollution Control Committee, which is a violation of environmental (Protection) Act, 1986 and;

Whereas, Environmental Clearance was issued to the Project Proponent by the District Expert Appraisal Committee (DEAC) vide No. **ADC/Reader/2018-19/3350-55** dated **13-02-2019**, with some specific terms and conditions, but the same was not revalidated by the Project Proponent and;

Whereas, the Project Proponent did not applied to the J&K Environment Impact Assessment Authority (JKEIAA) for revalidation of Environmental Clearance and carried out the mining operation illegally without having EC from the Competent Authority and;

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Troubles Kashmir Village** in its order **dt. 20-02-2024** directed to take action against the stake holders involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by Project Proponent for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Environmental (Protection) Act, 1986 and;

Whereas, in terms of directions of the Hon'ble National Green Tribunal and the approved guidelines, Project Proponent is liable for levy of **Environmental Compensation** for damaging the environment, besides, prosecution proceedings under **Section 17** of Environment(Protection) Act, 1986 and;

Whereas, the case was forwarded to the Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of

26/8/24

Environmental compensation (as per the format submitted by D.O. Baramulla) amounting to **Rs.43.76 lacs (Rupees Forty three lacs and Seventy six thousand only)** and;

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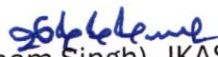
Whereas, show cause Notice for levying of Environmental Compensation amount to **Rs.43.76 lacs** was served upon **M/s Kohinoor Gypsum, Baga Salambad, Dachina Boniyar, Uri-District Baramulla** vide No. **JKPCC /LSK/7510142/429-30** dated **02-07-2024**, with the direction to show cause within 15 days as to why Environmental Compensation recommended by the TAC be not be levied upon him, but the Project Proponent have failed to respond in the matter despite lapse of more than one and half month.

Now, therefore, Environmental Compensation amounting to **Rs. 43.76 lacs** is hereby levied upon **M/s Kohinoor Gypsum, Baga Salambad, Dachina Boniyar, Uri-District Baramulla**, for carrying out of the mining activity and extraction of 48623 MT without Consent to Operate and without Environmental Clearance from the Competent Authority. The Project Proponent is hereby directed to deposit a sum of **Rs.43.76 lacs (Rupees Forty three lacs and Seventy six thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the J&K Pollution Control Committee in J&K Bank Ltd. within **30 days** from the date of issuance of this order.

In case of default to pay *Environmental Compensation* in due time, the violator is liable to pay Environment Compensation by (2) two times, (4) four times, (8) Eight times for 2nd, 3rd and 4th quarter respectively as per the guidelines of Environmental Compensation issued by Central Pollution Control Board (CPCB) and violator will not be allowed to operate.

'Issued with the approval of Competent Authority'.

Encls:- EC Calculation Sheet


(Ghansham Singh), JKAS
Member Secretary **24.8.24**
J&K Pollution Control Committee
Jammu/Srinagar

No.: JKPCC/LSK/Mining/7510142/2024/113-116

Dt. : **24**-08-2024

Copy to the:-

1. Deputy Commissioner / District Magistrate Baramulla for information and necessary action
2. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
3. Divisional Officer, Pollution Control Committee, Baramulla for information and necessary action, with the direction to take up the matter with the District Administration for recovery of Environmental Compensation.
4. Prop. M/s Kohinoor Gypsum, Baga Salambad, Dachina Boniyar, Uri-District Baramulla for compliance.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Subject:- Levying of Environmental Compensation on M/s Tower Chemicals Gypsum Mining Project, Village Begna, Tehsil Boniyar-District Baramulla.

ORDER No. : 26 - JK PCC of 2024

Dated : 24-08-2024

Whereas, on the basis of pollution potential, **Mining** is classified as **Red category** and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla, vide letter No. **DMO/DGM/Bl/2024-25/53-55** dated **16-04-2024** reported that Project Proponent have exceeded the mining quantity to the extent of 5194 MT (Consent Quantity = 31666 MT: Total Extraction = 36860 MT) in terms of the consent of J&K Pollution Control Committee, which is a violation of Environmental (Protection) Act, 1986 as well as the conditions of consent and;

Whereas, Environmental Clearance was issued to the Project Proponent by the District Expert Appraisal Committee (DEAC) vide No. **ADC/Reader/2018-19/3311-3314** dated **19-02-2019**, with some specific terms and conditions, but the same was not revalidated by the Project Proponent from the competent Authority and;

Whereas, the Project Proponent did not applied to the J&K Environment Impact Assessment Authority (JKEIAA) for the revalidation of Environmental Clearance and carried out the mining operation illegally without having EC from the Competent Authority and;

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Troubles Kashmir Village** in its order dt. **20-02-2024** directed to take action against the stake holders involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by Project Proponent for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Environmental (Protection) Act, 1986 and;

Whereas, in terms of directions of the Hon'ble National Green Tribunal and the approved guidelines, Project Proponent is liable for levy of **Environmental Compensation** for damaging the environment, besides, prosecution proceedings under Section **17** of Environment (**Protection**) Act, **1986** and;

26/8

Whereas, the case was forwarded to the Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental compensation (as per the format submitted by D.O. Baramulla) amounting to **Rs.4.67 lacs (Rupees four lacs sixty seven thousand only)** and;

Whereas, show cause Notice for levying of Environmental Compensation amount to **Rs.4.67 lacs** was served upon **M/s Tower Chemicals Gypsum Mining Project, Village Begna, Tehsil Boniyar-District Baramulla** vide No. **JKPCC /LSK/7510142/429-30** dated **02-07-2024**, with the direction to show cause within 15 days as to why Environmental Compensation recommended by the TAC be not be levied upon him, but the Project Proponent have failed to respond in the matter despite lapse of more than one and half month.

Now, therefore, Environmental Compensation amounting to **Rs.4.67 lacs** is hereby levied upon **M/s Tower Chemicals Gypsum Mining Project, Village Begna, Tehsil Boniyar-District Baramulla** for carrying out of the mining activity without Environmental Clearance from the Competent Authority and extraction of excess quantity of 5194 MT without Consent to Operate. The Project Proponent is hereby directed to deposit a sum of **Rs.4.67 lacs (Rupees four lacs sixty seven thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the J&K Pollution Control of issuance J&K Bank Ltd. within **30 days** from the date of issuance of this order.

In case of default to pay *Environmental Compensation* in due time, the violator is liable to pay Environment Compensation by (2) two times, (4) four times, (8) Eight times for 2nd, 3rd and 4th quarter respectively as per the guidelines of Environmental Compensation issued by Central Pollution Control Board (CPCB) and violator will not be allowed to operate.

'Issued with the approval of Competent Authority'.

Encls:- EC Calculation Sheet

(Ghansham Singh), JKAS
Member Secretary 24.8.24
J&K Pollution Control Committee
Jammu/Srinagar

No.: JKPCC/LSK/Mining/7510142/2024/105-108
Dt. : 24-08-2024

Copy to the:-

1. Deputy Commissioner / District Magistrate Baramulla for information and necessary action
2. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
3. Divisional Officer, Pollution Control Committee, Baramulla for information and necessary action, with the direction to take up the matter with the District Administration for recovery of Environmental Compensation.
4. Prop. M/s Tower Chemicals Gypsum Mining Project, Village Begna, Tehsil Boniyar-District Baramulla for compliance.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Subject:- Levying of Environmental Compensation on M/s Baba Chemicals, Baga Salambad, Dachina Boniyar, Uri-District Baramulla.

ORDER No. : 25 - JK PCC of 2024

Dated : 24 -08-2024

Whereas, on the basis of pollution potential, **Mining** is classified as **Red category** and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla, vide letter No. **DMO/DGM/Bla/2024-25/53-55** dated **16-04-2024** reported that Project Proponent have exceeded the mining quantity to the extent of 40513 MT (Consent Quantity =11667: Total Extraction=52180 MT) in terms of the consent of J&K Pollution Control Committee, which is a violation of environmental (Protection) Act,1986 as well as the conditions of consent and;

Whereas, Environmental Clearance was issued to the Project Proponent by the District Expert Appraisal Committee (DEAC) vide No. **ADC/Reader/2018-19/3344-3349** dated **13-02-2019**, with some specific terms and conditions, but the same was not revalidated by the Project Proponent from the competent Authority and;

Whereas, the Project Proponent did not applied to the J&K Environment Impact Assessment Authority (JKEIAA) for the revalidation of Environmental Clearance and carried out the mining operation illegally without having EC from the Competent Authority and;

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Troubles Kashmir Village** in its order **dt. 20-02-2024** has directed to take action against the stake holders involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by Project Proponent for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Environmental (Protection) Act, 1986 and;

Whereas, in terms of directions of the Hon'ble National Green Tribunal and the approved guidelines, Project Proponent is liable for levy of **Environmental Compensation** for damaging the environment, besides, prosecution proceedings under Section **17** of Environment (**Protection**) **Act, 1986** and;

26/8/24

Whereas, the case was forwarded to the Technical Advisory Committee (TAC) constituted by the JK Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental compensation (as per the format submitted by D.O. Baramulla) amounting to **Rs.36.46 lacs (Rupees Thirty six lacs and forty six thousand only)** and;


Whereas, show cause Notice for levying of Environmental Compensation amount to **Rs.36.46 lacs** was served upon **M/s Baba Chemicals, Baga Salambad, Dachina Boniyar, Uri-District Baramulla** vide No. **JKPCC /LSK/7510142/425-26** dated **02-07-2024**, with the direction to show cause within 15 days as to why Environmental Compensation recommended by the TAC be not be levied upon him, but the Project Proponent have failed to respond in the matter despite lapse of more than one and half month.

Now, therefore, Environmental Compensation amounting to **Rs.36.46 lacs** is hereby levied upon **M/s Baba Chemicals, Baga Salambad, Dachina Boniyar, Uri-District Baramulla** for carrying out of the mining activity without Environmental Clearance from the Competent Authority and extraction of excess quantity of 40513 MT without Consent to Operate. The Project Proponent is hereby directed to deposit a sum of **Rs.36.46 lacs (Rupees Thirty six lacs and forty six thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the J&K Pollution Control Committee in J&K Bank Ltd. within **30 days** from the date of issuance of this order.

In case of default to pay *Environmental Compensation* in due time, the violator is liable to pay Environment Compensation by (2) two times, (4) four times, (8) Eight times for 2nd, 3rd and 4th quarter respectively as per the guidelines of Environmental Compensation issued by Central Pollution Control Board (CPCB) and violator will not be allowed to operate.

'Issued with the approval of Competent Authority'.

Encls:- EC Calculation Sheet


(Ghansham Singh), JKAS
Member Secretary 24.8.24
J&K Pollution Control Committee
Jammu/Srinagar

No.: JKPCC/LSK/Mining/7510142/2024/101-104

Dt. : 24-08-2024

Copy to the:-

1. Deputy Commissioner / District Magistrate Baramulla for information and necessary action
2. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
3. Divisional Officer, Pollution Control Committee, Baramulla for information and necessary action, with the direction to take up the matter with the District Administration for recovery of Environmental Compensation.
4. Prop. M/s Baba Chemicals, Baga Salambad, Dachina Boniyar, Uri-District Baramulla for compliance.

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

Subject:- Levying of Environmental Compensation on M/s Syed Mhammad Tahir Gypsum Mining Project, Daragutliyan, Tehsil Boniyar -District Baramulla.

ORDER No. : 24 - JK PCC of 2024
Dated : 24-08-2024

Whereas, on the basis of pollution potential, **Mining** is classified as **Red category** and obtaining the consent from the J&K Pollution Control Committee is mandatory along with adoption of pollution control mechanism to achieve the Prescribed Standards of pollution and;

Whereas, District Mineral Officer, Baramulla, vide letter No. **DMO/DGM/BlA/2024-25/53-55** dated **16-04-2024** reported that Project Proponent have exceeded the mining quantity to the extent of 6817 MT (Consent Quantity =48600: Total Extraction=55417 MT) in terms of the consent of J&K Pollution Control Committee, which is a violation of environmental (Protection) Act,1986 as well as the conditions of consent and;

Whereas, Environmental Clearance was issued to the Project Proponent by the District Expert Appraisal Committee (DEAC) vide No. **ADC/Reader/2018-19/3106-3111** dated **04-01-2019**, with some specific terms and conditions, but the same was not revalidated by the Project Proponent from the competent Authority and;

Whereas, the Project Proponent did not applied to the J&K Environment Impact Assessment Authority (JKEIAA) for the revalidation of Environmental Clearance and carried out the mining operation illegally without having EC from the Competent Authority and;

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in O.A. No. **538/2023** titled **Gypsum Jamm: Rampat Mining Troubles Kashmir Village** in its order **dt. 20-02-2024** directed to take action against the stake holders involved in illegal mining including imposition of environmental compensation and;

Whereas, the **modus operandi** adopted by Project Proponent for extraction of Mining is in violation of Section 25/26 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Environmental (Protection) Act, 1986 and;

Whereas, in terms of directions of the Hon'ble National Green Tribunal and the approved guidelines, Project Proponent is liable for levy of **Environmental Compensation** for damaging the environment, besides, prosecution proceedings under Section **17** of Environment (**Protection**) Act, **1986** and;

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Whereas, the case was forwarded to the Technical Advisory Committee (TAC) constituted by the J&K Pollution Control Committee for expert assessment and evaluation of Environmental Compensation, which recommended levying of Environmental compensation (as per the format submitted by D.O. Baramulla) amounting to **Rs.6.13 lacs (Rupees six lacs thirteen thousand only)** and;


Whereas, show cause Notice for levying of Environmental Compensation amount to **Rs.6.13 lacs** was served upon **M/s Syed Mhammad Tahir Gypsum Mining Project, Daragutliyan, Tehsil Boniyar -District Baramulla** vide No. **JKPCC /LSK/7510142/425-26** dated **02-07-2024**, with the direction to show cause within 15 days as to why Environmental Compensation recommended by the TAC be not be levied upon him, but the Project Proponent have failed to respond in the matter despite lapse of more than one and half month.

Now, therefore, Environmental Compensation amounting to **Rs.6.13 lacs** is hereby levied upon **M/s Syed Mhammad Tahir Gypsum Mining Project, Daragutliyan, Tehsil Boniyar -District Baramulla** for carrying out of the mining activity without Environmental Clearance from the Competent Authority and extraction of excess quantity of 6817 MT without Consent to Operate. The Project Proponent is hereby directed to deposit a sum of **Rs.6.13 lacs (Rupees six lacs thirteen thousand only)** in the **Environmental Compensation Fund Account No. 0023040510000001** of the J&K Pollution Control of issuance J&K Bank Ltd. within **30 days** from the date of issuance of this order.

In case of default to pay *Environmental Compensation* in due time, the violator is liable to pay Environment Compensation by (2) two times, (4) four times, (8) Eight times for 2nd, 3rd and 4th quarter respectively as per the guidelines of Environmental Compensation issued by Central Pollution Control Board (CPCB) and violator will not be allowed to operate.

'Issued with the approval of Competent Authority'.

Encls:- EC Calculation Sheet


(Ghansham Singh), JKAS
Member Secretary **24.8.24**
J&K Pollution Control Committee
Jammu/Srinagar

No.: JKPCC/LSK/Mining/7510142/2024/**97-100**

Dt. : **24**-08-2024

Copy to the:-

1. Deputy Commissioner / District Magistrate Baramulla for information and necessary action
2. Regional Director, Pollution Control Committee, Kashmir for information and necessary action.
3. Divisional Officer, Pollution Control Committee, Baramulla for information and necessary action, with the direction to take up the matter with the District Administration for recovery of Environmental Compensation.
4. Prop. M/s Syed Mhammad Tahir Gypsum Mining Project, Daragutliyan, Tehsil Boniyar -District Baramulla for compliance.